

TOPcast Episode 28: Understanding Policy

KELVIN Hi, TOPcast listeners! Here is a quick time-sensitive opportunity for you. We are soon to host our very first official online TOPcast meetup with other TOPcast listeners, TOPcast hosts, and our behind-the-scenes TOPcast team. Please mark your calendars now for August 24—that's a Thursday—at 12 o'clock noon Eastern Daylight Time in the United States, which is -4:00 UTC for you international folks. Mark your calendars and join us for a good conversation. You can give us input and find out more by going to the following URL: bit.ly/polltopcastmeetup.

(musical transition)

KELVIN From the University of Central Florida's Center for Distributed Learning, I'm Kelvin Thompson!

TOM And I'm Tom Cavanagh!

KELVIN And you're listening to *(stage whisper)* TOPcast: the Teaching Online Podcast. That's the jazz hands version of the intro.

TOM I was going to say. The listening audience can't see the jazz hands happening in the studio.

KELVIN TOPcast! How are you doing, Tom? *(laughter)*

TOM I'm good. I didn't know we were in the musical *Chicago* all of a sudden.

KELVIN *(stage whisper)* TOPcast! *(laughter)* It's a thing.

TOM Yeah! Cool! I am well. How are you?

KELVIN I'm going to be doing a little bit better once I pour my coffee here. I already poured yours.

TOM Yes, I hear the dulcet tones of coffee pouring like a waterfall in a tropical rainforest.

KELVIN *(stage whisper)* TOPcast! *(laughter)* Dulcet tones...

TOM So, what are we drinking today? What's in this Thermos?

KELVIN Well, here's the thing. Here's the backstory today. So, as you know, it's been my practice—not a hard and fast rule but my practice—to bring in carefully brewed, freshly brewed, freshly ground, freshly roasted, high-end, usually single origin coffee for our little episode recording days, right? And I think you know this because I think we've talked about this before. Green coffee beans can be stored really kind of indefinitely, and there's kind of industry consensus among roasters that you really should for the best taste grind and brew about two to three weeks after roasting. So, a lot of your high-end places, you might see on your coffee packs, it'll have like a born-on-date. Oh, it was roasted on Thursday, February 16th or whatever, so you can kind of track that. Or you at least you can ask the person, "Hey. When was this roasted?" "Oh yeah! Last Thursday." So you

can keep track of it. So, here's the deal. I have like a true confession because I'm a mildly embarrassed that the stuff that I've served you today was roasted several *months* ago.

TOM Ah! Gasp!

KELVIN Not my normal thing. So, after this we might have to institute a firm policy requiring specified roasting freshness because it could be crap. So—I'm scared to ask, but I'll ask—how's the coffee?

TOM It's good. I don't know if it's my delicate palette but it seems stronger than what we usually drink, is that true?

KELVIN What I think it is is this particular coffee is an Ethiopian Harrar from Java Junction in Brockport, New York, because our colleague, Ann Giralico Pearlman from the College of Brockport, was kind enough on a recent visit to shuttle me around all over the place including her favorite little coffee place, Java Junction. They roast right there on site, and the guy behind the counter told me that they do kind of roast a little dark. I think this stuff is a little extra-darkly roasted, and I've been having to play with the brewing to try to offset that a little bit, and I don't think I did as good of a job with the French press off-setting it. So, I think that's the boldness that you are getting.

TOM That's alright. I will have my eyes wide awake on my drive home.

KELVIN Woo! Yes, sir. That's right. I don't know, Tom, but could you find somewhere in that long rambling trail a connection to today's topic?

TOM Of course I could, Kelvin. So, you mention that there's no hard and fast policy about when the roasted beans should be ground and brewed, and you are thinking of instituting a firm new policy. What is the common thread there?

KELVIN Hmmmm...

TOM So, we are. We are talking about policies. Everyone's favorite subject.

KELVIN But don't turn off the recording yet! (*laughter*)

TOM That's right.

KELVIN Don't let that stop you from listening to us.

TOM Yeah, because trust us, it's actually a little more interesting than you might think. I hope.

KELVIN (*stage whisper*) TOPcast!

TOM We are not policy wonks. We are not wonks of any stripe, I hope. It's just fun saying the word wonk.

KELVIN Mhmmm. What is a policy wonk?

TOM People who kind of make their business policies.

KELVIN I think you lean that way more than I do.

TOM I think that's probably true. It might just be an occupational hazard too for how I spend my time, but, it's no denying policies are important and they influence us every day in the work that we do. Certainly not just in online but in higher education in general and all education in general.

KELVIN So, is it me, Tom? It seems to me that, policy, that word gets used in all kinds of different ways. Can we maybe unbundle that for a second?

TOM Yeah, well maybe I'll start with an example here at UCF. So, we've got—like all institutions—a set of policies, but that has a very specific defined meaning. If we have a policy, it's gone through a formal policy development review process. It's signed by the president of the university. It's published in a policy location, and we were talking about—when I first got to UCF a number of year ago—creating or updating our distance learning policies, and they have mostly to do with our expectations for faculty development and what our modalities are and some of the things that kind of level said distance learning across the university. But we realized that they didn't meet the threshold of an institutional definition of a policy. We certainly weren't going to ask the president to sign some document requiring faculty development or something like that. So, we had to change it. We had to change the name of it—and it's on our website now if anybody is interested—and call them guidelines.

KELVIN Guidelines.

TOM Yeah, I keep thinking of the *Pirates of the Caribbean* movie. “They are guidelines, really.” (*laughter*)

KELVIN (*laughter*) A code. We have a code.

TOM “They are more guidelines.” Yeah, so, we call them guidelines and not policies, but we treat them like policies. We try to enforce them like policies if we can. And so, we had to kind of walk that tightrope of policy/guideline, but all of it has to do with managing the kinds of activities and behaviors that we have here at UCF.

KELVIN So, is this right or at least fair that I think we might even use “policy” in a kind of a gradation kind of sense? A little continuum sense? There's like guidelines or procedures

and sometimes we say policy. There's like rules and regulations that have a little more of a force.

TOM And here those mean different things.

KELVIN Yes, and then there's laws/statutes. And then in the news, you might hear, "Policy makers today determined that..." or whatever, and they mean lawmakers which they mean legislators, usually.

TOM Well, maybe we should start with that sort of strata you talked about. So, we have federal or national policies and laws and regulations, and that could include maybe regional accreditors, the feds, the Department of Education, Department of Labor, whoever. We have state level boards and legislation that kind of govern us within our own state jurisdictions and then each institution—or maybe a system or something—has their own policies and regulations that people have to kind of abide by. And each of them kind of has a place, and it's not a hard and fast rule because I've had many conversations with colleagues who've asked me about our policies, and they have in fact placed the kinds of things that we are calling guidelines into formal policies that do get signed by their institutional president. I think there's a pro and con to that. The pro is that you have the weight of the institutional leadership behind it and it's enforceable clearly. The downside—the con—is that you can get so granular with those things that you just can't keep up with it. Stuff changes. The policy changing process is not nimble. So, I think you have to kind of weigh that if you're going to try and decide to codify something into a policy.

KELVIN You'd be outdated or hard to change. Not nimble.

TOM Like we just added a modality this year to our list of modalities that we've had for a long time, and we needed to do that fairly nimbly because we're trying to support an innovative project. And I don't know if we could have done that quickly through the policy process.

KELVIN Yeah, that makes sense. So, for this episode—for the remaining few minutes that we are here together—how are we going to operationally define policy would you say? Or at least frame it?

TOM Well, maybe we should just talk about those levels. Maybe even a couple of examples from some of those levels. So, if we look at—maybe we'll start from the broad to the narrow—at the national level, and as I said earlier, you and I are not policy experts. If you want to know about policy please call Russ Poulin at WCET.

KELVIN *(laughter)* His number is...

TOM *(laughter)* Yeah. He'll forget more than I'll ever know about policy.

KELVIN And I guess as a little shout out to them, they will periodically—from WCET from Russ—they'll send out—I think I got one not that long ago—policy updates and relevant stuff happening in Washington, DC.

TOM And I sleep better at night knowing Russ is out there protecting us.

KELVIN He's on it. He's on the wall.

TOM And there are other people. Jarrett Cummings at EDUCAUSE does a great job. His purview is probably a little broader than just online learning but it includes it. There are some people who really expert in this area, and if you're interested in it, they each publish blogs and have newsletters and other kind of updates that I would encourage you to subscribe to. But kind of writ large, we are influenced by things like... Well, let's just take one example here: federal financial aid policies. The laws and the kinds of reporting that we have to do to stay compliant to receive Title IV funding in some cases has made it really difficult to do some types of innovations. So, when we are looking at things like... We're not doing competency-based education, but we are experimenting in those areas. And I know that there are mechanisms for experimental sites and for cross-walking competencies to credit hours and there's all kinds of things that can be done. But we are not an experimental site, and it can be really problematic when you've got somebody who's running financial aid who has a particular job to keep us out of trouble and to make sure students get the money that they need in order to get the education that they need. Sometimes those forces can be in conflict, and when you are I are trying to push the envelope on some stuff: "Yeah but, Tom, did you realize that what you are proposing is going to negatively impact satisfactory academic progress and students aren't going to get their money and we can get in trouble." Well, no, I didn't know that. That's why I invited you to the meeting so you could ruin my plans. So, policies in that regard can sometimes make it really hard or can nudge you in certain areas.

KELVIN So, how about this? As a pause for a second. I'm just checking in with you. So, policy—whatever level—can drive our behavior. Policies can be perceived as positive or negative, right? You can see policy as an obstacle, as you just described, or as something to figure out over, under, around, or through. Something to respond to. Checks and balances.

TOM Well, I mean, look at just the regional accreditors, for example. They ensure a certain level of quality and financial stability for institutions and governance and all those other things that are all good.

KELVIN Right! So, some policies we are looking for to be enacted because it's going to bring about some desirable outcome. "Well, somebody needs to take a stand on this because if it's made, it's be good for all of us."

TOM Some standardization, perhaps?

KELVIN Yes. And policy makers—brewing policy even—it’s probably in our best interest as online education professionals to be as aware early in the process as possible so that we can respond, shift our sails, whatever. Maybe even we can find ways to influence policy makers so that they are informed. I mean, I know when we were first planning TOPcast, we even envisioned—perhaps fancifully—but envisioned, “Well, maybe we’ll have these TOPcast episodes and they’ll find their way to the ears of folks at our state legislature and they’ll be more knowledgeable about online education and they’ll make really great decisions for us.”

TOM Yeah! Let’s hope! Maybe that can still yet happen, Kelvin.

KELVIN *(laughter)*

TOM Yeah, that’s true. In many cases, our state legislators and Boards of Governors and others or whatever your system or institutional governance is, they are as susceptible to media hype as anybody else, and they are the ones who enact policies to try to accomplish certain things or avoid other things from happening, as you said. I think that was a good definition. They try to influence behavior to get institutions or individuals to do or not do certain things. So, we’ve talked a little bit about the federal or regional accreditors. They’ve got particular rules—if we are talking about competency education still—around direct assessment and other kinds of things, and for them it’s to ensure that you don’t compromise the quality of the education by doing some of these innovations and experiments. At a state level, we’ve got a number of things just for example in Florida that I think might be good examples. For example, we’ve got the distance learning course fee which is defined in statute, and institutions around Florida can charge a fee to students to cover the additional cost associated with putting something online. It doesn’t cover anything that you would have paid otherwise in order to deliver a course had it not been online, and that’s been a real useful resource revenue source for most schools in the state to try and grow online learning. And I think in some ways it explains why Florida has such a high online learning adoption. But, there has been changes to that legislation in recent years. They have capped the amount. Fortunately, it hasn’t impacted us but it has impacted some of our sister institutions. And there is always talk about further revising that which makes us nervous. So, if the fee went away...

KELVIN That would be bad.

TOM Yeah, what does it mean? It would change our—

KELVIN A whole lot of bake sales.

TOM Yeah, we’d start turning over the couch cushions. No, I mean it would just change our business model. We’d have to adjust.

KELVIN Yeah. Right.

TOM So, that's a big policy one. There's are other things that are maybe a little broader in the state of Florida. There is performance-based funding. So, the schools are being rewarded for achieving certain performance metrics such as retention, graduation, certain SAT scores, whatever the case might be, and that has changed behavior at institutions around Florida.

KELVIN Oh, yes!

TOM It definitely has, and it has trickled down to us. It's not just sort of at the big macro levels, but it kind of filters throughout the institution. In the state of Florida, there's also this thing called preeminence which is a drive to have the institutions kind of move further up the Carnegie ladder, and in the rankings, we have two schools, Florida and Florida State, that are currently preeminent to others—UCF and USF—that are climbing. We are emerging preeminent, but there's millions of dollars associated with that if you can work your way up those ranks and achieve the metrics that have been laid out. And as a result, we are trying to achieve those metrics. So, institutional resources and energies are being pointed at these things. Performance metrics, preeminence metrics, and in the past maybe we wouldn't have put as much an emphasis on all of those things.

KELVIN Right, so if you are a policy maker in the state of Florida and if a policy making body—the legislature—perhaps influenced by other bodies—like in our case the State University System Board of Governors. If you want to see some desirable outcome then you kind of carrot and stick it. That's kind of where the policy thing comes from. You can have some money on the table, some status that if you do these things then you get the certain status and there is money associated and so forth.

TOM The performance funding formula has changed pretty much every year to some degree or another. But, in the past it has even had some punitive measures to it. Not just reward.

KELVIN There's the stick!

TOM Yeah! And so, it gets serious when you are talking about your institutional budget or other resources. So, yeah, it's been a big deal, and I think it's an example of how policies can change large institutional behavior.

KELVIN Just a comment, back to the DL fee thing for a second, the distance learning course fee. I've always found it fascinating that the statutes related to that, you rightly pointing out the financial aspect of that and the funding aspect. I've always been fascinated by the fact that as a means to an end in the state of Florida we've codified what distance learning course means because in order to count which credits get this fee and so forth or are eligible for it, you've got to be able to recognize it.

TOM Right.

KELVIN And so, you get the 80% or more online is an online distance education course and less than that is not. And when we in our world—even at a faculty development level or a course development level—are working with faculty to design and develop courses, all of that has implications for whether we consider it blended or fully-online and the pedagogical things. So, something as simple as—I mean it's not simple, right? Because a lot of us I think, "Well, whatever happens up there at the state or the national legislature, that's up there. That doesn't really affect me," but all of this stuff affects us.

TOM Well, another example that is near and dear to your heart is this quality initiative that is happening at the state. So, there was a distance learning task force that created some strategic recommendations, and there's an implementation plan and all of the various universities around the state are helping to enable this implementation plan related to some strategic goals around online learning which include student credit hour goals and some other things. But one of those implementation tactics has to do with quality. And you've been serving on that committee and now in a co-leadership role on that committee and they have defined some—as you said carrots—some recognitions including awards and special kinds of good housekeeping seals of approval on high quality and quality courses, and in looking at that, we have tried to align our internal quality initiative to be consistent with what's happening at the state level. Not that what we were doing was bad, but it might have just been slightly parallel, not exactly aligned. But because of what's happening at the state and some of these will become policies come down the line, we want to be ready for it.

KELVIN Yeah, absolutely. That's a very good example, for sure, and I guess it's also an example of there's things at the state level—we talked about the state legislature—but then we have other bodies. Like in our case, the Board of Governors and then in the case of the quality thing, there's a strategic plan for online education that was ginned up by a committee under the oversight of the Board of Governors, and so now we are carrying all that out. It's policy of a sort but it's not enacted in the halls of the legislature per se but it's still going to drive behavior, we hope, in a positive way.

TOM Yeah. Absolutely. So, maybe the last area to talk about is at an institutional level, the institutional policies. You know, the state level policies that we're talking about—in fact, even the national policies—if we talk about financial aid and we talk about distance learning fee course fee, performance funding, preeminence funding, I heard someone say one time—I doubt this was original—that the way you herd cats is you control the cat food. So, if you want to control the cat food in the higher education world, it's the funding, and each of those things controls the funding, access to funding. And I've seen the same thing play out on campus. Once upon a time, we had a funding model that rewarded departments and colleges for doing certain things, and if they did any one of them, they received I think it was a 15% budget plus up based on credit hours and that included things like service learning and I'm drawing a blank on some of the others but one of them was distance learning. And that was a way to kind of get it off that ground. And if you did those things, you got a reward—a financial reward—for doing it, and so, it was an incentive that was put into a policy that had funding associated with it.

- KELVIN That's good. Is it worth mentioning anything about the U.S. national level, SARA? I mean, I don't know if we consider that policy or not.
- TOM Yeah, that's a good one. I mean probably, because each state has some law associated with distance learning or even operating within that state so you have to be authorized. So, in that regard, SARA—the State Authorization Reciprocity Agreement—NC-SARA tries to translate between all of these various state rules and regulations and create one sort of passport for everyone that everyone recognizes. The analog is a driver's license. So, your driver's license is issued by a state, and I have a Florida's driver's license, but I am allowed to drive in Georgia and in Texas and in Alabama if I want to. They recognize it. There's driver's license reciprocity. And so, what they are trying to do with NC-SARA is do the same thing for all of the various rules and regulations in each state allowing people to serve distance students there.
- KELVIN Of course, this is where I get out of my depth real quickly that again, driving home this point of policy isn't necessarily from like an elected lawmaker position. Because the SARA stuff, that state coordination that you've talked about happens through the four U.S. educational compacts, and then NC-SARA as a national council seeks to work within those four compacts and 50 states, but it's not happening from Washington in the sense of like the Congress or something.
- TOM No, although at one time, their Title IV funding was threatened. So, if you were not compliant, you potentially would have to forfeit Title IV funding if you were found in violation of serving students in a state you were not authorized, and that got everybody's attention and kind of was some of genesis behind the push for something like SARA. But you're right. It runs from an institution to a state coordinating council to the regional compact to the NC-SARA headquarters out there down the hall from Russ Poulin. Marshall Hill runs it. And so far, it seems to be working so fingers crossed. I'm a big proponent of it personally.
- KELVIN Well, I see that our coffee is low and our clock is ticking away. This is a complex issue. I knew going into it, it was going to be like oh my gosh, policy. But let me take a stab at bringing it home for us. So, keep me on the road, Tom. So, policy—whether we are talking about the institutional level, nationally, anywhere in-between, accrediting bodies, educational compacts, whatever—policy drives behavior, so as online education professionals it's in our best interest to stay current on relevant policy and again maybe as early in the policy making process as possible. I'm not necessarily saying that we should have picket signs and go outside but be involved somehow in the process. And maybe we can even look for ways to provide input to policymakers so that we as online education professionals can influence the policies that in turn influence us.
- TOM Yeah, well said. I think that in many cases, there is innocent ignorance of online learning by many in positions of policy making.

KELVIN That's a good phrase. I like that. I wish you would say it again because I liked it.

TOM Well, when you say ignorance, I don't mean it to sound pejorative. It's just that they don't know. It hasn't been their personal higher education experience to take online classes. Many—I would hazard to say most—legislators have gone through a traditional four-year type experience and aren't used to the kinds of online learning techniques, technologies, pedagogies that maybe more non-traditional students would be requiring. The kinds of students that we serve.

KELVIN That's fair.

TOM So, helping them understand this experience that might be completely foreign to them so that they can formulate policies that serve the constituents that they want to serve. I think it's a good thing to try and be a partner to them.

KELVIN That's great, and so here's some homework. We don't often give homework on (*stage whisper*) TOPcast, but here's some homework. If you, TOPcast listener, know a policymaker at any level, perhaps you could share this and other episodes of TOPcast with them. Or if you know somebody who knows somebody who knows a policymaker, maybe you could, you know, subscribe to TOPcast on their phone for them or play it for them or give them a link to the website: topcast.online.ucf.edu. You know, it's in all of our best interest to be informed and inform others.

TOM Yeah! And as you said, there's a ton of stuff, we are not the experts, but there will a lot links in the Show Notes, and if you want to go deeper, there's plenty of opportunity to do that.

KELVIN That's right. So, until next time, for TOPcast, or maybe even for (*stage whisper*) TOPcast, I'm Kelvin.

TOM And I'm Tom.

KELVIN See ya!