Office of the President
California State University, Chico

Executive Memorandum 20-020

August 5, 2020

From: Gayle E. Hutchinson, President

Subject: Interim Policy for the Use of Digital Technologies in Teaching and Learning; Supersedes EM 14-014

Upon the recommendation of the Academic Senate and the concurrence of the Provost, I approve the interim Policy for the Use of Digital Technologies in Teaching and Learning, effective immediately.

Policy Title:	EM 20-020 Interim Policy for the Use of Digital Technologies in Teaching and Learning; Supersedes EM 14-014
Contact:	Academic Technology Officer; University Technology Advisory Committee
Supersedes:	EM 14-014
Revision:	
Enabling Legislation or Executive Order:	

Interim Policy for the Use of Digital Technologies in Teaching and Learning

Preamble

Learning is a deeply human process. The integration of technology constitutes a significant dimension of the learning process. The ubiquity of digital technologies and the rapidity with which they change present significant pedagogical opportunities and challenges - from the emergence of mobile connected devices and social media to the use of machine learning and biometrics. Ultimately, the integration of any technology into educational contexts should be driven by pedagogical concerns and interests that reflect and enrich the deeply human dimensions of learning.

Education should enable opportunity, not foreclose it. Chico State's instructional, advising, and assessment systems must always be built and used in ways that enable students to demonstrate aptitude, capacity, and achievement beyond their own or others' prior accomplishments. Chico

State and its personnel engage in continuous consideration of how our educational environments equitably enable humane learning and academic progress. Faculty should strive to create an engaged learning environment appropriate to the mode of instruction for the course.

This policy sets out a flexible framework for the integration of technology and pedagogy. This framework emphasizes principles and guidelines over inscribing specific processes or describing particular technologies or platforms. It does so to reflect the quickly evolving digital landscape. The principles and guidelines articulated here promote the positive contribution of the use of digital technologies to the California State University, Chico curriculum and its academic environment in a way that is consistent with its present mission and vision. Employment of digital tools, platforms, and systems shall abide by academic and CSU policies, federal and state laws, while facilitating learning experiences that encourage student engagement and promote student success.

This policy shall apply to all credit bearing and degree/certificate programs offered by CSU, Chico. It is not the intent of this policy to supplant any existing policies set forth by the University, but where necessary, to define new or to expand existing policies and procedures to ensure the most effective implementation and support of digital learning.

Digital Learning Definition

In this policy, Digital Learning is defined as any teaching and learning practice that makes use of digital tools, applications, and platforms to support and enhance learning experiences for students in all modes of instruction (e.g. face-to-face, hybrid, and fully online). Beyond tool use, digital learning recognizes the role of the university, faculty, staff, and students as educational designers who use digital literacies and technology-enhanced teaching as a way to increase opportunities for access, engagement and equity in our learning environments.

1. Definition of Terms

Appropriate Administrator - An employee serving in a position designated as managerial or supervisory by the Public Employer-Employee Relations Board (PERB) and designated by the President for a particular purpose. Administrative responsibilities, however, may be delegated to Department chairs or other employees in bargaining units. According to 1.1.7, normally the Department/Unit Chair is delegated the responsibility for making workload and teaching assignments. The Dean, however, is the "Appropriate Administrator" and retains responsibility for all faculty assignments (See DEFINITIONS in the FPPP, p. 9).

Biometrics/biometric recognition - Automated recognition of individuals based on their biological and behavioral characteristics. (ISO/IEC 2382-37:2017)

College - For the purposes of this document, College also refers to School or Unit for Schools or Units that function like Colleges (See DEFINITIONS in the FPPP, p. 9).

Dean - For the purposes of this document, "Dean" also refers to a "Director" of a School or Unit for Schools or Units that function like Colleges (See DEFINITIONS in the FPPP, p. 9).

Department/Unit - The Department/Unit is the basic administrative entity to which faculty are assigned. Herein, the phrase for this entity is also "Department" (See DEFINITIONS in the FPPP, p. 9)

Fair Use - A reasonable and limited use of a copyrighted work without the author's permission, such as quoting from a book in a book review or using part of it in a parody. Fair use is a defense to an infringement claim, depending on the statutory factors: (1) the purpose and character of the use, (2) the nature of the copyrighted work, (3) the amount of work used, and (4) the economic impact of the work.

Learning Management System - A learning management system (LMS) is a software application or Web-based technology used to plan, implement, and assess a specific learning process. Typically, a learning management system provides an instructor with a way to create and deliver content, monitor student participation, and assess student performance.

LMS Administrator - A person who is responsible for the upkeep, configuration, and reliable operation of computer systems, especially multi-user computers, such as servers.

Machine Learning - A branch of artificial intelligence concerned with the construction of programs that learn from experience. Learning may take many forms, ranging from learning from examples and learning by analogy to autonomous learning of concepts and learning by discovery. Various forms include: incremental learning, one-shot or batch learning, as well as supervised learning. (*Oxford Dictionary of Computer Science*)

Open Education Resources (OER) - Teaching, learning and research materials in any medium, digital or otherwise, that reside in the public domain or have been released under an open license that permits no-cost access, use, adaptation and redistribution by others with no or limited restrictions. (UNESCO)

Student - An applicant for admission to the CSU, an admitted CSU student, an enrolled CSU student, a CSU extended education student, a CSU student between academic terms, a CSU graduate awaiting a degree, and a CSU student who withdraws from school while a disciplinary matter is pending.

Universal Design for Learning - Universal Design for Learning is the process of making course concepts accessible and skills attainable regardless of learning style, physical or sensory abilities, designing instruction to maximize learning for all students. (See CSU, Chico's Accessibility Resource Center and/or Technology and Learning Program)

2. General Guidelines

2.1 Modes of Instruction

The most appropriate mode of instruction for degrees, programs, courses and their parts is determined by the department faculty or academic unit faculty and not by individual faculty members. Currently the CSU recognizes the following modes of instruction: Fully online, hybrid, and face to face according to CSU Chancellor's Office policy.

Regardless of modes of instruction, faculty and students will follow the guidelines as set out in the FPPP for contact hours (Section 1.1.5).

2.2 Use of External Platforms and Servers

2.2.1. The use of outside contractors for the purposes of delivering significant portions of digital course content shall only be done with the review of individual departments or programs and the appropriate administrator. This does not include pre-packaged material choices like quiz banks or exercises that faculty incorporate in part.

No individual, program, or department shall agree in a contract with any private or public entity to deliver digital course content or program curriculum on behalf of the University without prior University approval which will be demonstrated by the appropriate Academic Senate curricular processes.

The University shall not enter into a contract with any private or public entity to deliver digital education courses or programs without the prior approval of the relevant department or program. Approvals shall follow established University and Academic Senate procedures and policy.

Students' records and work shall be subject to the same protection and expectations of confidentiality that are in effect for face-to-face modes of instruction even when delivered by an outside contractor.

2.2.2. The online components of all degree-credit courses listed in the Class Schedule shall be on servers and cloud-based services approved by the appropriate IRES administrator following the guidelines regarding accessibility, data, privacy (FERPA), and security (ICSUAM) to ensure their courses and course materials comply with laws, CSU and campus policies.

2.2.3. Faculty may use digital platforms consistent with learning goals and disciplinary contexts. However, the use of digital platforms, tools, and materials must adhere to laws and regulations governing accessibility (EM 07-009), privacy (FERPA), security (ICSUAM), and data. Any software acquisition (free or paid) must be made through the Information Technology Procurement Review (ITPR) process.

2.2.4. The University shall make available appropriate technologies and resources to promote best practices in online teaching and learning. The University shall periodically evaluate technologies and update as needed in collaboration with the University Technology Advisory Committee (UTAC) and the Information Technology Executive Committee (ITEC). The appropriate campus committees will vet pedagogical platforms and tools that follow campus standard technologies for teaching and learning.

2.3 Data Collection

Because the University recognizes that the collection, use, and administration of student data, including but not limited to demographic and biometric data, are ethically complex, the

University maintains formal mechanisms for governing these activities. While these mechanisms vary across Chico State's different organizational units, they are always informed by the following principles:

2.3.1. Shared understanding is maintained by clear, brief, and explicit messaging to students about the nature of Chico State's data collection systems; the provision of detailed information and consultation about data collection, administration, and use upon request; common contractual language between Chico State and all relevant third--party vendors; and continuous consideration of student messaging and data use protocols throughout the University. (FERPA; ICSUAM)

2.3.2. Faculty and students are entitled to clear representations of the nature and extent of information collected and held in trust by Chico State and relevant third-party organizations. (see Data Governance Charter, p. 5)

2.3.3. Faculty and students are entitled to opt-out from digital tools and platforms that collect data in such a way that may be reasonably understood to pose a barrier to student academic success. Students who opt-out are entitled to reasonable accommodation with alternative assignments and/or forms of assessment. Students also are entitled to request that assessments be reviewed through a clearly articulated governance process. (Academic Policies and Regulations: Student Grievance Procedures)

2.3.4. The University studies student data in order to learn how our own educational environments can be made more effective and to contribute to the growth of relevant knowledge generally. Any and all research with student data is governed by the University protocols and policies, which include IRB.

2.4 Open Educational Resources & Affordable Learning Solutions

CSU, Chico and the CSU Chancellor's Office encourage students and faculty to pursue affordable learning solutions, including but not limited to digital open educational resources. These initiatives privilege the use of publicly-funded and open-access, open-source materials. Materials of this nature include examples in, but are not exclusive to, the California Open Online Library for Education, OER Commons, and the Open Textbook Library.

2.5 Digital File Retention Timeline

Course content shall remain available to the Instructor of Record in the Learning Management Systems for a period of 5 years. After the 5-year archival date, archived content continues to be stored off-line for 2 additional years. Upon separation from the University, faculty will be asked whether permission is given to copy and/or disseminate course materials stored within the LMS. Email notifications will be sent to the record holders of the content prior to archival and removal of the content (see Section 4.5). Content can be restored if requested; however, due to product upgrades and versioning changes, the University cannot guarantee that the content will function as it did before removal.

This digital file retention timeline adheres to the guidelines outlined in EO 1031, EO 1037 and the Chancellor's Office records retention schedule. Due to student grade data, if the Instructor of

Record separates from the University, the University will keep digital files available for use according to the schedule outlined above.

3. Student Rights, Responsibilities, and Support

Digital learning provides opportunities for interaction between students and the faculty member responsible for the class section. Faculty should respond to student queries and requests in a timely manner and hold office hours compatible with the course mode of instruction. (FPPP 1.1.5)

3.1 Registration

Prior to registration, the Chico State Class Listing/Schedule shall clearly identify the course Mode of Instruction and any additional fees or tools and other course materials including textbooks required

3.2 Student Learning Outcomes

Regardless of mode of instruction, student learning outcomes (SLOs) and assessment of student success shall apply direct and indirect measures that shall be comprehensive and clearly communicated to students. (also see Section 4.1)

3.3 Academic Integrity

Regardless of mode of instruction, students enrolled in any CSU, Chico course are subject to the same university policies and procedures. Academic standards regarding cheating, plagiarism, and appropriate behavior shall be clearly communicated to students in all courses and programs. [See Policy on Academic Integrity and the Establishment of the Academic Integrity Council]

3.4 Student Services

Regardless of the mode of instruction, each student enrolled in CSU, Chico course section or program shall be informed of available instructional support, library resources, student services, and support services for students with disabilities. These services include financial aid and advising in addition to technical support and enrollment.

3.5 Technical Support

ITSS technical support services shall be made available to students in all CSU, Chico courses. Students enrolled in online classes may require support over a broader range of hours, including chat, phone, and email support and resources.

3.6 Course Availability

In offering a wide range of modalities for instruction, departments and programs should minimize the potential adverse impact of online education on students who learn most effectively in a traditional format. Non-online programs should offer courses in a traditional or hybrid format frequently enough so that requirements can reasonably be met by students graduating within the normal four years without taking online courses. Students taking fully-online degree programs should also expect that requirements can reasonably be met without taking face-to-face courses.

3.7 Intellectual Property
Students have the same control and ownership of the substantive and intellectual content of their online course materials that they have with respect to those offered in a traditional classroom format, at the time of production, at any time during their use, and thereafter. Student content will not be used or shared without written permission from that student. Refer to the current campus and CSU Policy on Intellectual Property.

4. Faculty Rights, Responsibilities, And Support

4.1 Critical Course Components
Faculty shall inform students of critical course components in order to support student digital learning success. These components include: (1) Learning Objectives (2), Assessment and Measurement (3), Resources and Materials (4), Learner Engagement (5), and Course Technology. Suggested locations for this information include but are not limited to: campus class schedule, course description; LMS welcome page, LMS announcement, syllabi, or course-wide email. (See Section 3.1)

4.2 Curricular Control
Individual faculty members have the right to determine the specific content and instructional pedagogy in the classes they are assigned, in alignment with course goals, and program learning outcomes. In doing so, they are responsible for ensuring that digital content does not violate ethical and social boundaries nor University regulations (see Academic Freedom section 1.4 in the FPPP). The collective faculty has the right and responsibility to develop curricula and, within the appropriate discipline, to establish general course content and modes of instruction. This essential control has promoted diversity and the unique character of CSU, Chico.

Any proposals to provide the majority of a state or self-support program exclusively or predominantly online (including but not limited to blended or online degrees as well as degree completion programs) will be considered a significant change (as defined in the Academic Department Manual) and requires EPPC and Academic Senate review and approval.

4.3 Accessibility and Universal Design
In accordance with federal law and the CSU Accessible Technology Initiative, accessible design must be incorporated in courses that use digital tools or platforms. Existing course content must be made accessible as materials are added, redesigned, or modified in order to support an inclusive digital learning experience. Any outside materials (including those found online, from publishers, and/or from vendors) must meet the appropriate accessibility standards. Faculty are encouraged to seek assistance from the University Accessibility Resource Center as well as the Office of Accessible Technology and Services.

As the Instructor of Record (IoR) for a class, a faculty member is responsible for the quality and accessibility of content delivered. Faculty should have awareness of personal liability when course materials are not accessible. The University supports faculty development of accessible materials through TLP and OATS. The use of digital platforms, tools, and materials would ideally attend to principles articulated by CSU Accessible Technology Initiative (ATI) as well as

Universal Design for Learning frameworks as articulated by CSU, Chico Office of Accessible Technology and Services.

4.4 Training and Development

The University recognizes its responsibility to prepare faculty and students for the challenges and opportunities that digital learning can present. To assist faculty in creating high quality learning environments, the University will provide appropriate digital education, training, technology support, and instructional design services. Faculty are encouraged to contact Faculty Development and the Technology & Learning Program to learn about training opportunities and support.

4.4.1. Because Digital Learning and instruction involve the use of technologies and teaching methods that benefit from specialized training, the University shall offer training and support to faculty.

4.4.2. When a faculty member is responsible for teaching a course that makes use of digital tools, applications, and platforms to support and enhance learning experiences for students in all modes of instruction (e.g. face-to-face, hybrid, and fully online), the faculty member is strongly encouraged to complete a training program offered by the University. Specific topics include accessibility, universal course design, data security and privacy and FERPA, intellectual property, and copyright. All faculty members teaching fully online courses are also strongly urged to have their courses reviewed according to the Quality Learning and Teaching (QLT) instrument. Critical course components include: (1) Learning Objectives (2), Assessment and Measurement (3), Resources and Materials (4), Learner Engagement (5), and Course Technology. When aligned, each of these course components shall be directly tied to and support the learning objectives.

4.4.3. Faculty are encouraged to explore new combinations of technology and pedagogy, but must make a good faith effort to ensure these emerging solutions are secure, accessible, and cost effective in alignment with University policies, support, and training.

4.5 Intellectual Property

Faculty have the same control and ownership of the substantive and intellectual content of their online course materials that they have with respect to those offered in a traditional classroom format, at the time of production, at any time during their use, and thereafter. For the purpose of mitigating risks to both faculty and students associated with privacy, accessibility, and security, the LMS administrators will have campus system-wide access. Any changes or updates made to a course must be done in consultation with the instructor of record, Department Chair, or College Dean. Course content will not be used or shared without written permission from that faculty member. Refer to the Faculty Collective Barganing Agreement, Art 39.

4.6 Course and Program Assessment

Courses and programs should be held to the same standard and quality regardless of the mode of instruction. Assessment of online and hybrid courses shall be a regular part of the department's

assessment plan. Assessment shall be focused on student outcomes. In addition, assessment may include the use of technology and its application for digital learning.

Department guidelines establish faculty observation and evaluation. The faculty of a given academic program assume responsibility and exercise oversight of courses and their curriculum ensuring the quality, and integrity of instruction. Instruction online, whether fully online or hybrid, should match the quality, and integrity of face-to-face courses. Campus and department RTP performance evaluation processes should recognize online and face-to-face instructional activities as equally meritorious and important.

Access to online course content is governed by the same procedures and restrictions that determine evaluator access to face-to-face courses. This includes the responsibility to notify the faculty member of plans to visit their course. The faculty member shall maintain reasonable control over the extent of this access to their course materials and content.

4.7 Class Size and Workload
Class size and faculty workload will be determined following university standards after consultation with the faculty member and the department chair, and must consider the student learning outcomes and the level of interaction between faculty and students. Faculty should provide timely communication with students appropriate to the mode of instruction for the class. FPPP, Section 1.1.2.

4.8 Credit Hours
When face-to-face courses are re-designed as hybrid or fully online, normally the units carried are expected to be equivalent. The "credit hour" is defined as "the amount of work represented in intended learning outcomes and verified by evidence of student achievement." According to the Academic Policies and Regulations, a credit hour is assumed to be a 50-minute (not 60-minute) period. In courses where "seat" time does not apply, such as those offered online, a credit hour may be measured by an equivalent amount of work, as demonstrated by student achievement. Also refer to the CSU Policy on credit units for guidance on student workload.

4.9 Academic Integrity
Digital learning technologies present new challenges to ensure academic integrity that should be addressed in their design. The University recognizes that academic integrity is a mutual relationship between faculty and students, conforming to the University Policy on Academic Integrity, which states: "Academic integrity is defined as 'a commitment, even in the face of adversity, to five fundamental values: honesty, trust, fairness, respect, and responsibility. From these values flow principles of behavior that enable academic communities to translate ideals to action.'"

4.10 Office Hours
The methods and frequency of office hours, virtual or in person, will be clearly communicated to students and determined by University policy and procedures. Faculty shall clearly indicate specific office hours and provide timely responses to student questions. For fully online courses, faculty shall hold office hours using digital platforms at scheduled times. For more guidance refer to the FPPP, Section 1.1.5.

4.11 Student Evaluations of Faculty
The university currently provides online Student Evaluation of Teaching (SET). These will be used in online courses. Administration will follow university policy in the FPPP 8.1.4.a and 8.1.4.b and the current Faculty Collective Bargaining Agreement (CBA).

4.12 Evaluation of Faculty
As it pertains to Evidence of Teaching Effectiveness (FPPP 8.1.4.h) and General Consideration (FPPP 8.1.1.e), the university shall provide processes and guidelines for evaluation of faculty and evidence of teaching effectiveness for on-line courses. Class visitation may be utilized as a component of this process. When utilized, class visitation will adhere to university policy as interpreted in the aforementioned FPPP 8.1.4.h, 8.1.1.e and the current CBA.