Assessing Quality in Distance Learning Programs:

A Review of Exemplary Practices in the Midst of Federal Reconciliation

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Abstract

In the midst of the federal government "budget-cutting" reconciliation to distance learning programs, several institutions of Higher Education are dominating the controversial accreditation debate with their exposition of exemplary quality assurance practices. On February 8, 2006, the federal government eliminated the 50 percent rule, which limited distance education course offerings and enrollments at institutions that participated in federal student financial aid programs, and signed The Deficit Reduction Act of 2005. Under this new Act, Distance Education programs are required to receive accreditation from a federally recognized accreditation agency or association in order to be eligible for federal student financial aid assistance. This paper provides an overview of the events that led to the elimination of the 50 percent rule, its impact on the quality assurance of distance education, and a review of three distance learning programs that are currently demonstrating exemplary" good practices" in quality assurance.

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According to Simonson (2006), in the last few years, distance education has become a major topic in education. In 2005, over 60 conferences dealt with some aspect of distance education and almost every professional organization's publications and conferences have shown a huge increase in the number of distance education-related articles and papers (Simonson, p.5). Simonson states that distance education is viewed by many as exciting, especially with the latest innovations in hardware and software which allows telecommunications in distance learning systems more available, easier to use and less costly. More often, educators are using technology to "increase the access of the distance learner to the local classroom, to improve access to all learners to resources, and to make the experience of the remote student comparable with the experience of the local learner" (Simonson, p. 27).

According to Nassirian (2004), the onset of the Internet has also strengthen interest in distance education within the traditional collegiate sector and promises to bring tremendous benefits as web-based delivery technology improves over time. However, Nassirian states that the great interest in distance education is combined with concerns about security and integrity that parallel other deployments of the Internet. Critics are concerned that the explosive growth and increased federal funding initiatives of distance learning programs would create complex issues with public accountability, evidence of quality performance, and accreditation of institutions of Higher Education. In addition, critics feel that distance learning programs will "change, even restructure, education" demanding that "distance education systems be designed to permit equivalent learning experiences for distant and local students" requesting a reform of federal law, rules, and regulations (Simonson, p.27).

In 1994, Lucas stated that "criticizing colleges has always amounted to something of a national pastime, dating back practically to the colonial era" (p. xi). Lucas also states that academic quality assurance and the federal government's involvement in Higher Education "are hardly new and dates back to the nineteenth century (p. xii)." As evidence, the Morrill Act of 1862 provided large-scale land grants to states for the purpose of establishing institutions of higher education. In 1944, United States Congress moved beyond institutional support to student support by providing direct aid to returning veterans under the GI Bill after World War II. During the 1950s, an expanded initiative was developed titled the National Defense Education Act which was designed to stimulate the advancement in education and to stay competitive with the Soviet Union's education system by offering low-interest loans.

Then, on November 8, 1965, President Lyndon Johnson signed the Higher Education Act (HEA) into law, creating an overall governing structure for federal programs in higher education. According to Gladieux & Wolanin (1976), President Johnson felt that the HEA initiative was "the answer to all our national problems, the answer for all the problems of the world, comes down, when you really analyze it, to one single word-education" (p. 17). Despite the considerable changes at its margins, the core structure of the original HEA remains intact today. According to Paulsen & Smart (2001), approximately one-third of the students who are enrolled in Higher Education distance learning programs receive funding from Title IV financial aid programs.

The HEA, both the National Defense Student Loans program and a variety of new student-aid programs were to be encompassed under the Act's Title IV. Title IV

established the College Work Study program, the Guaranteed Student Loan program and the Educational Opportunity Grants program. The latter two programs were later renamed the Stafford Loan Program and Supplemental Education Opportunity Grants program, respectively (Paulsen & Smart, 2001, p. 274). The direct student aid programs under Title IV of the act continue to be its most important features, but it also supports "developing institutions," or colleges or universities that serve special populations or face special circumstances in carrying out their missions.

Prior to February 8, 2006, many students attending distance education program were not eligible for federal financial aid programs due to the 50 percent rule, which permitted federal financial aid only to students attending institutions of Higher Education that offered fewer than half of their courses online or that enrolled fewer than half their students at a distance (CHEA). This rule was enacted by Congress in 1992 after investigations revealed that some for-profit trade schools sold diplomas without delivering an education (Sawicki, 2006). Now the controversial restriction on distance education federal financial aid has been eliminated after more than a decade of heated debate, significantly modifying the classification of institutions of higher education.

Overview of the 50 Percent Rule

Distance education has had a rather interesting evolution (Simonson, p. 226). Its origins lie in the correspondence programs of the 1800s, facilitated by postal services. The Higher Education Act (HEA) of 1965 sparked increased involvement by the federal government in the reshaping of American higher education. Kaiser (2002) states that President Johnson rationale in for signing this into law was to "allow a high

school senior anywhere in this great land of ours to apply to any college or any university in any of the fifty states and not be turned away because his family is poor". In other words, the HEA was designed to strengthen education resources and financial aid resources to students who are enrolled in postsecondary institutions, colleges and universities. Since the passage of the HEA, Congress re-authorizes and amends it approximately every six years in effort to stay current with the increasing costs and needs of higher education institutions in the United States (The Blue Book, 2001).

Historically, it has been extremely difficult for students enrolled in distance education programs at the postsecondary level to obtain federal financial aid, a situation dating from documented abuses in the correspondence course era that continued into the age of instructional television in the 1960s and 1970s (Simonson, p. 324). Enactments of amendments to the HEA of 1996 began to ease the restrictions, but only under certain circumstances. For example according to Simonson, distance learning programs were to be affiliated with a conventional face-to-face (f2f) interaction teaching institution, a physical campus, where 50 percent of the institution's students attend classes in residence. This is what is now known as the 50 percent rule.

According to Kaiser (2002), the fifty percent rule, which was created in 2002 by United States Congress during the amendments to the re-authorization of HEA, prohibits institutions of Higher Education that offer more than half of its courses as correspondence and/or telecommunications courses from offering federal financial aid to their students. Therefore, this rule required that students who are enrolled at completely online universities pay tuition from their own funds or obtain a costly

private loan. The rule stems from explicit statutory language (Kaiser, 2002, p. 3). In 1998, the re-authorization of the HEA stated that telecommunications courses as correspondence courses. Therefore the articulation of the HEA re-authorizations in 1998 and 2002 created the Fifty percent rule.

According to Simonson, this rule required that the distance education course schedule conform to the traditional two-semesters or three-quarters per year academic schedule of the f2f campus which is called the 30-week rule. Additionally, distance education programs were required to engage students on the average of 12 hours per week which is known as the 12 hour rule. Unless those conditions were met, students were ineligible for federal financial aid. Goldstein (2002) cited the National Commission on Web-Based Education when he noted that, "The regulations that govern much of education today were written for an earlier model, the factory model of education in which the teacher is the center of all instruction and all learners must advance at the same rate, despite their varying needs or abilities".

According to Carnevale (2002), the Internet Equity and Education Act of 2001 was written to eliminate the 50 percent and 12 hour rules. The Act passed the House but stalled in the Senate because of the terrorist attacks of September 2001. This bill was reintroduced into the Senate in 2002 as S 1445, but the bill died in committee. Subsequently, the U. S. Department of Education (DOE) rescinded the 12 hour rule, effective November 1, 2002 and replaced it with an easier standard that instruction must be offered one day per week, although no definition of a "day" was offered (Carnevale, 2002). The DOE did not have the authority to change the 50-percent rule, which must wait for Congressional action. After the 108th Congress, convened,

language to eliminate the 50 percent rule was incorporated into HR 12, but that bill also vanished into a subcommittee (Carnevale, 2002).

However, with Congressional approval, the DOE has been conducting a demonstration program that waives the 50 percent rule for selected institution on an experimental basis, such as Capella and Jones International Universities (Carnevale, 2003). This program was begun in 1998 and scheduled to expire in 2005. By the end of 2003, 29 institutions were participating in the program, including most of the major distance education degree program providers (Carnevale, 2003).

Political Influence of the Creation of the 50 Percent Rule

Chad d'Entermont, assistant director of the National Center for the Study of Privatization at Columbia University, said the reasoning behind the 50 percent rule is a two-fold-to educate and create a vehicle to make money (Eng, 2006). In other words, non-profit institutions of Higher Education are considered traditional schools because their money is folded back into their education. According to Carnevale (2003), lawmakers originally passed the rule to counter a rash of fraud perpetuated by diploma mills and some correspondence programs in the 1980s. Yet, Eng (2006) stated that this rule was also aimed in effort to curb bogus schools from abusing the privilege of federal loans. During that era of the creation and re-authorization of this rule, the Internet was not prominent and few traditional colleges and universities offered distance learning programs. Congress is now aware of the explosive demand for distance education programs. Therefore, the eight-year financial "budget-cutting" experiment is in the process of being revolutionized.

Elimination of the 50 Percent Rule and Its Impact

On February 8, 2006, President George Bush signed and passed the Deficit

Omnibus Reconciliation Act of 2005 (S1932) into legislation (PL 109-171) with a

Conference Report (109-362) (The Dole Report, 2006). The Conference Report, which

accompanies the law, annihilates the 50 percent rule for institutions offering distance

education programs. The Dole Report states that the purpose of this law was to address

the changes to mandatory (or direct) federal spending for FY 2006. However, the

Chronicle of Higher Education (CHEA) states at least one lawsuit has been filed to

challenge the constitutionality of the Act on the grounds that it was not enacted in

accordance with requirements pertinent to the legislative process. The Act, which is

generally effective on July 1, 2006, also amends certain provisions of the HEA. For

example, this new Act requires Distance learning programs to received accreditation

from a federally recognized accreditation agency or association in order to eligible for

federal student financial aid. In other words, an accreditation agency must determine

that a postsecondary institution has the capability to deliver distance education

programs effectively.

Eng (2006) states that for-profit postsecondary institutions, colleges and

universities will benefit from the elimination of this bill because they will have access

to more money and create more opportunities for people which in turn would create a

strong force in education today. On the other hand, current copyright law, even with a

all it revisions, will likely be unable to deal with the enormous complexity of

protecting intellectual property rights while providing legal access in the international

information marketplace and will require a major overhaul (Williams, 1996). The

Web-Based Education Commission (2000) called for" a radical rethinking of the

relevant body of regulation and law" (p. 97). The basic concepts of copyright and fair use may need to be reconsidered. However, a more probable intermediate solution is the development of technologies that prevent reproduction of copyrighted materials from networked sources. The Digital Millennium Copyright Act took the first significant steps down that path.

Therefore, limitations of the distance learning program includes, yet not limited to, creating a Digital Divide which is responsible for the contributing to the "haves and have nots", distance learning programs may emphasize technology rather than course content, extensive preparation time may be required in order to design well course content that faculty and staff may not have, lack of technology training for both students and faculty which often leads to confusion and intimidation, copyright violations, inadaptability of course content via Web based learning, bandwidth limitations, delayed communication between staff and students, requires self-discipline for both faculty and students, and structural infra structures will not be able to provide training and technical assistance to both students and instructors. (Simonson, p. 234)

Distance learning will be adapted and integrated by "conventional" institutions, probably at all levels and in all sectors eventually creating new markets and other types of institutions. (Williams, 1996, p. 21). Therefore, new will be a great demand for distance education leaders to develop new partnerships and alliances to meet the needs of society in more effective ways than most of them do today. Williams states that is a challenge not only to institutional leadership but also to political awareness, policy development and political leadership.

Quality Assurance in Higher Education

The federal Department of Education plays an important and sometimes controversial role in the accrediting process (Kaplin, 2005, p. 889). The 2006 HEA Reauthorization statutes specify accreditation "by a nationally recognized accrediting agency or association" as a prerequisite to eligibility for financial assistance for distance learning programs and financial aid to distance learners. Kaplin (2005) states that these provisions authorize or required the Secretary of Education to "published list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered" (p.889). Therefore, postsecondary institutions and programs must attain an eligibility status in order to receive federal funds from on of the recognized accrediting bodies.

The United States has six regional accreditation agencies (two of which have separate agencies for K-12 and higher education, for an actual total of eight) (Simonson, p. 327). The Council for Higher Education (CHEA) (2001) identifies 11 other national accreditation organizations, including the Accrediting Association of Bible colleges, the Accrediting Commission of the Distance Education and Training Council, and the Accreditation Council for Independent Colleges and Schools. Here is a list of the Regional and National Accreditation Agencies:

- Middle States Association of Colleges and Schools
- New England Association of Schools and Colleges
- North Central Association of Colleges and Schools
- Northwest Association of Schools and Colleges
- Southern Association of Colleges and Schools

- Western Association of Schools and Colleges

In addition to the regional and national associations, CHEA (2001) identifies more than 70 specialized and professional accreditation agencies. Individual degree programs in postsecondary education are typically accredited by professional associations or considerations of professional associations such as the National Council for the Accreditations of Teacher Education (NCATE). These associations can be more conservative and protective of the status quo. They are more likely to offer resistance to distance education programs. Those associations that have reservations about distance education have at their disposal an extremely effective tool for controlling academic programs, the power to deny accreditation. The authors must not that NCATE is not one of these (Simonson, p. 328). NCATE has been quite enlightened regarding technology and includes both the Associations for Educational Communications and Technology (AECT) and the International Society for Technology in Education IISTE) among its constituent members.

Accreditation Process

According to the Distance Education and Training Council (DETC), accreditation is "a process that gives public recognition to institutions that meets certain standards" (USDLA). It is an affirmation that an institution will provide the quality of education it claims to offer. In other words, accreditation assures the stakeholders that the institution operates on a sound financial basis, has an approved program of study, qualified instructors, adequate facilities and equipment, approved recruitment and admission policies, and advertises its courses truthfully (USDLA). Therefore, in order for colleges and universities to gain recognized accreditation, they

must have a certain number of years of operating experience and undergo an intensive review process. During the review process, which usually includes an evaluation and review of all the courses offered, undergraduate and graduate students surveys, and an on-site inspection. After an institution gains accreditation, they must re-examined periodically, as well as submit annual reports. Although many colleges and universities postulate a full accreditation status, the USDLA states that institutions are 'self-accredited' or accredited only by unrecognized agencies often claiming that can not receive due to their nontraditional status.

By reviewing and accrediting distance learning institutions, USDLA states that it provides leadership and guidance that will improve the distance learning profession. The Distance Learning Accreditation Board (DLAB), a service of its parent USDLA, officially commenced its activities in December 2004. Since its founding in 1987, USDLA, a non-profit agency, has consistently emphasized the importance of professional growth within the distance education community. The association's purpose is to promote the development and application of distance learning for education and training. The constituents served include Pre-K through 12 education, higher education, home schooling, continuing education, corporate training, military and government training and telehealth (UMassonline). The DLAB program is a logical next step toward that goal, both by advancing the industry and enhancing USDLA.

Good Practices in Quality Assurance

The process of systemic planning for instruction is the outcome of many years of research (Dick & Carey, 1996). An analysis of the application of this process

indicates that when instruction is designed within a system, learning occurs. The

process of instructional design is a field of study. Instructional design is considered the

intellectual technique of the professional who is responsible for appropriate

application of technology to the teaching and learning process. In other words,

instructional design is to the instructional technologist as the rule of law is to the

lawyer, the prescription of medicine is to the medical doctor, and the scientific method

is to the chemist-a way of thinking and solving problems (Thompson, Hargrave, and

Simonson, 1996).

The critical part of the process is to consider the components of a successful

learning system (Dick and Carey, 1996). These components are the learners, the

content the method and materials, and the environment, including the technology. The

interaction of these components creates the type of learning experience necessary for

student learning. Williams (1999) states that once the technologies are in place, the

implementation of a functional distance learning network involves several

administrative and organizational components that include:

      a. Statements of mission, purpose, and objectives

      b. Unified program, curricula, teaching and learning strategies

      c. Well-developed interdepartmental infrastructure, communication, and

          interaction

      d. The presence of administrative proponents

      e. Policies regarding students, tutors, and proctors

      f. Materials development

      g. Disbursement, reimbursement, and evaluation (p.14).

Since 19741, there have been eight studies addressing the core competencies and roles for distance education and training and development identified by Williams (1996) as most critical to educational training and development in these nine studies include the following: American Society of Training and Development [ASTD], 1974, 1976, 1982; Civil Service Commission, 1975-76; McLagan &Suhadolnik, 1989; Ontario Society for Training and Development, 1976, 1982; U. S. Army, 1974 (p. 24). These studies provide insight into the kinds of training programs needed for preparing presenters, instructors, and trainers to make the transition to distance learning environments.

Lastly, Williams states that the core competencies identified as most critical to educational training and development in these nine students include the following: adult learning understanding, business understanding, organizational behavior understanding, feedback skills, presentation skills, relationship-building sills, and writing skills. Training modules for distance education, which are built around the competencies identified in these studies, were designed in such a way that the participants engage in a variety of activities to gain proficiency in critical teaching competencies in addition to, preparing teachers for the changing classroom.

Review of Exemplary Practices

As the federal government attempt to find a remedy to the controversial accreditation debate, three distance learning programs are demonstrating exemplary "good practices" at their institutions of Higher Education based on the USDLA ten Principles of Best Practice for Distance Learning. USDLA simply states that ten principles of good practices are: mission, standards, integrity, student enrollment and

admission, human resources, learning environment, teaching and learning, student support, program evaluation, and third-party relationships.

On October 17, 2005, USDLA awarded the Leroy Center of Dallas County Community College for it excellence in educational telecommunications, University of Albany-School of Public Health for their exemplary videoconferencing technology, and the University of Massachusetts for their exemplary online technology. The award recognizes the leadership of trend-setting and innovative distance education organizations, who have demonstrated extraordinary achievement. "The recipients of the 21st Century Award have often been the pioneers, not only in distance learning, but for education and training in general," stated Dr. John Flores, CEO of USDLA. "This award speaks of innovation and it speaks of excellence. These are the people of the organizations that have done the heavy-lifting to make all of this happen" (UMassonline).

Leroy Center of Dallas County Community College

According to Dallas County website, LeCroy Center, which is 28, 000 square foot, offers new approaches to adult learning and training methodologies by offering flexibility to their students, eliminating geographical isolation and overcoming various barriers to learning. USDLA believes that the R. Jan LeCroy Center for Educational Telecommunications of the Dallas County Community College District is a leader in distance education, with an on-going mission of developing exceptional instructional materials for delivery to an expanding and diverse audience of students. The center utilizes a full range of distance learning capabilities to offer electronically delivered instruction to learners at college campuses, in the workplace, and in the home. The

center also offers teleconferences, training, production, and distribution services to support complete distance learning programs.

Through multimedia-based courses, Instructional Television Fixed Service (ITFS) channels, and satellite uplinking and downlinking, the LeCroy Center provides instruction, information, and training locally to Dallas County, statewide throughout Texas, nationally throughout the United States, and internationally in Canada and many other countries. Live or videotaped instructional programming can be transmitted via Ku-Band or C-Band uplink to satellites for worldwide distribution. In March 1991 on the DCCCD's Richland College campus, The LeCroy Center focused its distance education efforts in four primary areas of products and services: Dallas TeleLearning, Dallas TeleCollege (web-based courses), Dallas Teleconferences, and STARLINK®. In addition, its location with a major provider of instructional television to grades K-12 broadens and deepens its capacity and commitment to distance education. Dallas TeleLearning is also the founder and operations manager of the Texas Consortium for Educational Telecommunications, a multi-member statewide group of post-secondary educational institutions using distance learning and educational technology.

University of Albany-School of Public Health

According the University of Albany website, the mission of the School of Public Health is to provide quality education, research, service, and leadership to improve public health and eliminate health disparities, through a unique partnership between the University at Albany and the New York State Department of Health. The School of Public Health is committed to ensuring that faculty, staff and students will continue

to have access to state-of-the-art public health research laboratories and teaching

technologies that will enhance the learning and research environment for students and

faculty alike. Furthermore, the School is dedicated to continuing to employ emerging

new learning technologies (e.g., videoconferencing, satellite broadcasts, web-based

learning, video streaming, "smart" classrooms, etc.) in ways that will enable them to

share our knowledge with their various public health colleagues, as well as numerous

underserved communities throughout the state, region and nation.

Through its partnership with the State Health Department, University of

Albany's School of Public Health offers students immediate access to internships at

the Health Department, Albany Medical College and variety of other public and

private health institutions throughout New York State. The unique video conferencing

technology allows their students unique access to study the most profound health

issues facing the world today: the threat of bioterrorism; the spread of HIV/AIDS and

other emerging diseases; the lack of affordable and accessible healthcare for

individuals and families; environmental hazards; substance abuse and social violence;

maternal mortality in developing countries; the promises and threats of genetic

engineering; protecting food and water supplies, research on genetics and genomics

and their application to health care, and conducting health outcomes and patient safety

research.

University of Massachusetts-UMASS Online

The University of Massachusetts states that UMassOnline, the University of

Massachusetts' online education division, received the "21st Century Best Practices

Award for Distance Learning." UMassOnline, is now in its fifth year, bringing

together the best faculty from all five campuses, singularly focused on delivering the highest quality academic programming to working professionals and lifelong learners," says Gray. "Through innovative use of technology, UMassOnline is able to extend the University's tradition of excellence beyond the geographical constraints of its five campuses to serve students all over the world," concludes Gray. UMassonline states that their Distance learning program innovations has revolutionized the instructional design of their curriculum and the delivery methods. Often, faculty members must re-engineer their courses for Web-based teaching which aid in them rethinking how they teach and engage students. "We've found that e-learning prompts faculty to engage in a process of reflection, re-evaluation, and improvement," stated UMassOnline Chief Academic Officer, Barbara Macaulay. "As a result, the content is richer, more interactive, and collaborative." concluded Macaulay.

UMassOnline, the University of Massachusetts' system online education consortium, delivers accredited, online programs from UMass Amherst, Boston, Dartmouth, Lowell and UMass Medical School via interactive, Web-based learning systems. Online programs are closely coupled with their face-to-face counterparts enabling UMassOnline to offer fully accredited (NEASC) and nationally-recognized programs online. Created by the University President and Board of Trustees in 2001 to serve community educational needs and increase access to an UMass education, UMassOnline supported 16,405 enrollments and generated $15 million in revenue in the 2004 calendar year.

Conclusion

During the last two decades, the United States has seen considerable growth in Higher Education initiatives, quality assurance trainings and federal financial aid programs. As the 21st century progresses, miscegenation distance learning environments will offer variety of distance learning technologies, including intranets, the Internet, and the World Wide Web (WWW) (Williams, 1999, p. 5) As the multimedia-based curricula grow in global accessibility to anyone, anywhere, at anytime, it is evident that distance learning programs will experience explosive growth in all educational settings. Many stakeholders fear that this growth will not lead to successful web-based delivery without the integration of federally mandated quality assurance strategies into distance learning programs. Therefore, it is imperative that distance education programs have a balanced coalescence of stakeholders' interests, faculty willingness, technological capabilities, administrative support systems, government endorsements and the recognition of instructional possibilities to prevent an unjustified economic discrimination between traditional students and distance learners.

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