

## **Title 5 Definition of DE and USDE Definitions of DE and CE**

Title 5 Sections 55200 and 55204 define distance education and the requirement for regular and effective contact, respectively. Since that time, the USDE revised 34 CFR 602 on accrediting agencies and their compliance with federal regulations:

([https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CCcQFjAB&url=https%3A%2F%2Fwww2.ed.gov%2Fadmins%2Ffinaid%2Faccred%2Fagency-guidelines.doc&ei=GuxTVJGcKlezoQSwroGoCw&usg=AFQjCNHtjo-rHAHC1p6brzSNbjZhykT\\_9g&sig2=kpuwpiHZzqb-sHa1CXVCwg&bvm=bv.78677474,d.cGU](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CCcQFjAB&url=https%3A%2F%2Fwww2.ed.gov%2Fadmins%2Ffinaid%2Faccred%2Fagency-guidelines.doc&ei=GuxTVJGcKlezoQSwroGoCw&usg=AFQjCNHtjo-rHAHC1p6brzSNbjZhykT_9g&sig2=kpuwpiHZzqb-sHa1CXVCwg&bvm=bv.78677474,d.cGU))

Within this document are changes that took effect in 2010 and 2011, after the current Title 5 language on DE was adopted in 2007. 34 CFR Section 602.3 provides the federal definitions for CE and DE given below. The question is this: does Title 5 need to be revised so that the federal definition of DE is included and the USDE regulation is referenced?

**Correspondence education** means:

- (1) Education provided through one or more courses by an institution under which the institution provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor.
- (2) Interaction between the instructor and the student is limited, is not regular and substantive, and is primarily initiated by the student.
- (3) Correspondence courses are typically self-paced.
- (4) Correspondence education is not distance education.

**Distance education** means education that uses one or more of the technologies listed in paragraphs (1) through (4) to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously. The technologies may include--

- (1) The internet;
- (2) One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
- (3) Audioconferencing; or

(4) Video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of the technologies listed in paragraphs (1) through (3).

#### **5 CCR § 55200**

##### **§ 55200. Definition and Application.**

Distance education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology. All distance education is subject to the general requirements of this chapter as well as the specific requirements of this article. In addition, instruction provided as distance education is subject to the requirements that may be imposed by the Americans with Disabilities Act (42 U.S.C. § 12100 et seq.) and section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d).

Note: Authority cited: Section 66700 and 70901, Education Code; References: Sections 70901 and 70902, Education Code; title 29 United States Code section 794d, and title 42 United States Code section 12100 et seq.

#### **5 CCR § 55204**

##### **§ 55204. Instructor Contact.**

In addition to the requirements of section 55002 and any locally established requirements applicable to all courses, district governing boards shall ensure that:

(a) Any portion of a course conducted through distance education includes regular effective contact between instructor and students, through group or individual meetings, orientation and review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone contact, correspondence, voice mail, e-mail, or other activities. Regular effective contact is an academic and professional matter pursuant to sections 53200 et seq.

(b) Any portion of a course provided through distance education is conducted consistent with guidelines issued by the Chancellor pursuant to section 409 of the Procedures and Standing Orders of the Board of Governors.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.