This communication was sent as an email to the DLFaculty ListServ on August 17, 2021.

Dear Distance Learning Faculty,

Regulatory updates to Title 5 (California state distance ed) are being reviewed by the Board of Governors.  The proposed revisions are similar to federal regulations.  When Title 5 is amended, I will let you know.

 [34 CFR 600.2](https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.law.cornell.edu%2Fcfr%2Ftext%2F34%2F600.2&data=04%7C01%7Ccimpara%40mtsac.edu%7C914d99f8fe4b43d9816608d961148886%7Ccc4d4bf20a9e4240aedea7d1d688f935%7C0%7C0%7C637647563072539733%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=evX25Q%2FrDE8QiIwc5SHeMCRRhy3UQLY5akEjTn5VyRY%3D&reserved=0) defines, among other things, academic engagement, correspondence course, and distance education.

***Academic engagement***

Professors must plan online courses to engage students academically.  The section on active engagement defines it as

* Attending a synchronous class, lecture, recitation, or field or laboratory activity, physically or online, where there is an opportunity for interaction between the instructor and students;
* Submitting an academic assignment;
* Taking an assessment or an exam;
* Participating in an interactive tutorial, webinar, or other interactive computer-assisted instruction;
* Participating in a study group, group project, or an online discussion that is assigned by the institution; or
* Interacting with an instructor about academic matters; and

 Active engagement is not:

* Living in institutional housing;
* Participating in the institution's meal plan;
* Logging into an online class or tutorial without any further participation; or
* Participating in academic counseling or advisement.

**Takeaway:**  This section was expanded to give more examples.  Note that simply logging into an asynchronous class is not considered active engagement.  If you have judged “No Shows” by log-in only, please change your No Show process to an active one, such as a syllabus quiz or introductory discussion.

***Correspondence course***

As before, "interaction between instructors and students in a correspondence course is limited, is not regular and substantive, and is primarily initiated by the student...

A correspondence course is not distance education."

**Takeaway:**There is little change to this definition.  Instructors must initiate regular and substantive interaction or else the course will not be considered distance education and financial aid may be forfeited.

***Distance education***

Parts 1 and 2 of this section updates what technology can be used.  Part 3 states, "An instructor is an individual responsible for delivering course content and who meets the qualifications for instruction established by an institution's accrediting agency."

Part 4.  "For purposes of this definition, substantive interaction is engaging students in teaching, learning, and assessment, consistent with the content under discussion, and also includes **at least two** of the following -

* Providing direct instruction;
* Assessing or providing feedback on a student's coursework;
* Providing information or responding to questions about the content of a course or competency;
* Facilitating a group discussion regarding the content of a course or competency; or
* Other instructional activities approved by the institution's or program's accrediting agency.

Part 5.  "An institution ensures regular interaction between a student and an instructor or instructors by, prior to the student's completion of a course or competency -

* Providing the opportunity for substantive interactions with the student on a predictable and scheduled basis commensurate with the length of time and the amount of content in the course or competency; and
* Monitoring the student's academic engagement and success and ensuring that an instructor is responsible for promptly and proactively engaging in substantive interaction with the student when needed on the basis of such monitoring, or upon request by the student."

**Takeaway**: Parts 1 and 2 are pretty much the same as before.  Parts 3, 4, and 5 are newly added.

* In part 3, an “instructor” must meet minimum qualifications.  For this reason, tutors and teaching assistants are not considered instructors. The instructor of record is responsible for demonstrating regular and substantive interaction.
* Part 4 provides some much-requested clarification for what is considered a substantive interaction and how many there should be.  “At least two” of these methods should be deployed on a “predictable and scheduled” basis.   The Distance Learning Committee is discussing what constitutes “direct instruction” and what is meant by “discussion facilitation.”
* Part 5 is also new and may require you to review your course processes to ensure you are compliant.
	+ “Predictable and scheduled” implies regular interaction throughout the course, not just bundled at certain times.
		- Consider informing your students at the start of the semester how you will communicate with them and how they can get in touch with you.  Letting them know your outreach style makes it “predictable.”
	+ “Monitoring the student’s academic engagement” is also recommended by equity courses.

Studies have shown that integrating regular and substantive interaction results in better student success.  Good luck reviewing your courses and starting the semester!

Sincerely,

Carol Impara

Distance Learning Faculty Coordinator