

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 300 Department or Agency Alabama Commission on Higher Education
Rule No. 300-2-1-.10
Rule Title: Distance Education
X New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer J. J. [Signature]

Date September 19, 2018

(DATE FILED)
(STAMP)

APA-2

Alabama Commission on Higher Education

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Commission on Higher Education (Commission)

RULE NO. & TITLE: 300-2-1-.10: Distance Education

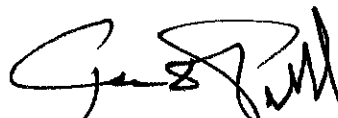
INTENDED ACTION: New Rule

SUBSTANCE OF PROPOSED ACTION: The purpose of this rule is to outline the Commission's procedures for the submission and review of on-line courses and programs.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Persons wishing to present views on this amended rule may contact Tim Vick, Director of Operations and Fiscal Services, Alabama Commission on Higher Education, P.O. Box 302000, Montgomery, Alabama 36130-2000, Telephone 334-353-9153 between 8 a.m. and 5 p.m. each day up to and including November 5, 2018.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: November 5, 2018

CONTACT PERSON AT AGENCY: Timothy W. Vick



James E. Purcell, Ed.D.
Executive Director

NEW RULE

Chapter 300-2-1-.10: Distance Education

(1) Units of instruction offered by Alabama public institutions, including distance education offerings, are subject to Commission approval per the Code of Alabama, 1975, Section 16-5-8.

(2) **Definition of Distance Education:** A formal educational process using technological delivery in which instruction occurs where students and instructors are not in the same place. Instruction may be synchronous or asynchronous. Distance education may employ audio, video, or computer technologies. Distance education, distance learning, and e-learning are recognized by the Commission as being synonymous terms. Academic courses or programs are considered to be distance education entities when over fifty percent of the content is delivered through distance education modes. [Based on the Council on Occupational Education (COE) and the Southern Association of Colleges and Schools/Commission on Colleges (SACS/COC) definitions.]

(3) Institutions are to set tuition for distance education offerings, ensuring that they meet statutory requirements. Institutions providing distance education courses or programs are expected to be in full compliance with the standards and/or requirements of any appropriate governing or accreditation authorities.

(4) Academic programs offered through distance education by Alabama public institutions must have been approved by the Commission on Higher Education and must be listed in the Commission's Academic Program Inventory with no restriction to a military base.

(5) Programs approved by the Commission on Higher Education do not require additional Commission approval to be configured and offered as distance education programs. However, institutions preparing to offer existing programs as distance education offerings must report this intent to the Commission prior to implementation.

(6) The Commission on Higher Education does not require approval of individual courses for distance education purposes.

Author: Leonard Lock

Statutory Authority: Code of Alabama, 1975, §§16-5-1 et seq.

History: Filed September 19, 2018