

Article 26

Educational Technology

26.1 Intent

A key strategy in the Los Rios Community College District's vision of a restructured higher education system is to expand the system's learning opportunities on and off campus by using multiple technologies.

The purpose of this article is to establish a series of contractual understandings between the LRCFT and the Board regarding the use of instructional technology.

26.2 Definitions

Distance Education extends the process of teaching and learning from the college to one or more locations, including classrooms on other colleges; work sites; community centers; and homes. It includes instruction; instructional support, such as libraries and computer centers; student services, such as registration and counseling; and student activities that are provided to those other locations.

Distance Instruction broadly defines a condition of learning where instructor and student are physically separate for most, if not all, of the experience. Interaction is mediated by some form of technology - currently audio, video, and computer technologies - that allows for students and instructor to engage in the process of education.

Distance Education in Asynchronous Mode is where instructional audio, text, and/or video is prerecorded and delivered to students on any media including, but not limited to, disks, tapes, and Internet web pages.

Instructional Technology Material includes video and audio recordings; motion pictures; film strips; photographic and other similar visual materials; live video and audio transmissions; computer programs; computer-assisted instructional coursework; programmed instructional materials; three dimensional materials and exhibits; and combinations of the above materials which are prepared or produced, in whole or in part, by an employee and which are used to assist or enhance instruction.

Intellectual Property is the result of creative activities, including teaching and research. Examples of intellectual property include works of art or design, poetry, musical scores, films, video or audio recordings, instructional materials (e.g., textbooks, syllabi, student exercises, multimedia programs), computer software, fictional or non-fictional narratives, analyses (e.g., scientific, logical, opinion or criticism), inventions, devices, processes, and other enduring representations of creative activities. Intellectual property may be instructional, professional, dramatic or commercial in nature. The media in which Intellectual property exists is irrelevant to the question of ownership. (See Article 28.)

A *Work* is any material which is eligible for copyright protection, including, but not limited to, books; articles; dramatic or musical compositions; poetry; instructional materials, e.g., syllabi, lectures, student exercises, multimedia programs, tests, etc.; fictional or non-fictional narratives; analyses, e.g., scientific, logical, opinion or criticism; works of art or design; photographs or films; video or audio recordings; computer

software; architectural and engineering drawings; and choreography. A work may be recorded in any enduring medium, e.g., print, electromagnetic, optical, photosensitive film, etc., or may exist in any tangible form, e.g., a sculpture, painting, structure or building.

An Invention is any idea or discovery which is eligible for patent protection, including, but not limited to, a device, process, design, model, strain or variety of any organism or composition of matter.

District Support includes the use of District funds, personnel, facilities, equipment, materials, or technology. District support may be either nominal or substantial resources or a combination thereof.

A Work for Hire or Invention for Hire is one for which the faculty member is employed and compensated to create as the primary purpose of that employment. An invention or work for hire may be the product of the faculty member's regular appointment or assignment, if that is the primary purpose of that appointment or assignment, or may be the product of a separate employment agreement between the District and the faculty member.

Instructional Materials are those materials a faculty member creates to perform his/her assignment more effectively for the benefit of students, including, but not limited to, syllabi, lectures, student exercises, illustrations, recordings, multimedia programs, and tests. The faculty member may use instructional materials in a traditional classroom or in any form of distance education. Instructional materials may be created using the personal resources of the faculty member and/or nominal resources provided by the District.

For the purposes of this article, a *faculty member* is an academic employee and member of this bargaining unit who creates intellectual property.

26.3 Instructional Technology Decisions

26.3.1 Per LRCCD Policy 3412, the LRCCD Academic Senate has the primary responsibility for the recommendations to the Board regarding curriculum and matriculation issues. As such, only those courses and programs approved through the agreed upon curriculum and matriculation decision processes will be delivered by distance education.

26.3.2 The faculty of the Los Rios Community College District is primarily responsible for the decisions related to the use of instructional technology in the courses and programs offered in the District's colleges and locations.

26.3.3 The counseling, library, and health services faculty are primarily responsible for decisions related to the use of technology to provide their respective student services.

26.3.4 The decision to offer any portion of a course in distance mode shall be voluntary.

- 26.3.5 The LRCFT shall appoint a representative to the LRCCD Educational Technology committee and to each of the college Educational Technology committees.

26.4 Privacy, Staffing Levels, and General Health and Safety Issues

- 26.4.1 LRCFT unit members have an expectation of privacy for electronic and paper files kept in their offices consistent with current Los Rios Policies as stated in Policy 7851, 7871.
- 26.4.2 There shall be no taping, televising, or recording of instruction by LRCCD without the written permission of the unit member, who shall be advised of the intended uses thereof.

26.5 Distance Education

- 26.5.1 Compensation and workload, e.g. class size, class maximums, of distance education courses will be equivalent to the corresponding traditional classes
- 26.5.2 Training and development resources will be made available to employees who have been assigned to provide instruction through the use of instructional technology, including distance learning. The level of training and resource commitment will be determined by both parties prior to the development of the projected course material. These levels may be reviewed at any time by request of the employee.
- 26.5.3 The District will make provisions for clerical, technological, and library support in conjunction with the assigned use of instructional technology/distance learning.

26.6 Joint Committee on the Impact of Technology

- 26.6.1 The parties to this contract need to reach agreement over issues such as: class size limitations, workload credit adjustments for course preparation and student communication time, travel to remote locations, and control over examination and grading responsibilities, support staff levels, and ownership of intellectual property.

The parties recognize that technological change may affect the terms and conditions of employment and professional duties and responsibilities of faculty. With this in mind, the parties agree to establish a Joint Committee on the Impact of Technology. The Committee shall, within the principles of academic freedom, address itself to any issue concerning or related to information technology and technological change in the college/District where there may be an impact on the terms and conditions of employment of members of the bargaining unit. The Committee shall consider issues of technological change and, in that context, the future well being of the LRCCD and its students and the members of the bargaining unit.

- 26.6.2 In keeping with this mandate, the committee shall consider and make recommendations to the parties respecting the following:
 - 26.6.2.1 College/District computing/information technology goals and long-range planning policies and their relationship to and impact on terms and conditions of employment, enrollment trends and new academic program development, and the security of current employees.
 - 26.6.2.2 How support services and training opportunities for faculty can be developed and enhanced.
 - 26.6.2.3 How communications respecting such matters as changes in available technology, support services and training opportunities can be improved.
 - 26.6.2.4 Issues respecting pre-packaged courses and distance learning courses, their development and delivery, and issues respecting the purchasing of such work.
 - 26.6.2.5 Issues which are directly related to workload/teaching load may be referred by the Joint Committee on the Impact of Technology (JCIT) to a Committee on Teaching Load and Class Size.
 - 26.6.2.6 Policies respecting security and surveillance of electronic work activities such as e-mail and Internet access usage, etc.
- 26.6.3 The parties shall recommend to the Academic Senate that it remind its standing committees on computing and information technologies that the policies, procedures and practices they are considering make an impact on terms and conditions of employment of faculty. Such concerns should be conveyed to the Senate representative on JCIT, who will bring them to the committee's attention.