

**Article 53
Technology**

53.0 PURPOSE

Computers, networks, and electronic information systems are essential resources and tools for accomplishing the District's mission of instruction and related activities. The purpose of this article is to delineate the rights and responsibilities of ACE members and the District in regard to the use of technology.

53.1 DISTANCE EDUCATION INSTRUCTION AND NON-INSTRUCTIONAL ACTIVITIES FACILITATED BY COMMUNICATION TECHNOLOGY

A. Distance Education Instruction

1. Communication technology consists of live or recorded visual presentations and material using direct signal or cable, transmission by telephone line, fiber-optic line, digital and/or analog videotape, audiotape, CDROM, computer or internet technology, email or other electronic means, now known or hereafter developed, utilized to teach any course or to perform non-instructional activities.

2. Definition of Distance Education

Distance education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology. All approved courses offered as distance education include regular effective contact between instructor and students, through group or individual meetings, orientation and review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone contact, correspondence, voice mail, e-mail, or other activities. (Ref: Title 5, Sections 55205 & 55211) The District shall ensure that distance education students are held to the same code of student conduct as are traditional students.

3. Instructional Decisions

The mode of instruction in a particular class is a decision to be made by the department/program/service area subject to the limitations of the communication technology resources available within the District.

All proposed or existing credit and noncredit for apportionment courses, if delivered by distance education, shall be separately reviewed and approved according to the District's certified course approval procedures. (Title 5, Sec 55213) The type and frequency of instructional contact with students enrolled in distance education courses shall be established as part of the curriculum approval process.

The same standards of course quality shall be applied to distance education as are applied to traditional classroom courses.

4. **Selection of Course Materials**

The department is responsible for the evaluation and selection of course materials in distance education courses in a manner comparable to the selection of textbooks. All course materials must comply with the provisions of the Americans with Disabilities Act.

5. **Assigning Workload**

The use of communication technology to provide instruction, and to provide services to students, may comprise a regular component of a faculty member's load. Such assignments may be conducted in a location remote from the primary worksite. Assignments, including assignments to be facilitated by communication technology shall be made in compliance with Article 19.

Up to .67 FTE of a full-time member's regular load may consist of distance education courses. To meet the needs of the department, exceptions to this limit shall be made on a semester by semester basis subject to the final approval of the Vice-President or designee. The member's total workload assignment must comply with the provisions of Article 18.2. The full-time member may conduct office hours from a remote location in an amount proportional to the percentage of their load attributable to distance education courses. Office hours conducted from a remote location must be regularly scheduled and allow for synchronous communication with students

Up to 100% of a full-time member's overload assignment or up to 100% of an associate member's assignment may consist of distance education courses. Per Article 19.7.2, if a portion of the member's regular load is canceled for any reason, the member shall agree to include the overload assignment as part of his/her regular load—in this circumstance, the .67 FTE limitation shall be waived.

6. **Load**

The load for a distance education section shall be the same as the load for a regular section of the same course, as defined in Article 18 and the Load Book

7. **Efficiency**

The efficiency for a distance education course shall be determined in the same manner as regular courses of the department as part of the performance goals process described in Article 20.

8. **Election To Receive Training**

Faculty who agree to use technology in instruction and elect to obtain training to teach a distance education section may be allowed to use this training to receive Professional Growth and Development credit (per Article 47.6.3.10). A faculty member may be allowed to take a sabbatical leave (per Article 40.7.5) to obtain the appropriate training. A faculty member may request to use conference funds to attend training-related conferences (per Article 37). A faculty member may be eligible to receive flex credit for training.

9. **Performance Appraisal**

Faculty teaching distance education sections shall be evaluated using the evaluation procedures and forms outlined in Articles 26A, 26B, and 26C and 112.

B. Non-Instructional Activities Facilitated By Communication Technology

1. Communication technology consists of live or recorded visual presentations and material using direct signal or cable, transmission by telephone line, fiber-optic line, digital and/or analog videotape, audiotape, CDROM, computer or internet technology, email or other electronic means, now known or hereafter developed, utilized to teach any course or to perform non-instructional activities.

2. **Definition of Non-Instructional Activities Facilitated by Communication Technology**

Non-instructional activities facilitated by communication technology mean services in which the non-instructional faculty member and student are separated by distance and interact through the assistance of communication technology. All approved non-instructional activities facilitated through communication technology shall include regular effective contact between the faculty and students, through group or individual meetings, orientation, review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone contact, correspondence, voice mail, e-mail, or other activities.

3. **Non-Instructional Activities Decisions**

The mode of instructional support services provided is a decision to be made by the service area subject to the limitations of the communications technology resources available within the District. In performing non-instructional activities facilitated by communication technology, the type and frequency of faculty member contact with students shall be established by the service area, subject to final approval of the appropriate Vice-President or designee.

4. **Selection of Non-Instructional Activities Materials**

The service area is responsible for the evaluation and selection of materials for services to be facilitated by communication technology. All materials must comply with the provisions of the Americans with Disabilities Act.

5. **Assigning Workload**

The use of communication technology to support instruction, to provide services to students and for other non-instructional purposes may comprise a regular component of a non-instructional faculty member's load. Such assignments may be conducted in a location remote from the primary worksite. Such assignments shall be made in accordance with Article 19.9, subject to approval of the appropriate Vice-President or designee. The member's total workload assignment must comply with the provisions of Article 18.2.

6. **Load**

The load assigned to non-instructional activities facilitated by communication technology shall be the same as the load assigned to regular activities as defined in Article 18.

7. **Training**

Faculty who agree to use technology in instructional support assignments and elect to obtain training to teach may be allowed to use this training to receive Professional Growth and Development credit (per Article 47.6.3.10). A faculty member may be allowed to take a sabbatical leave (per Article 40.7.5) to obtain the appropriate training. A faculty member may request to use conference funds to attend training-related conferences (per Article 37). A faculty member may be eligible to receive flex credit for training.

8. **Performance Appraisal**

Faculty performing instructional support services facilitated by communication technology shall be evaluated using the evaluation procedures and forms outlined in Articles 26A, 26B, and 26C and 112.

53.2 RELATED ACTIVITIES

1. Academic Freedom

The district agrees that freedom of expression and academic freedom in electronic format are protected to the same degree as printed or oral communication.

2. Privacy

The District and ACE recognize that electronic communication is an essentially insecure medium. However, the District also recognizes that traditional principles of academic freedom, shared governance, freedom of speech, and privacy of information apply to electronic communication. The District shall protect

electronic communication to the same degree as paper and telephone communication. It shall not be the policy of the District to monitor electronic transmissions, including e-mail, voicemail, user files/documents pertaining to course content, and browser logs without due cause.

Due cause shall be defined as (1) protecting the integrity of computer systems; (2) required by and consistent with the law; (3) time-dependent operational and student support circumstances; or (4) violations of law or District policy or procedures.

3. District Responsibilities

- a. **Access**--When members are required to use technology within the workplace, the District shall provide access to the appropriate technology tools and technical support services necessary to perform those assigned responsibilities.
- b. **Recording**--Faculty members shall not be taped, televised, or recorded by the District without advance written permission of the faculty member. The written permission shall include the permissible future uses of any recording and must comply with the provisions of Article 52. Under the Americans with Disabilities Act, students may tape or record a faculty member's class session.

4. Member Responsibilities

ACE members are responsible for:

- a. Using District e-mail, computers, and networks for legal, authorized purposes.
- b. Not engaging in any activities to intentionally disrupt services or that cause harm to District computers and systems.
- c. Using only legal versions of copyrighted software in compliance with vendor license requirements.
- d. Notify and consult with, as appropriate, District Information Systems on technical issues.

A member who is found to have violated the provisions of this Article may be subject to disciplinary action per applicable Education Code.