

SGOC Minutes  
12/6/10  
Second Floor Conference Room #203 DRC  
3:15 P.M.

Members in Attendance:

D. MIKE MCDANIEL	KATHY HICKS	LORETTA MCGREGOR	DON MANESS
DAN MARBURGER	BILL HUMPHREY	BEVERLY GILBERT	JULIE ISAACSON
DAVID MCKINNEY	ANGELA DANIELS	GLEN JONES	ADRIAN EVERETTE

Review of Minutes: 11/15/10 ACCEPTED

Agenda Accepted: 12/6/10

New Business:

**A. 10FA-27 Addition of the Landscape Architect to the Buildings and Grounds Committee as a Non-voting Member**

Shared Governance Issue: yes    Type of Review: Full    Handbook Issue: yes  
Policy or Procedure: proposal    Originator of Proposal: Buildings and Grounds  
Date SGOC Received: 11/30/10  
Shared Governance Committee Assigned Responsibility: Buildings and Grounds  
Constituency Groups to Review Proposal: Faculty, Staff, Handbook  
Other Committees to Act as Constituency Groups: none

**B. 10FA-28 Primacy**

Shared Governance Issue: yes    Type of Review: Full    Handbook Issue: yes  
Policy or Procedure: policy    Originator of Proposal: Faculty Senate  
Date SGOC Received: 12/1/10  
Shared Governance Committee Assigned Responsibility: Faculty Handbook  
Constituency Groups to Review Proposal: Faculty, Chairs, Deans, Handbook  
Other Committees to Act as Constituency Groups: none

**C. 10FA-29 Employment**

Shared Governance Issue: yes    Type of Review: full    Handbook Issue: yes  
Policy or Procedure: policy    Originator of Proposal: Faculty Senate  
Date SGOC Received: 11/22/10  
Shared Governance Committee Assigned Responsibility: Diversity and Affirmative Action Committee  
Constituency Groups to Review Proposal: all standing  
Other Committees to Act as Constituency Groups: none  
A task force on diversity and globalization is in the works.  
A motion to suspend was made and seconded. The committee voted to suspend this proposal.

**D. 10FA-30 Diversity**

Shared Governance Issue: yes    Type of Review: full    Handbook Issue: yes  
Policy or Procedure: policy    Originator of Proposal: Faculty Senate  
Date SGOC Received: 11/22/10  
Shared Governance Committee Assigned Responsibility: Diversity and Affirmative Action  
Constituency Groups to Review Proposal: all standing  
Other Committees to Act as Constituency Groups: none  
A motion to suspend was made and seconded. The committee voted to suspend this proposal.

**E. 10FA-31 Faculty Senate Potential Violation of Faculty Primacy Resolution**

Was there a violation of shared governance procedures or principles? The SGOC will set up a subcommittee with representatives from each constituency group to investigate.

Committee Members: Beverly Gilbert, Bill Humphrey, Dan Marburger, Dean-to be appointed, and Loretta McGregor

Old Business:

- A. 10FA-16R An ASU System Proposal for Persona Non Grata  
Report is out.
- B. 10FA-26 An ASU Jonesboro Proposal for Admission by Exception for Prospective Students with Exceptional Talent  
Faculty did not support. Deans supports with changes. Chairs did not support. Staff supported. SGA supported. Send to responsible committee for edits, then send it back out for final vote.
- C. 10FA-17R A Revised ASU System Proposal for a Policy on Appropriate Use of Information Technology  
Report is out.
- D. 10FA-25 Proposal to Raise Admission Standards for 2012  
Senate, Deans, Staff, Chairs all support.
- E. 10FA-21 Proposal for an ASU Jonesboro Standing Shared Governance Committee for Safety  
All support. Report is out.
- F. 10FA-22 Proposal for Conflict of Interest Policy  
All support. Report is out.
- G. 10FA-23 Resolution to Complete the Liberal Arts Building  
Report is out. The resolution will come from SGOC.
- H. 10FA-24 Proposal for a Grievance Policy  
All support.
- I. Electronic Tracking Procedure

Adjourn: 4:25 P.M.

**Board of Trustees for Arkansas State University  
Statement on Distance Learning  
in Association with Academic Partnerships <sup>(1)</sup>**

“Dr. Howard, thank you for your report today on behalf of ASU-Jonesboro. The Board of Trustees is particularly proud of the distance learning progress the campus has already made and supports the plans you have noted to expand ASU’s online offerings through the relationship with Academic Partnerships. We believe that these distance learning programs are of high academic quality and provide learning opportunities at a reasonable price to students who are place bound and cannot enroll on a traditional campus for some or all of their college work. We appreciate the faculty who teach in these programs and the work of the faculty members and administrators at Jonesboro and Mountain Home in insuring that these courses and programs meet the highest academic standards. We fully support the cooperative relationship established between the Jonesboro and Mountain Home campuses where Jonesboro is providing certain academic services that will allow Mountain Home to offer lower division undergraduate courses and associate degree programs in association with Academic Partnerships. Thanks to all who have worked together to make these programs available for students.”

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<sup>(1)</sup> N.B.: This statement was made by Mrs. Florine Tousant Milligan (Chair of the Board of Trustees for Arkansas State University) during an official and open meeting on Friday, December 3, 2010, at ASU-Beebe to which all other Board members present expressed their full support.

An Open Letter to the ASU-Jonesboro Campus Community  
Concerning Distance Learning  
and the Service Contract with Higher Education Holdings  
From Dan Howard and Robert Potts

April 16, 2009

Dear Colleagues:

We want to respond to concerns expressed by some members of our campus community over the decision to enter into an agreement with Higher Education Holdings (HEH) to use its expert services in association with ASU offering the Masters Degree in Educational Theory and Practice (METP) in our College of Education and other appropriate academic courses and programs in the future. In this letter we want to explain why we believe that this action is consistent with our mission, necessary for us to remain a vibrant and growing institution, and upholds our standards of academic excellence.

Subsequent to the development of the internet and the continuing evolution of cutting edge technology, the demand for academic courses and programs offered by distance learning, both inside the U.S. and around the globe, has increased dramatically. Google "Growth in Distance Education" and you can find hundreds of articles discussing the reasons for this explosive growth. Since the beginning of this decade, there have been many thoughtful studies of this phenomenon. See Asby, *Growth in Distance Education Programs and Implications for Federal Education Policy* (2002); Howell, Williams, and Lindsay, *Thirty-two Trends Affecting Distance Education: An Informed Foundation for Strategic Planning*, *Online Journal of Distance Learning Administration*, Vol. VI, No. III (Fall 2003). This demand for distance learning has been fueled recently by the decline of the U.S. economy and its adverse impact on the global economy, as distance learning is seen as a more accessible alternative to traditional educational delivery methods. In fact, the segment of higher education growing at the fastest rate (as measured by credit hour production) is distance learning and it appears that this trend will continue into the foreseeable future. Rather than creating entirely new markets, distance education has a tendency to draw some students away from enrollment in academic courses and programs delivered by traditional methods (as witnessed by summer school enrollment at ASU), although it appears that there is some level of market expansion created as individuals who may not have been able to take academic courses and programs in more traditional formats (e.g., working single parents, homebound individuals, and active duty military on deployment) participate in distance learning.

Recognizing this need and desire for distance learning, most institutions of higher education in the U.S. provide some level of academic courses and programs in this manner and there has been a gradual trend to increase these offerings. However, the extraordinary growth of academic courses and programs being offered by distance learning has occurred by the actions of for-profit and non-profit entities such as Strayer University, Franklin University, DeVry University, Grand Canyon University, Excelsior College, Walden University, and University of Phoenix. These entities are capturing market share of distance learning at a staggering rate by marketing aggressively and providing "no-frills" education in a convenient manner, usually at a premium above that charged for traditional academic programs and courses.

Arkansas is not immune from these trends. Indeed, on the April 24, 2009, agenda for the Arkansas Higher Education Coordinating Board, under Item No. 14, the Board has before it letters of intent received during the first quarter of 2009 from thirteen "online" colleges and universities to offer a total of 105 degree programs in Arkansas, most of which are "initial certifications." These requests come from American Public University, Capella University, DeVry University, Drury University, Grand Canyon University, Kaplan University, Regis University, Remington College, Strayer University, University of Phoenix, Walden University, Western Governor's University, and Chamberlain College of Nursing. Many of these proposed programs duplicate programs we offer here at ASU.

Thus, we firmly believe that unless institutions of higher education, including our own ASU, embrace distance learning more fully and act decisively on this conviction, they will experience declines in their enrollment with associated adverse consequences to their revenue streams and operations and need for existing numbers of faculty and staff.

This state of affairs is analogous to what has happened in the newspaper industry, particularly in large metropolitan areas, where the internet has created an upheaval in the way that many consumers receive their news causing compression, consolidation, and elimination of newspapers that failed until it was too late to confront the challenges of new communication technologies. There was a recent article in the *The Chronicle of Higher Education* that made this exact point (<http://chronicle.com/weekly/v55/i30/30a02101.htm>). Accordingly, institutions of higher education have a compelling interest in developing their capability in and providing additional academic courses and programs by distance learning. Unless institutions of higher education are willing to suffer the consequences of declining enrollment they must act decisively to provide high quality academic courses and programs by distance learning.

In this context, when the offer to utilize the innovative Higher Education Holdings platform to offer graduate education courses via distance learning was presented to our campus by President Wyatt, College of Education Dean John Beineke, Assistant Dean Don Maness, and Department of Educational Leadership, Curriculum and Special Education Chair Mitch Holifield, Henry Torres, Director of Interactive Teaching and Technology Center, Mark Hoeting, Chief Information Officer, and the two of us made a trip to Lamar University in Beaumont, Texas, to visit with faculty and staff there who had successfully mounted a distance learning program using the Higher Education Holdings platform. After that visit, the College of Education administrators indicated to us that they wished to go forward with a plan to use HEH as a service provider for a pilot program in their college. The major reason the College of Education leadership decided to pursue this pilot program was the quality of the platform as compared with other educational delivery platforms. Subsequently, Dr. Holifield consulted with the faculty in the Department of Educational Leadership, Curriculum and Special Education (ELCSE) and the faculty agreed that the METP would be an appropriate program to pilot using the services of HEH. After due diligence in ascertaining the details about HEH and its principal and key employees, a contract was signed to proceed.

Recognizing the need for ASU to become more proactive in distance learning rather than facing adverse consequences of reduced enrollment, our Board of Trustees has made it abundantly clear in its official actions approving the contract with HEH that it expects ASU to take positive and immediate steps to expand significantly its offerings of academic courses and programs by distance learning. The Board envisions this relationship as a means whereby ASU is able to capture a significant market share of distance learning in the delivery of high-quality, low-cost academic courses and programs without need for a substantial up-front investment, which ASU cannot afford in these difficult budgetary times. Governor Mike Beebe has been briefed about the formal relationship between ASU and HEH and supports fully this relationship.

In response to the expectations of the Board of Trustees for the University to become more proactive in distance learning (generally) and with HEH (specifically) the University has taken a number of steps to obtain regulatory approval for the delivery of academic programs by distance learning. Since ASU had never offered complete academic programs by distance learning and did not have permission to do so from the Higher Learning Commission of the North Central Association of Colleges and Schools (HLC), it was necessary to request a focused visit by HLC as part of the process in seeking HLC permission to offer complete academic programs by distance learning. This focused visit occurred in November 2008, during which time the intention to offer academic courses and programs by ASU in association with the formal agreement between ASU and HEH was disclosed and discussed fully. Subsequently, HLC granted ASU permission to offer all of its academic courses and programs by distance learning without the need to seek further permission by HLC.

Similarly, ASU sought permission to offer the Masters Degree in Educational Theory and Practice (METP), Masters Degree in Educational Leadership (MEL), and the Masters Degree in Curriculum and Instruction (MCI) via distance learning in conjunction with the formal agreement between ASU and HEH from the Arkansas Department of Higher Education (ADHE) and this permission was granted. Since the MEL and the MCI are associated with teacher licensure and certification, permission was sought and received from the Arkansas Department of Education (ADE) to offer these graduate programs by distance

learning in association with the agreement between ASU and HEH. Additionally, ASU sought and received formal permission to offer the METP, MEL, and MCI in Tennessee and Missouri from regulatory authorities in these states. As a result of these actions, ASU has the complete support of its governing Board and the Governor of the State along with full regulatory authority to offer the METP, MEL, and MCI via distance learning as per the formal agreement with HEH in Arkansas, Tennessee, and Missouri and ASU is seeking permission to do so in Alabama and Mississippi.

There has been a substantial amount of rhetoric, both on and off campus, and media coverage about the relationship between ASU and HEH. Unfortunately, this rhetoric and media coverage contains many factual inaccuracies and hearsay that leads to misunderstandings about the actual nature of the relationship and its implications for distance learning at ASU. The following factual points are offered to foster a better understanding of this relationship.

- ASU and HEH have a bona fide contractual agreement signed by the legal representative of both entities.
- Prior to entering into the contractual agreement with HEH, ASU engaged in appropriate due diligence to ensure, among other things, that any/all academic courses/programs offered in association with this partnership were the sole and exclusive purview of ASU and related intellectual property rights were protected.
- HEH is a vendor providing services (i.e., marketing, software technology platform, assistance with conversion of ASU courses to a high end distance learning quality, and administrative support) to ASU. HEH has no curriculum, no faculty (although it does hire, subject to ASU approval, academic advisors or coaches to assist students and faculty) and no accreditation. It is purely a service provider.
- ASU is responsible solely for faculty selection, curriculum, instructional materials, pedagogy, assessment, evaluation, continuous quality improvement, student records, and fiduciary control.
- ASU has a special arrangement with HEH in four states with regards to the delivery of academic courses by distance learning that will serve as a buffer against encroachment by competitors.
- HEH has been highly successful in marketing the METP program offered by ASU as demonstrated by the more than 300 Arkansas students enrolled in the METP program, and the fact that HEH has signed up eight (8) of the largest school districts in Tennessee to provide access to ASU courses and programs to their thousands of teachers and to improve their preparation and the quality of their districts. ASU would not have these markets nor the potential to enroll these students if it were not for this arrangement with HEH.
- All academic courses and programs offered by distance learning in association with the relationship between ASU and HEH must meet the same quality standards and requirements as academic courses and programs offered in more traditional formats.
- Faculty members engaged in teaching the METP pilot program are doing so on a voluntary basis. No faculty member has been or will be forced to deliver courses in the HEH format if he or she does not wish to do so.
- The reduction in credit hours in the METP program from 36 credit hours to 30 credit hours was discussed prior to any relationship between HEH and ASU and was done independently of the agreement with HEH, and has now been approved by the Graduate Council of ASU.
- Faculty members who have been directly involved in the development and delivery of academic courses in the METP, in conjunction with the agreement with HEH, are favorably disposed to this method of delivery.

- The Department of Educational Leadership, Curriculum and Special Education (ELCSE) voted to support the delivery of the MEL and MCI, via distance learning, in association with the agreement between HEH and ASU based upon positive experiences with the pilot program of the METP and the potential benefit of these programs for teachers seeking licensure and certification.
- ASU faculty members are compensated fairly and consistently with State law and institutional policies and procedures for course development and delivery in association with the relationship between ASU and HEH. Compensation for these faculty members is not based upon the number of students enrolled or the number of students who complete the courses or the program.
- No dean's level or above administrator received any compensation whatsoever in association with the relationship between ASU and HEH, and compensation paid to administrators below this level has been provided for the level of work contributed in a manner consistent with State law and institutional policies and procedures. This compensation is less, on a per course basis, than that received by faculty members engaged in course development and delivery.
- HEH does not pay any ASU faculty member or administrator any compensation whatsoever.
- ASU is consistently evaluating learning outcomes in the HEH courses, and so far the results have been good. Similar evaluations are being conducted in Texas from the two primary HEH partner institutions there, Lamar University and the University of Texas-Arlington. Hopefully, all these results, which will grow as students graduate from the programs so offered, can be shared and utilized to improve the programs even more. If evidence develops that learning outcomes with online courses and programs are not positively comparable with face-to-face courses and programs, ASU will either improve the distance learning courses and programs or discontinue them.
- ASU is exploring the feasibility of developing and delivering other academic courses and programs via distance learning.
- ASU is committed to its shared governance process, and to the extent that the Shared Governance Oversight Committee determines that these distance learning issues need to be considered by existing shared governance committees, or a new committee for distance learning to be formed, the Administration will welcome the input from that process on these matters.

In summation, it is clearly in the best interest of ASU to engage more actively in the development and delivery of high quality academic courses and programs via distance learning. Failure to do so is likely to lead to undesired consequences such as declining market share, fewer students, reduced tuition and fee revenue, loss of academic programs, and downsizing of faculty and staff positions. The agreement with HEH (as approved by the Board of Trustees and their expectation that this agreement will be successful) provides a means whereby ASU can offer accessible high-quality, low-cost academic courses and programs without incurring high front-end costs, which the University cannot afford at this time. As a consequence, ASU should be able to compete successfully against for-profit and non-profit entities that are capturing a huge volume of students who otherwise would be taking academic courses and programs on the campuses of public and independent colleges and universities. We thank you for your understanding, and solicit your support as we strive to keep our university viable by, among other things, ramping up quickly our distance learning offerings.

Sincerely,

Robert Potts and Dan Howard