Welcome to #WCETWebcast

November 16, 2017

- *The webcast will begin shortly.*

- *There is no audio being broadcast at this time.*

- *An archive of this webcast will be available on the WCET website next week.*

Blackboard

Regular and Substantive Interaction: Context, Future, and Advice
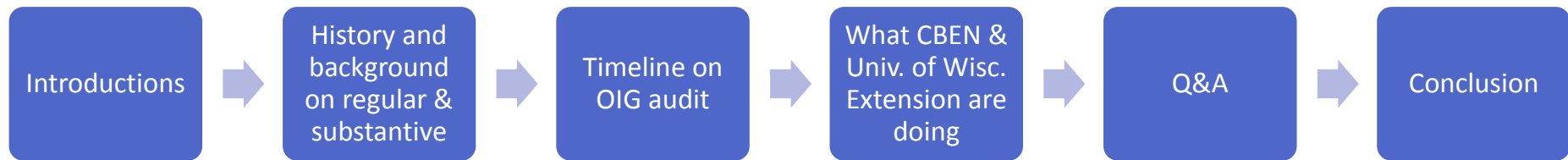
November 16

Welcome!

- *Use the question box for questions and information exchange.*

- *Archive, PowerPoint, and Resources available next week.*

- *PowerPoint can be downloaded in the handouts pane.*

- *Follow the Twitter feed: #WCETwebcast.*

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Overview

Introductions → History and background on regular & substantive → Timeline on OIG audit → What CBEN & Univ. of Wisc. Extension are doing → Q&A → Conclusion

Questions from the Audience

- *If you have a question during the presentation, please add your questions to the question box.*

- *We will monitor the question box and have time for Q&A at the end of each section.*
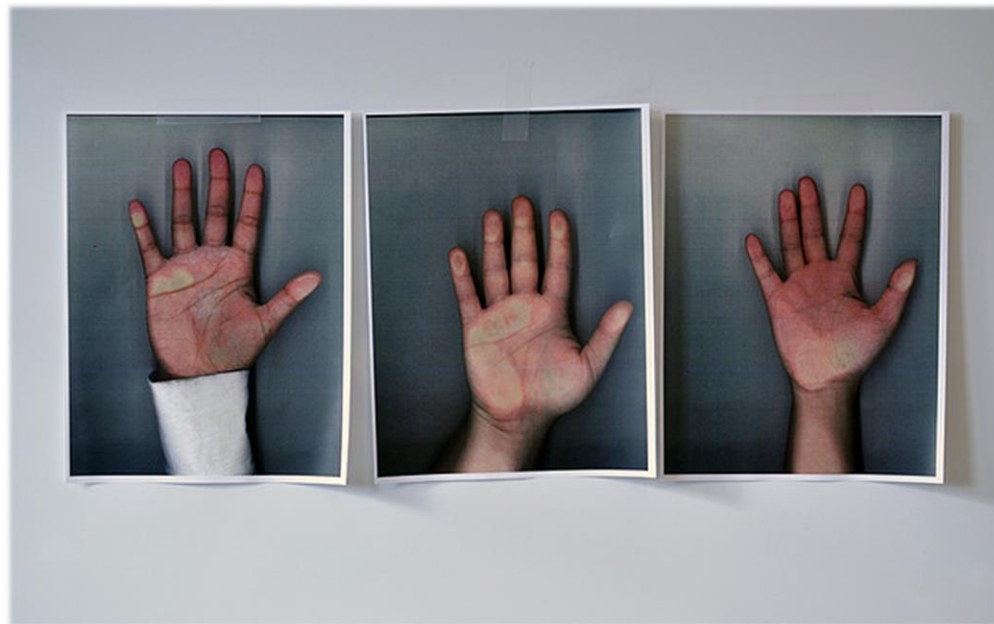
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Russ Poulin

Director, Policy and Analysis,

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Presenters

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- Blackboard Inc.

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Laura Pedrick

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Amanda Sharp

- Online Instruction Manager,
- National Association of Student Financial Aid Administrators (NASFAA)

Van Davis

- Associate Vice President, Higher Education Policy and Research,
  - Blackboard Inc.

Definition of Correspondence Course, 81 FR 62

"A course provided by an institution under which the institution provides instructional materials, by mail or electronic transmission, including examinations on the materials, to **students who are separated from the instructor**. **Interaction between the instructor and student is limited**, is **not regular and substantive**, **and is primarily initiated by the student**. Correspondence courses are **typically self-paced**."

Definition of Distance Education Course

"*Distance education* means education that uses one or more of the technologies listed in paragraphs (1) through (4) of this definition to **deliver instruction to students who are separated from the instructor** and to **support regular and substantive interaction** between the students and the instructor, either synchronously or asynchronously."

March 2011 Dear Colleague Letter

"In general, a week of instructional time is **any seven-day period in which at least one day of regularly scheduled instruction or examination occurs**... Thus, in any seven-day period, a **student is expected to be academically engaged** through, for example, classroom attendance, examinations, practica, laboratory work, internships, and supervised studio work.

March 2011 Dear Colleague Letter cont.

In the case of distance education and correspondence education, academic engagement would include, but not be limited to, **submitting an academic assignment**; **taking an exam, an interactive tutorial, or computer-assisted instruction**; **attending a study group that was assigned by the institution**; **contributing to an academic online discussion**; and **initiating contact with a faculty member to ask a question about the academic subject studied in the course**."

Regular and substantive, December 2014 Dear Colleague letter

"**We do not consider interaction that is wholly optional or initiated primarily by the student to be regular and substantive interaction between students and instructors**. Interaction that occurs only upon the request of the student (either electronically or otherwise) would not be considered regular and substantive interaction."

Regular and Substantive, December 2014 Dear Colleague Letter

1. "Participating in regularly scheduled learning sessions (where there is an opportunity for direct interaction between the student and the faculty member);
2. Submitting an academic assignment;
3. Taking an exam, an interactive tutorial, or computer-assisted instruction;
4. Attending a study group that is assigned by the institution;
5. Participating in an online discussion about academic matters;
6. Consultation with a faculty mentor to discuss academic course content; and
7. Participation in faculty-guided independent study."

WGU Audit Report

The "ordinary" meaning of "regular and substantive":

Substantive interaction is defined as "relevant to the subject matter" and involves a "student interaction with a course mentor or required an individual submission of a performance task for which an evaluator provided the student feedback."

WGU Audit Report

The "ordinary" meaning of "regular and substantive":

Substantive interaction is defined as "relevant to the subject matter" and involves a "student interaction with a course mentor or required an individual submission of a performance task for which an evaluator provided the student feedback."

 "Ensure that the school-defined academic year will include at least 30 weeks of instructional time and **each of the weeks will include at least 1 day of regularly scheduled instruction or an examination**."

WGU Audit Report

The "ordinary" meaning of "regular and substantive":

Substantive does **NOT** include:

1. Computer-generated feedback on objective assessments
2. "Recorded webinars, videos, and reading materials if the course design materials did not require the students to watch the webinars and then interact with an instructor."
3. Contact with mentoring staff who are not directly providing instruction on the course's subject matter.

Amanda Sharp

- Online Instruction Manager,
- National Association of Student Financial Aid Administrators (NASFAA)

What's a Review?

U.S. Department of Education (ED) Program Reviews

School Participation Division (SPD) identifies the purpose, scope, and execution information which includes consideration of:

- Program review type.
- Program review scope.
- Location (on-site or off-site).
- Timing for conducting the review.
- Staffing considerations.
- Duration of program review.

Types of ED Program Reviews

- General Assessment Program Review.
- Focused Review.
- Incentive Compensation Review.
- Joint Program Review.
- 2017 *Program Review Guide*.

Timing of Notification

- SPD will determine how far in advance the review is announced to the institution.
- Most are announced two to four weeks in advance; however, shorter notice may be provided.

Office of Inspector General (OIG) Audit

- The OIG has the authority to audit any program or entity that relates to ED programs, and operations or that receives ED funds.

- Conducts both internal audits focused on ED and external audits that are of entities that receive funding from ED, such as States, school districts, colleges, and universities.

- Identifies problems or weaknesses, and make recommendations to ED.

- More information found at OIG Audit Services.

Regulatory Definitions

34 CFR 600.7 Conditions of Institutional Ineligibility

(a) *General rule.* For purposes of title IV of the HEA, an educational institution that otherwise satisfies the requirements contained in Secs. 600.4, 600.5, or 600.6 nevertheless does not qualify as an eligible institution under this part if—

(1) For its latest complete award year—

(i) More than 50 percent of the institution's courses were correspondence courses as calculated under paragraph (b) of this section;

(ii) Fifty percent or more of the institution's regular enrolled students were enrolled in correspondence courses;

WGU Finding

OIG findings assert:

- WGU did not comply with the requirement that limits the percentage of eligible regular students who may enroll in correspondence courses.
- 62 percent of regular students enrolled in one or more courses that did not meet the definition of distance education.

ED Response Timeline to OIG Audit

- OIG makes recommendations to ED in the audit report.
- OIG audit is subject to ED's audit resolution process.
- ED will draft a final audit determination (FAD).
- ED considers report's findings, school response, and input from program and OIG staff.
- Once FAD issued, school given opportunity to appeal financial liabilities.

ED Response Timeline to OIG Audit

- ED procedures do prescribe a general six-month timeframe for issuance of a FAD from the date of the audit report.
- Can be affected by
  - particularly complex findings.
  - the time needed for an institution to respond to any data requests.
  - staff time involved in reviewing those submissions.
  - various other factors.
- Often means that issuance of an FAD occurs beyond the six-month target date.

ED Response to WGU Audit

- The OIG audit does not reflect a change in ED's current guidance regarding regular and substantive interaction.

- Current guidance found in Dear Colleague Letter GEN-14-23.

- Institutions should continue to follow that guidance.

Why Does This Matter?

Concern is the lack of clarity on the rules and the potential chilling effect this may have on schools who would like to venture into innovative learning models, but are fearful of the hassles and harmful repercussions if they do anything wrong.

Melissa Haberman

- Director of Financial Aid, University of Wisconsin-Extension
  - UW Flexible Option
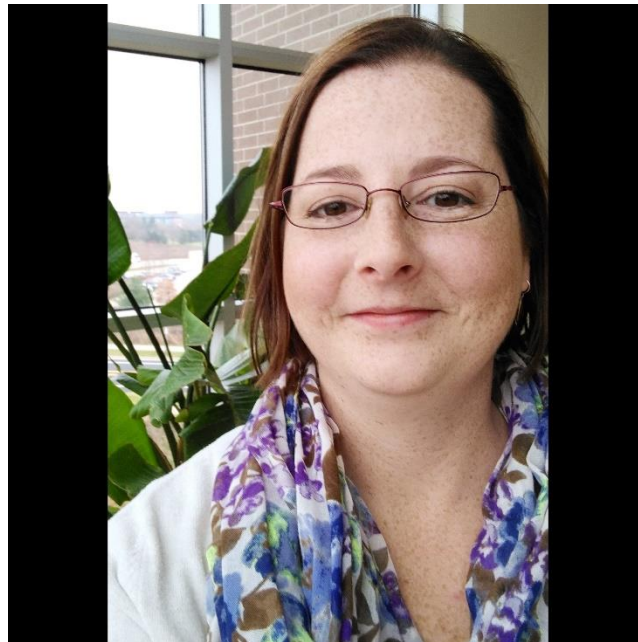
University of Wisconsin Flexible Option Programs

- Unique system-wide effort.

- Centralized administrative services.

- Offers the same content as the existing standard term programs in a different modality.

University of Wisconsin Flexible Option Programs

- Competency Based.

- Direct Assessment.

- Distance Education.

- Non-Term Academic Year.

- Subscription Periods.

- Personalized Paced.

University of Wisconsin Flexible Option Programs

Regular and Substantive
Faculty Initiated Interaction

- Often mistaken as only a "financial aid rule."
- Must be part of the academic program.
- Built in easy ways for faculty initiated students interaction.
- Robust feedback on work submitted.

University of Wisconsin Flexible Option Programs

Additional Regular and Substantive

- Check in at regular intervals.

- Initiated by faculty.

- Specific academic content.

- Required to continue in course.

- Robust, personalized feedback from faculty.

Laura Pedrick

- Special Assistant to the Provost for Strategic Initiatives
Executive Director,

  - UWM Online
UW-Milwaukee

# Implications for Competency-based Education

- Currently 7 institutions offering direct assessment CBE (allows for the most innovation, flexibility in CBE design).
- Based on attendance at the Competency-Based Education Network (C-BEN)'s annual conference, hundred of institutions are interested in adopting CBE.
- This is a highly promising educational delivery model; assessment results are showing success and we are reaching a new student market, increasing access to higher education.
- Recent developments could slow growth, stifling innovation and access.

C-BEN Thoughts and Recommendations

- The OIG audit affects all of distance education, not just CBE.
- Competency-based education has many varieties in its implementation, including face-to-face and blended approaches.
- What is needed
  - A statutory definition of CBE within the Higher Education Reauthorization Act.
  - Safeguards for ensuring high-quality learning experiences for students.
  - Regulations that have scope for innovations in learning science and ensure student access to faculty as needed, leveraging educational technologies to enable personalized learning.
  - At the institutional level, C-BEN's Quality Framework for Competency-Based Programs provides standards for design & delivery.
  - http://www.cbenetwork.org/sites/457/uploaded/files/CBE_Quality_Framework.pdf

Questions from the Audience
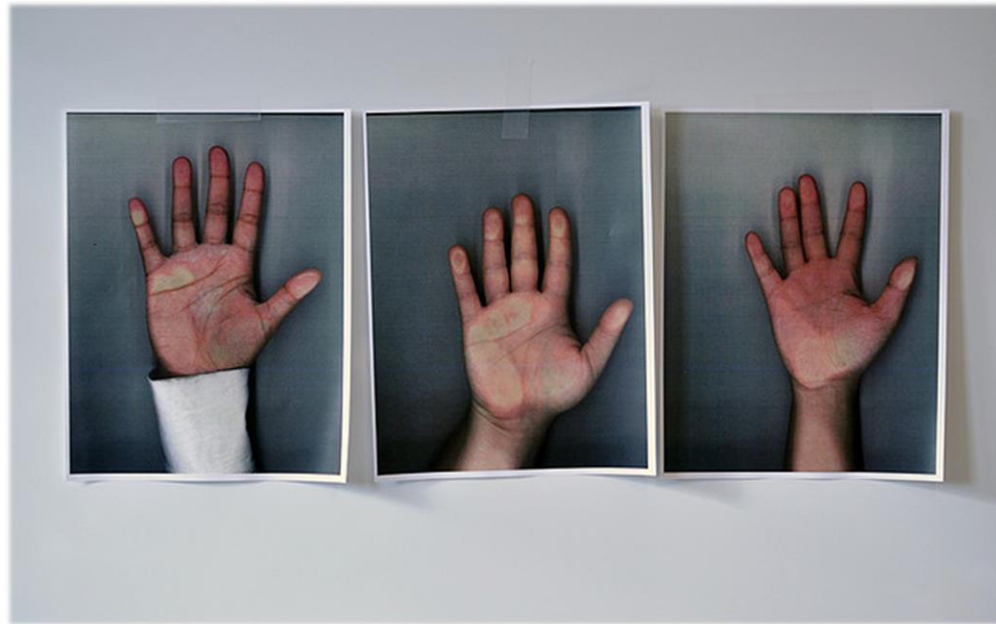
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http://wcet.wiche.edu/join-wcet

Additional Information and Resources

Access to the resources discussed during this webcast, including the archive, will be available next week.

http://wcet.wiche.edu/connect/webcasts

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