

Senate Committee on Distance Learning and e-Learning
Roger Brown, Chair
Report
October 30, 2017

ANNOUNCEMENTS

1. **Intellectual Property**. SACS requires that “Institution’s policies are clear concerning ownership of materials...” (see [here](#), section 3.2.14 at top of page 48). The SCDLeL unanimously affirmed again at its October 5, 2017 meeting that “there remains a lack of clarity in UK’s current IP policies (AR 7:6) and that clarity is needed.” This is the same message that our committee has been sending to SC and UK’s Office of Legal Counsel since 2012 (see [here](#) and [here](#) and [here](#)). In 2016, the SCDLeL proposed that UK’s Office of Legal Counsel clarify that DL products that faculty independently create qualify as traditional course materials in the context of AR 7:6, but we got no response. Our last appeal was one year ago at the October 17, 2016 SC meeting (see [here](#) and [here](#)). IP policies at other universities are clearer (e.g., see [here](#)).
2. **Senate Rule Change Proposals**. Our committee is still working on a set of Senate Rule change proposals to recognize that not all courses take place in traditional classrooms. We expect to have proposals for the following rules soon:
 - Senate Rule 5.1.8.1 ("Unilateral Removal for Failure to Attend First Two Class Periods")
 - Senate Rule 5.1.8.3 ("Permissive Withdrawal")
 - Senate Rule 5.2.4.2 ("Excused Absences")
 - Senate Rule 9.1 ("Definitions")

Draft rule change proposals are provided for information purposes below.

The SAASC and Herman Farrell have on their agenda to clarify SR 10.3 about “What is a Credit Hour” which is also an important SCDLeL consideration. The expectation that one credit hour requires 800 minutes of contact time is not possible for many courses as currently scheduled (e.g., Monday evening 6:00PM to 8:30PM).

Senate Rule 5.1.8.1 Unilateral Removal for Failure to Attend First Two Class Periods

~~Students who miss the first two class periods of a course, without notifying the department of their intention to attend may be reported by the department~~ [If between the first day of class and the last day to add a class students neither show evidence of participation in the course nor notify the Instructor of Record of their intent to complete the course, the Instructor of Record may report these students](#) to the dean who shall remove ~~the students them~~ from the class ~~role roll~~ and notify the Registrar that the ~~student has~~ [students have](#) been removed from the class roll.

SR 5.1.8.3 Permissive Withdrawals

A student may withdraw from a class, or from the University, after the withdrawal period in Rule 5.1.8.2.A but through the last day of classes for the semester/session/term upon approval by the dean of the student’s college of a petition certifying urgent non-academic reasons including by not limited to:

1. Illness or injury of the student;
2. Serious personal or family problems;
3. Serious financial difficulties; or
4. Having excused absences in excess of one-fifth of the ~~class contact hours in a course~~ [required interactions for the course](#) in a course where ~~attendance~~ [such interaction](#) is required or is a criterion for a grade, pursuant to SR 5.2.4.2.

Before acting on such a petition, the dean will consult with the Instructor of Record of the class. The dean may not delegate the authority to approve or deny a petition to withdraw to the University Registrar or to any other agency external to his or her college. If such a petition is approved by the dean of the student's college, the dean shall inform in writing the Instructor of Record of the class of his/her action, and the student shall be assigned a grade of ~~W~~ "W".

SR 5.2.4.2 Excused Absences

~~If an attendance policy is not stated in the course syllabus and attendance is~~ If the course syllabus does not require instructor-student or student-student interactions and if such required interactions are not a criterion for a grade in ~~a~~ the course, then the Instructor of Record shall not take any account of a student's excused or unexcused absences from ~~class~~ such required interactions when assigning a grade.

If the course syllabus ~~defines either policies that require class attendance or a grading standard that determines a student's grade based in part on class attendance,~~ does require instructor-student or student-student interactions or if such required interactions are a criterion for a grade in the course, the following rules apply:

1. Excused Absences: If a student has excused absences in excess of one-fifth of the ~~class contact hours~~ required interactions for that course ~~(participation activities for an online courses, as defined in 5.2.4.1.A),~~ the student shall have the right to receive a "W", or the Instructor of Record may award an "I" for the course if the student declines to receive a "W". Instructors of Record shall specify in the syllabus the total number of required interactions for the course and the time or due date for each required interaction (SR 6.1.1).
2. Unexcused Absences: The Instructor of Record shall define any course policy relating to unexcused absences in the course syllabus. If a policy is not stated in the course syllabus or the policy does not allow for a penalty to the student, the Instructor of Record shall not penalize the student for any unexcused absences.

For reference, but not to be included in the proposed rule change, SR 6.1.1 (Information about Course Content) reads, in relevant part: "Whenever factors such as absences or late papers will be weighed in determining grades, a student shall be informed."

SR 9.1 Definitions

Absence: failure to ~~be present for a scheduled class~~ participate in a required interaction at or by a specified date and time.