

## TOPcast Episode 31: WGU Did What? (Or DID They?)

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- TOM From the University of Central Florida's Center for Distributed Learning, I am Tom Cavanagh.
- KELVIN And I am Kelvin Thompson.
- TOM And you are listening to *TOPcast*: the Teaching Online Podcast. How's it going, Kelvin?
- KELVIN Oh, it's wonderful Tom. It's just wonderful, just to be here with you in this little closet.
- TOM *(laughter)* Yeah, because the aesthetics are wonderful in here. We have occasionally posted a picture so people can see our little home here where we record. It's better than just, you know, sitting any old place. We actually have a dedicated room for it, which is nice.
- KELVIN That's right! And a thermos.
- TOM And a thermos! Speaking of which, what is in the thermos today, Dr. Thompson?
- KELVIN Well, you know, I'm going to let this offering speak for itself. We're going to have a little—
- TOM Ventriloquism?
- KELVIN —ambient pouring sound here. Verisimilitude of the...content du jour. Are you ready?
- TOM Yeah, do we want to do it near the microphone here? Okay, I don't think I'll be adding my creamer to this one.
- KELVIN I think it's built in already. So, what you've got here in your cup, Tom, is coffee nut M&Ms.
- TOM Oh, wow! Okay.
- KELVIN It's my first time tasting them, actually.
- TOM I will eat one, but I have to say that one of my giant pet-peeves is listening to people chew in my ears.
- KELVIN I got you. I guess it's some sort of like coffee with cream kind of taste, right?
- TOM Yeah! Actually, I kind of like that.
- KELVIN It's not bad. This is new to me.

TOM I'm a big M&M fan, so you almost can't go wrong.

KELVIN Our buddy Jon Pizzo brought this in the other day and said, "See if you can put these together in a *TOPcast* episode."

TOM Don't challenge us, Pizzo!

KELVIN That's right. So, here's the thing. Here's a different kind of coffee delivery system, Tom, made up of little parts—little pieces—that all fold up together. Now, would it meet everybody's definition of coffee? I don't know. But, you know, it's got coffee right there in the title and it tastes like coffee.

TOM And it may fill you up like coffee.

KELVIN So, you know, who can say? So, I'll leave it to you to make a connection between this offering and today's topic, but see if you can.

TOM I think I get it! Maybe we should just leave it up to the audience. So, for today, we have decided to talk about something that's very topical. And who knows? Maybe by the time you listen to this—depending upon when you listen to it—there may be more to know about this topic. But, at this point there's...It's sort of in the middle of the story.

KELVIN We don't usually do this. We try to be a little more evergreen and big-picture and we might zoom in a little bit but for us, this is very time-based.

TOM It is! So, for those of you in the distance learning world, it's been hard to miss the news surrounding the Department of Education's Office of Inspector General's findings on Western Governors University. You know, basically, they found them not in compliance with certain regulations. I can even sort of read the findings that that you have so generously excerpted for me.

So, the DOE's Office of Inspector General found, "We concluded that Western Governors University did not comply with the institutional eligibility requirements that limits the percentage of regular students who may enroll in correspondence courses therefore"—and this is the big news—"the Department should require the school to return the 712 million dollars in Title IV funds it received from July 1<sup>st</sup>, 2014, through June 30<sup>th</sup>, 2016, and any additional funds it received after June 30<sup>th</sup>, 2016." So, anytime a university president sees a note from the government that, oh, by the way, you owe us back 712.6 million dollars.

KELVIN Goodness gracious!

TOM Somebody might say, "What?"

KELVIN Yeah, at least! At least that!

TOM So, the foundation...Now I think we can caveat all this by saying you and I are not experts.

KELVIN No, no.

TOM There are others who've done some analyses. We will link to all of those. WCET and Russ Poulin—we'll talk about Van Davis from Blackboard—have done a really good job. Phil Hill has done a good job of analyzing. So, go to those locations to find more information. We're going to sort of just skim along the surface.

KELVIN This may be the jumbo version of show-notes for this episode.

TOM Yeah, exactly. Because there's an awful lot to try to understand. And if you're like me, you have people on campus [asking about it]. I had a dean ask me the other day, "What's up with Western Governors and what kind of exposure do we have?" And I had to kind of run through the whole thing with him at a high level. So, at a high level, what the Department of Education found was that—at least in their opinion—is that Western Governors did not have the kind of substantive interaction between students and faculty that it expects. And as a result, they classified it as correspondence school, and as a correspondence school, it's not eligible. At least for those courses, where they couldn't determine into what they called substantive interaction. It was like 60-some courses—if I recall—of the—I think it was like—200 that they looked at. If it's a correspondence school, it's not eligible for Title IV financial aid. And that's why they have to give back the 712.6 million.

KELVIN Or at least the Office of Inspector General is recommending that they do so, anyway.

TOM Right! That's a key point. It is a recommendation. It is not an order or a fine, so it's actually up to the Secretary of Education to ultimately decide. And who knows? We're in a new federal administration right now that has different views of regulations than the previous administration did. Nobody knows how this is going to turn out. Western Governors is... They are on it. And my understanding is that they have their lobbyists in Washington. The school—if you don't know the history of Western Governors—was founded by nineteen governors in the West.

KELVIN Hence the name!

TOM Yeah, it is pretty descriptive. It's not like some sort of fly-by-night, you know, diploma-mill. So, there is some juice coming from nineteen governors in nineteen different states that disagree, let's say somewhat vehemently, with this finding. And I have my opinions and I'm sure you do too.

KELVIN I guess cutting to the chase with at least where we are today as we're recording, I think, I mean what we can touch on some of the specifics. It seems like within our field, the end result of the zeitgeist of kind of the reaction in online education is that the Department of Education should respond quickly and forcefully and reject that recommendation in order for things to move forward without potentially destructive consequences in higher education. Would you say that that's what you're seeing as the overriding message?

TOM Well, I think that you and I probably suffer from a little selection-bias when we're talking to people because we're all in it. And I'll show my cards. I think it's ridiculous what the Department of Education has done.

KELVIN Tell me what you really think!

- TOM I've long admired Western Governors model. I think it's an interesting innovative model, and I will give anybody credit who tries something new and actually has good results. Now, I know that their graduation rate is probably less than they want it to be, but a lot of that has to do with the kinds of students that they're serving and the part-time nature of those students. But, I know when you look at like, for example, nursing certification tests, they do as well as anybody else if not better than some places. So, it's really hard to say they're not doing a good job at this and they're not instructing their students. And I think that's an interesting point too that adds, I think, to the ridiculousness of this: that the report that came from the that came from the Department of Education said, "We did not assess whether the school's model was improving educational quality or expanding access to higher education."
- KELVIN Yup, I think that's a very important point. Phil Hill brought that out in his analysis and I thought that was very well-observed. This is a quote.
- TOM It's like, are you kidding?
- KELVIN If you're not looking at the outcomes, what are we even talking about?
- TOM What did he call it? You have it here.
- KELVIN "A hyper-literal translation of ambiguous regulation leading to three findings," which he breaks down and summarizes.
- TOM Amen! Testify, brother! That is absolutely true and I think it's crazy. It's a hyper-literal translation of these legacy regulations, and the way they define this substantive interaction, it has to be faculty-initiated. So, if a student sends, I don't know, an email to a faculty and asked a question, that doesn't count. And I got to tell you that makes me a little nervous because if we had to count every interaction between the faculty member and a student and we couldn't count one that was a student contacting a faculty member? Who knows how all of us would do under that kind of a strict review.
- KELVIN It's a very good point. I think it was WCET's New Frontiers blog. They had a three-part analysis. I think mostly written by Russ Poulin, although I think, like you said, Van Davis contributed as well. In the first one of those, Russ comments that yes, initiated by the faculty person and on a schedule set by the faculty person. And so, I know, that even here in the state of Florida, we've had meetings before with our colleagues around the state and we've heard from some of our sister and cousin institutions in the state of Florida that there are places that specify exactly, you know, you must... Faculty, you must—which, "must" and "faculty" I really try not to using the same sentence. You must, faculty, reach out to students every whatever hours, you know. 72? 48? 24? To that kind of that point, right?
- TOM I've seen those kinds of schedules. Obviously, we don't. But we do describe best practices as part of our faculty training program and there are expectations for faculty, and if they don't live up to some general best practices then there are, you know, interventions and things that we do to address that. So, I'm being a little facetious. I'm not really worried. But, I think it's a pretty a harsh standard when you look at how Western Governors has designed their model where they've disaggregated the faculty role into a couple of other roles like mentors, coach, assessor. Then, the Department of Education comes in and says, "Yeah, well that one and that one? They don't count. So, the rest of these is all we're going to look at." I don't want to speak for Western Governors, but my

understanding of their argument is you can't not look at all of that because all of that is what is traditionally a faculty role. It is having substantive interaction back and forth. And by the way, our accreditor has said, "You guys are good." All of a sudden, you're coming in and saying no? We're getting two different stories here. And not only did they said they're good, they said they're good for years and years and years.

KELVIN Of course. Which an accrediting body does look at quality, access, and learning. You know, stuff like that.

TOM Yeah, minor details.

KELVIN Yeah, and doesn't focus quite so much on maybe prohibitive definitions and ambiguous regulations and so forth. Also, I thought it was interesting that the fact that within the last few years there was apparently another audit at another institution, and nobody seems to know exactly how that all turned out, but it's interesting that this was not the first institutional audit like this.

TOM No. As I understand now from doing a little more research on this case with WGU, St. Mary's of the Woods in Indiana had an audit and had a similar sort of finding and was recommended to repay millions.

KELVIN 40? 42 million? Something like that.

TOM But nobody knows if they did or if they did, how much of that they did. But the general feeling without any evidence is they didn't pay that.

KELVIN Yes, it seems to be the case. It seems to be the vibe or what people can find. I don't know how you find lack of something but maybe that's a challenge. But I guess it was all somewhat private.

TOM Yeah, so if that's any sort of model—and maybe it's not because that was under a previous presidential executive administration—maybe nothing happens with the WGU. You know, maybe it just sits there as a recommendation and nobody ever acts on or maybe it goes to the Secretary who says no or maybe they make them pay back 712 million dollars.

KELVIN Okay, so let's... Can we be dystopian for a moment?

TOM Sure.

KELVIN So, in the Eduventures analysis from October, they use this metaphor of strong winds with a chilling effect potentially. So, what about the chilling effect? What if the Department said, "Okay, yeah, either exactly the recommendation or some facsimile thereof. Yeah, you got to do stuff." Maybe it leads to, I don't know, reorganization of the university or...

TOM Well, let's not even go that dystopian.

KELVIN That's just crazy. Pull me back from the brink, Tom!

TOM Because I think if that happens, it's really clear what the rest of us do.

KELVIN Run! Hide!

TOM Well, we just don't do that. We don't do that model, and we be very conservative in our approach.

KELVIN Yes.

TOM Well, let's just say that thing sits out there as a recommendation that never gets acted upon.

KELVIN Oh, that's a good one too!

TOM Say the Department of Education doesn't issue any sort of clarifying, "Dear Colleague" letter or anything like that. Well I have to say, I would not in good conscience recommend any sort of a disaggregated faculty model for CBE here, and I might tread very carefully in CBE in general, not knowing, that at any given day this ruling could come down. So, without clarity, I think we might just put a lot of that stuff on ice until we know.

KELVIN Yeah, so there's your chill. And that's I would say, from where I sit, that's a fairly balanced response to that kind of a hypothetical scenario. More fearful or more conservative kind of folks might take a giant step backwards from all manner of online technology, mediated, blended, that kind of stuff.

TOM Sure. 712.6 million dollars gets your attention. It's not like I have that in my pocket.

KELVIN I mean, I think, we and our listeners, I think, for the most part have a more nuanced read of technology-mediated higher education but not everybody does. Not every institution, not every president and provost has that nuanced a read. "Might have to fork over dollars? Step back from that!"

TOM Well, nobody can risk that kind of financial exposure knowingly, so, you know, as a public institution, we have to be good stewards of that. Even as a private [institution]—which Western Governors is. Again, I'll show my cards. I personally don't think they've done anything wrong, and my hope and expectation is this all gets resolved pretty quickly and we can all go back to trying to innovate and teach students in the most effective manner but who knows?

KELVIN Yeah, so just a note again, what we were talking about here, hypothetical, right? Because we don't know at this point. Maybe our listeners are more in-the-know than we are and this is a little frightening.

TOM If Russ is listening, he knows.

KELVIN That's right. But you know, we'll see. But Russ, I think, in his part two analysis in the WCET New Frontiers blog, offered some sage advice. What should we all do in our institutions? And the big picture advice is in the title of the posting which is, "React, but

Don't Overreact.” I thought he had some good breakout points. Unlike the Office of Inspector General’s recommendations, he says we should all at our institutions keep the focus on improving learning. At the end of the day, that’s our business. That’s a good word, I think.

TOM That’s why we’re here.

KELVIN That’s right. If we if we go reacting crazily in a way that we don't do our best to help students learn, and I think that’s why we're in this business of online education, right? We believe that—and there's evidence to support this, that there are practices in our technology-mediated space that have good things to accomplish for students in terms of their learning and access and other things.

TOM I liked Russ's immediate reaction when this first broke. He put out a tweet. He had some commentary on it but basically all I remember was he said, “This is insane.”

KELVIN That’s right!

TOM Which was awesome. I was like, “Amen brother.” Well, in the last one, that actually as we’re recording this, just came out at a couple days ago. Van Davis talks about a history of regular and substantive interaction between faculty and students. He refers to it as a 6-year-old operational definition of a week. And I think he's right. I think what we are doing is trying to live in forward-looking 21st century technology-enabled pedagogical practices as defined through early 20th century regulations that we're supposed to comply with. And oftentimes, those two things are in conflict with each other. And I think there's probably no more egregious case the what's currently happening with Western Governors.

KELVIN Yeah, I mean, that’s good. In that same piece, Van Davis asks this question, “How do we walk the line between crafting regulatory language that ensures that the students enrolled in all forms of online education receive a high-quality education without stifling the very innovation that can improve student access and success?”

TOM Well, that is one of the potential outcomes of this whole thing, is that maybe they're going to update some of these regulations. That would be a nice outcome. We’ll see.

KELVIN That would. And you know on that note, maybe something of a self-serving plug or shout out to our listeners that this whole episode today—of this example of the OIG’s recommendations for WGU—it's sort of a follow-up to our recent episode on policy in online education, which was episode 28, and an older episode on competency based education. We did this overview [in] episode 6. And it's something of a follow-up to this episode that we did (25) on leading innovation in our space. You know, all of these threads are being woven together.

TOM Look at this! You do this thing monthly or long enough, eventually you're going to start, you know, backtracking or crossing lines on the map.

KELVIN Yes, it’s all connected.

TOM Alright so, before we wrap it up, I guess if I looked at my cup full of M&Ms.

KELVIN Which you've very carefully not chewed on.

TOM That's one of my things. I can't deal with it, and I would not impose my chewing on anyone. So, what we're looking at is a disaggregated model of coffee that is self-paced, right?

KELVIN You get to chew later.

TOM Yeah, that's right. And I will chew a lot. But I will still benefit from the quality M&M or coffee that I'm enjoying.

KELVIN That's right. So, I don't know if this is a...Honestly, I think, Van Davis' question is a real good place to leave it, but I'm going to take a stab at kind of summarizing where I think we are. See if you agree. So, definitions and goals are important in our work. We've talked about the before. We'll continue to talk about that for all kinds of reasons. But innovations in higher ed.—generally in online education specifically—will require us to continue to, at least, think about, work on, work toward, what it means for all kind of things. Like, for instance, to be a faculty member, to be a student, what it means to interact, those two roles, faculty and students, what it means to interact, and what it means for students to learn. All that's on the table. And we've got to be engaged in that dialogue and help inform decision makers and policy makers and all of that. What do you think?

TOM Amen! I agree. And you know, stay tuned because we're only in, I think, act one of this drama. So, we may, if things develop, come back and talk some more about this in the future.

KELVIN Yeah, yeah, for sure. And you know, I don't think we gave the shout out, but—and we'll have this in the show notes as well—but WGU has done a very nice job of framing out their response to these recommendations. I won't necessarily call it a rebuttal per say but giving their own sort of side of the story and response. And that's worth a look rather than just reading the OIG recommendation or reading the community's response. It's good to see kind of how WGU responded as well.

TOM Yeah, that's a great point because obviously, they disagree.

KELVIN Yeah, how about that?

TOM Well cool. I think that's maybe a good place to kind of wrap it up. So, until next time, for *TOPcast*, I'm Tom!

KELVIN I'm Kelvin!

TOM See ya!