



# Distance Learning Policy<sup>1</sup>

## Contents

### 1. Purpose and Scope

This policy is designed to guide Wilmington University School of Law (“WilmU”) in the development, delivery, and evaluation of quality distance learning education in accordance with the requirements of American Bar Association’s Standard 306 and other applicable standards and requirements.

### 2. Definitions

#### 2.1 *Distance Learning*

The American Bar Association (ABA) defines a distance learning course as one in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously. In accordance with Interpretation 306-1 of the ABA Standards, various technologies may be used to support instruction in a distance learning course, including the Internet, audio and video conferencing, open or closed-circuit broadcasting or wired/wireless communication, and various physical media technologies.

#### 2.2 *Distance Learning Course (“Course”)*

A Course is a discrete product of developed material, including but not limited to, syllabi, introductory material, articulated learning goals, assigned materials (readings, podcasts, web links, text assignments, prepared PowerPoints, etc.), assignments, and assessment mechanisms. A Course is a completed unit that may be taught multiple times.

#### 2.3 *Distance Learning Course Section (“Course Section” or “Section”)*

A Course Section is the particular version of a course that is delivered to students by a particular professor. There may be multiple Sections for a single course. Course Sections may be delivered either asynchronously or synchronously. See sections 2.7 and 2.8 below.

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<sup>1</sup> This Policy was approved by the WilmU Law Faculty on April 17, 2024.



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### *2.4 Course Developer*

A Course Developer is the person who designs and prepares a course, paying particular attention to developing appropriate materials, activities, and assessments tied to learning goals.

### *2.5 Teaching Faculty*

A Teaching Faculty member is a person who executes and delivers a specific Course Section. Teaching Faculty interact with students, provide feedback, coordinate assessments, and deliver other appropriate material to facilitate student learning and evaluation.

### *2.6 Office of Online Education*

The Online Learning and Educational Technology Department (“OL & ET”) is responsible for the training of Teaching Faculty on the techniques and best practices for the creation of materials for and delivery of distance learning courses. OL & ET operates under the supervision of [title].

### *2.7 Asynchronous*

An asynchronous course or component of a course is one in which the instruction is delivered at one time and the work can be completed at different times. In asynchronous courses or components of courses, students and teachers use e-mail, discussion boards, listservs, wikis, video or audio posts, and other technologies that allow them to communicate without having to be online at the same time.

### *2.8 Synchronous*

A synchronous course or component of a course is one in which teachers and students are in different physical locations, but conduct two-way communication with virtually no time delay, allowing participants to respond in real time.

### *2.9 Hybrid or Blended*

A hybrid or blended course is one that includes components of both live, in-person sessions and additional asynchronous and/or synchronous distance learning sessions.

## **3. Programs**

### *3.1 Approval process for for-credit Programs*

The approval of any new for-credit online Program follows the same procedure as on-campus for-credit programs at WilmU, except that OL & ET must first review and approve the proposed distance learning methods.



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## *3.2 Approval process for not-for-credit Offerings*

The approval of any new not-for-credit online offering, such as CLE (Continuing Legal Education) and certificate courses, follows the same procedure as similar not-for-credit on-campus offerings at WilmU, except that OL & ET must first review and approve the proposed distance learning methods.

## **4. Distance Learning Courses**

### *4.1 Use of available technology*

Each Course to be delivered through distance learning by the law school will be designed to utilize the technological resources available at the institution, supportable by the institution, and reasonably available to students.

### *4.2 Determination of credit hours for coursework*

Following ABA Standard 310, one credit hour of any distance learning, for-credit Course will require not less than one hour of direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time, or an equivalent amount of work in the form of other academic activities, such as simulations, co-curricular, and other academic work.

### *4.3 Definition and assessment of Course outcome goals*

Each Course will maintain outcome standards consistent with ABA Standard 302. All Courses will include student-based outcome goals and assessments and evaluations of student outcomes.

### *4.4 Interactivity requirements*

Each Course will include sufficient interactive tools and course design elements that allow Teaching Faculty and students interactive opportunities that equal or exceed the interaction found in a traditional classroom setting, in line with ABA Standard 306(d).

### *4.5 Approval process for Courses*

Every new online Course, or new section of an existing course, will be submitted to the Faculty Curriculum Committee for review according to the same policies as any new on-campus Course, and if approved by the Curriculum Committee, presented by the Curriculum Committee to the full faculty for approval.



## **5. Distance Learning Course Sections**

### *5.1 Minimum design requirements*

All distance learning Course Sections will meet the minimum design requirements of Courses described in Section 4. Courses, above.

### *5.2 Authentication of students*

Each distance learning Course Section will require students to have, at minimum, a unique login and password to access the general student portal of WilmU and the online education platform, issued to the student through WilmU's standard student verification protocols.

### *5.3 Proctoring of examinations*

For purposes of closed-book examinations proctoring may occur using exam proctoring tools.

## **6. Students**

### *6.1 Student enrollment*

6.1.1 Students will register for a for-credit distance learning Course through WilmU's regular registration process. Once they are registered, they will automatically be enrolled in the online teaching platform.

6.1.2 Students will register for not-for-credit distance learning Courses with the individual Program or Office that offers that Course. Each program or course administrator will enroll the students into the online teaching platform. That program or course administrator will be granted the necessary authorization to act as such on the online education platform.

### *6.2 Student orientation at the beginning of a Program or Course*

All students who participate in a distance learning Program or Course must participate in a mandatory orientation program, which will, at minimum, train students in the technology used, distance learning protocols and etiquette, and application of the Honor Code. This orientation will be provided by the Teaching Faculty or OL & ET.

### *6.3 Student support in Programs and Courses*

WilmU will provide eligible students in distance learning courses access to financial aid, learning support, library services, and other services comparable to those provided to residential students in similar programs and courses and needed by distance learning students.



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## *6.4 Students enrolled in a J.D. Program*

Students enrolled in the J.D. program may take online J.D. courses in accordance with ABA standards and limitations.

## *6.5 Applicability of Wilmington University School of Law's Honor Code*

All distance learning students will abide by the WilmU's Honor Code in all Courses, and in all other relevant activities of the Program in which the student is enrolled.

## **7. Faculty**

### *7.1 Faculty compensation*

Before beginning development of any Program or Course, OL & ET, together with the Office of Academic Affairs and the Dean, will establish criteria for the compensation of Course Developers and Teaching Faculty, giving due consideration to whether these activities are done by newly hired personnel, or existing adjunct or full-time Faculty members.

### *7.2 Adjunct Teaching Faculty*

Adjunct Teaching Faculty teaching distance learning courses will be governed by the provisions set forth in the Adjunct Faculty Handbook that is in effect at the time of the teaching.

### *7.3 Course Developers*

Compensation and rights regarding materials created for distancing learning courses by Course Developers who are not members of the full-time faculty of WilmU shall be governed by a contractual relationship between the Course Developer and WilmU. All such contractual relationships must be accomplished through the WilmU finance staff in collaboration with the Office of Academic Affairs.

### *7.4 Mandatory training*

Individuals who develop a Course (Course Developer), or who teach one or more Course Sections (Teaching Faculty), are required to attend initial and continued training on distance education technology and teaching.

### *7.5 Minimum time-allocation of Faculty to online teaching*

Teaching Faculty will be online, will monitor and, as appropriate, participate in class delivery, for at least the number of hours necessary for the credit hour allocation made to the course in accordance with ABA Standard 310. This will include the time the Teaching Faculty is featured in a pre-recorded video lecture.



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### *7.6 Maximum response time to student inquiries and questions*

Teaching Faculty will answer student questions and concerns within 48 hours (about 2 days) during the regular workday period in which the Class is offered, except on weekends and holidays. If a Teaching Faculty member is unable to attend to a course for more than a 48-hour period, the Teaching Faculty will alert students in advance. If a Teaching Faculty member is unavailable due to an emergency, they will alert the students at their first possible opportunity.

### *7.7 Feedback for students*

Teaching Faculty will provide regular and concrete feedback on student effort and performance.

### *7.8 Evaluation of Teaching Faculty*

All Teaching Faculty will be evaluated regularly by students in accordance with the same procedures used to evaluate faculty teaching in-person courses.

## **8. Oversight and Quality Control**

### *8.1 Voluntary adherence to ABA Standard 306*

WilmU will offer all Courses consistent with the quality-related criteria of ABA Standard 306.

### *8.2 Oversight by OL & ET*

8.2.1 OL & ET will oversee the Distance Learning activities at WilmU, including the creation and delivery of distance learning Courses and ancillary student experiences. OL & ET will work with the Offices of Academic Affairs and the Registrar to sequence courses in light of curricular needs. OL & ET will present a summary of online offerings to the Curriculum Committee at least once per academic year.

8.2.2 OL & ET, in consultation with the Teaching Faculty, will ensure that the student/teacher ratio appropriately supports faculty and student interaction, facilitation of interaction among students, and interaction with curriculum content.

### *8.3 Assistance to Course Developers and Teaching Faculty*

OL & ET will assist Course Developers and Teaching Faculty in the technological aspects of their course development and teaching activity, including recordation of materials, faculty interaction with students, and student assessments.

### *8.4 Primary responsibility for academic quality*

The adjunct or full-time Teaching Faculty responsible for each individual Course Section assumes primary responsibility for and exercises oversight of the content and quality of the instruction.



## **9. Compliance**

### *9.1 Student privacy and data protection*

Each Class will protect student privacy according to federal and institutional Family Education Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) guidelines. All distance learning Courses will be provided from secure sites, and all required course elements that require student identification will be limited to those sites.

### *9.2 Disability support*

All credit-bearing and certificate courses will comply with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and District of Columbia requirements regarding students and applicants with disabilities.

## **10. Administration**

### *10.1 OL & ET*

The administration of the online technology-related aspects of any distance learning Programs and Courses is the primary responsibility of OL & ET, in cooperation with the other offices and departments of WilmU, as the matters relate to their responsibilities and duties.

### *10.2 Applicable policies*

All policies of the law school apply to the Distance Learning Programs and Courses unless otherwise provided in this policy.

## **11. Distance-Learning in Non-Distance Learning Classes**

### *11.1 Online components of non-distance learning classes*

In classes that do not satisfy the definition of Distance Education in Section 2.1 of this Policy, online components including, but not limited to, prerecorded videos or audio files, are not governed by this policy.

### *11.2 Online classes in situations of emergency in on-campus courses*

In an emergency circumstance that affects the ability of the law school to deliver its residential curriculum in its normal course (due to weather, absence of a Professor, etc.), distance learning may be used in ways that are not governed by this policy.