

DH 20010014E1

The Chronicle of Higher Education Jan. 5, 2001

Commission Says Federal Rules on Distance Education Must Be Updated

BY DAN CARNEVALE

WASHINGTON

A FEDERAL COMMISSION sent a message to state and federal agencies last month that rules and regulations governing distance education are out of date and must be revamped.

The panel, known as the Congressional Web-Based Education Commission, released a report that specifically mentioned two federal financial-aid policies: the 12-hour rule and the 50-percent rule. The 12-hour rule requires that students take at least 12 hours of instruction a week through various courses to be considered full time. Part-time students are eligible for smaller amounts of aid money. The other rule requires that an institution participating in federal financial-aid programs teach no more than half of its courses at a distance.

Officials in charge of new institutions and online programs have openly criticized these rules, arguing that they make no provision for virtual universities or for new, self-paced, online courses that rely less on face-to-face instruction. Regulators have countered that the rules are necessary to root out fraud and diploma mills, and to ensure quality in distance education.

The commission, made up of members of Congress and education officials, heard these arguments and more during 10

months of testimony taken around the country. Commission members, seeking to promote the use of the Internet in education, gathered information from a variety of experts in education and in the technology industry.

The result is a report called "The Power of the Internet for Learning." It outlines recommendations for using the Internet to improve education at all levels, from preschool through doctoral programs (<http://www.webcommission.org>).

"The Web is demonstrating that you can deliver quality content anywhere in the world," says Rep. Johnny Isakson, a Georgia Republican who is the vice chairman of the commission. "We need to make sure that every teacher in the country is able to take advantage of this great asset."

To do this, the commission concludes, some federal regulations need to be updated, including the 12-hour and 50-percent rules. The report cites testimony from officials at several institutions who believe that accrediting agencies should have the sole responsibility for evaluating programs' quality, and that additional regulations from the government are unnecessary.

The Education Department is currently conducting a demonstration program that

allows a select group of institutions to ignore the two rules and still provide federal financial aid. The demonstration program was mandated by Congress.

The commission also cites some federal statutes that need to be updated. Among them is the copyright law, which the report refers to as "horse and buggies on the Information Superhighway." The existing "fair use" provision does not give professors enough leeway to put material online, the report concludes.

COMPLICATED ISSUES

Professors testified that although they can use certain materials anytime in class, they aren't able to place material online without permission from the copyright holder, the report says.

But Patricia Schroeder, president of the Association of American Publishers, says any change to copyright law must be made carefully. She applauds the commission's recommendation that the U. S. Copyright Office be in charge of gathering ideas and proposing ways to revamp the system. "Copyright is something everyone wants to rail about, but it's very complex," Ms. Schroeder says.

The commission's report makes clear, however, that members do not want state or federal governments to shy away from

offering money to online education. The report says grants and other investments in innovative programs are necessary to find out what works and what doesn't.

The next challenge for the commission will be persuading legislators and bureaucrats to take the report's recommendations seriously. The commission may be hampered, however, by the departure of Sen. Bob Kerrey of Nebraska, a Democrat who served as the commission's chairman. Mr. Kerrey decided not to seek reelection and will become the president of New School University this month.

Representative Isakson says he will take it on himself to try and persuade his colleagues to accept the panel's ideas.

Some analysts expect education to become a central theme once George W. Bush becomes president. And some of the report's proposed regulatory changes may prove popular, given that they wouldn't cost any money.

Representative Isakson says he plans to concentrate on changing some existing regulations as well as on getting money to help colleges train new teachers to use the Internet in their teaching.

Persuading colleges to do this will involve some arm-twisting, he says. The "inducement," he says, may be as important as the statutes. ■