

STANFORD UNIVERSITY OFFICE MEMORANDUM

Date: February 19, 2013

To: Department Chairs and Program Directors

From: John Etchemendy
Provost

Subject: Policy clarifications concerning online instruction

Dear Colleagues,

As you may recall, President Hennessy appointed a Presidential Advisory Committee on Technology in Higher Education in February 2012. The committee was asked to “provide guidance to the university and its leadership in the areas of educational technology and its use both on-campus and off.” The committee was chaired by John Mitchell (Computer Science), who was joined by faculty Peter DeMarzo (GSB), Harry Elam (Drama), Bernd Girod (EE), Larry Kramer (Law), Rafe Mazzeo (Math), Jim Plummer (Engineering), Charles Prober (Medicine), Garth Saloner (GSB), and Dan Schwartz (Education). The committee included *ex officio* members Charlie Junkerman (Continuing Studies) and Paul Marca (Stanford Center for Professional Development). The committee met bi-weekly from early March until June and produced a report, available at http://faculty senate.stanford.edu/2012_2013/reports/SenD6689_online_educ_rpt.pdf.

Among other things, the Committee proposed clarifications to existing University policies on ownership and distribution of courses and course materials, and on teaching at other institutions. The policy clarifications were discussed with the Executive Cabinet, the University Advisory Board, the Steering Committee of the Senate, and the Board of Trustees. John Mitchell, who was appointed Vice Provost for Online Learning in August, subsequently met with faculty across the university to hear their perspectives. On October 25th, Vice Provost Mitchell and Senior Associate Deans Peter DeMarzo (GSB), Bernd Girod (Engineering) and Charles Prober (Medicine) led a discussion in the Faculty Senate on the Committee’s report, online education activities at Stanford, and the proposed policy clarifications.

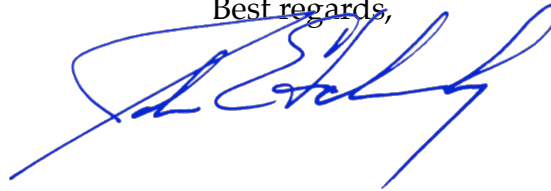
Based on the Committee’s recommendations and guidance from the Faculty Senate, Advisory Board, Executive Cabinet and Board of Trustees, we will be clarifying and updating the relevant university policies as outlined in the attached policy statement. Briefly, the statement clarifies that our longstanding prohibition on teaching for other institutions also applies to online instruction, and how our policy governing the ownership of courses and course material applies in the context of electronic

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distribution. Also attached is an FAQ document providing information for those interested in getting involved in the online initiative. I hope you will make both documents available to your faculty and teaching staff.

I wish to express my thanks to all of the faculty members who have provided advice and guidance on these important issues, and particularly to the members of the Presidential Advisory Committee, who represented their schools with such dedication.

Best regards,

A handwritten signature in blue ink, appearing to be "L. R. ...", written in a cursive style.

Statement on Outside Teaching and Online Course Materials

The Presidential Advisory Committee on Technology in Higher Education was convened in February 2012 to provide guidance on the use of educational technology both on and off campus. The committee issued a report in June 2012 in which the committee expressed its belief that Stanford's primary educational mission is to educate students admitted to the University's programs. At the same time, the committee recognized faculty interest in extending the impact of their scholarship through external distribution of courses. In light of the committee's findings and recommendations, the following policy clarifications will be made to the Research Policy Handbook and the Faculty Handbook.

Outside Teaching Activities

The committee recognized that faculty owe their primary teaching duty to the University and that any teaching outside the University must be consistent with the University's policies on conflict of commitment and interest. Under longstanding University policy, a faculty member is normally not permitted to accept or hold a regular teaching, research or administrative position at another institution. This is true regardless of whether the faculty member is on regular duty at Stanford, on sabbatical, or on leave without salary. The policy is consistent with the expectations of our students that, through their admission to the University and payment of tuition, they will receive a unique educational experience from exceptional Stanford faculty that is not available elsewhere.

The committee noted that this policy should apply regardless of whether the teaching is provided in person or through an electronic format. Merely limiting the creation of course materials for another institution to consulting hours, a vacation or an off duty quarter does not address the potential conflict with the faculty member's obligations to the University and its students. Such outside teaching activities can be at odds with University policies on conflict of commitment and interest by diverting attention from the appointee's work at Stanford, competing with existing programs offered by the University, or undermining the development of new programs at the University. In addition, such activities may inappropriately rely upon University resources (including its personnel and students) that are funded by tuition payments and by contributions from donors and extramural funders for the non-profit teaching and research activities of the University.

Accordingly, Faculty, Academic Staff and Other Teaching Staff with a primary employment affiliation with the University, as reflected in an appointment of **more than 50% for a year or longer**, are not permitted to teach for another institution or otherwise teach extramural courses without the approval of the Provost, except through a Stanford-sponsored program or agreement with that institution.

Individuals who are employed by the University in an appointment of **50% or less time** do not owe their primary teaching duty to Stanford and therefore may teach for another institution, as long as such teaching does not interfere with their duties at Stanford. However, they may not use their Stanford title or affiliation in any way to promote the teaching activity at the other institution or to imply that there is Stanford sponsorship of the activity. The committee noted that the University's name is a significant University resource and implicates the interests

of not only the University, but also the reputation and academic standing of the professoriate. Accordingly individuals who are permitted to teach elsewhere should prevent the other institutions with whom they work from using the Stanford name or its insignias, identifying them as Stanford instructors (as opposed to instructors at the institution in which the courses are offered), or making statements that imply that Stanford sponsors, endorses or otherwise vouches for their courses. In extended biographical descriptions, such individuals may refer to the fact that they have taught at the University.

This policy does not prohibit the academic tradition of teaching in a visiting capacity at other non-profit educational institutions during sabbatical leaves, giving occasional guest lectures or presenting a tutorial or short course at a scientific conference. However, approval from the cognizant dean is required before any electronic materials created in connection with such teaching may be used as a course or a significant portion of a course by another institution after the conclusion of the faculty member's visit.

Faculty members and other academic appointees are responsible for complying with this policy and should consult with their deans or the Vice Provost for Online Learning before pursuing activities that might be problematic under this policy.

Distribution of Course Materials

The committee acknowledged that under existing University policy, courses taught and courseware developed by faculty while employed by the University belong to Stanford. The committee noted that this policy should continue to apply regardless of the form of expression, including courses captured on video or in other digital forms. However, faculty are permitted to make written course materials they personally create available to peers at other academic institutions for noncommercial academic or personal use outside the University. Additionally, if a faculty member leaves the University, he or she may continue to use, at another non-profit academic institution, course material he or she created at Stanford.

Faculty creating textbooks that include additional course materials should not allow publishers to assert broad control over derivative works and limit the ability of the faculty member or the University to use and distribute the course materials in the future. Faculty may include course materials owned by the University in textbooks under a free license from the University; however, the faculty member's contract with a publisher should contain terms acknowledging the University's ownership interest in the course materials and require prior consent by the University for the creation and distribution of derivative works.

Compensation for Course Development

If a department or school specifically commissions the development of course content or courseware, the payment of any supplementary compensation will be consistent with the existing policies set forth in Section 5.1 of the Faculty Handbook and relevant school policies.

Consistent with the existing University policies regarding the commercialization of inventions, any commercialization of course content and courseware created and taught at Stanford will be undertaken by the University. The University will not, however, undertake any

commercialization without the agreement of the faculty-creator and will ensure that any revenue arising from commercialization will be shared with the creators, their departments and schools, as is done with patent income.

Why is Stanford supporting the development of online courses?

The development of online teaching and learning material will give students new learning opportunities and help faculty explore new ways to reach their students more effectively. Properly researched and evaluated, these innovations may over time enable the development of new programs and new options within existing programs. For example, online courses may allow Stanford undergraduates to take a wider range of courses while resident at overseas campuses. Stanford could also consider developing hybrid or online certificate programs based on online courses. More broadly, the development of online courses will allow the University to explore the public benefit by making course material available to teaching programs at other colleges and universities and by providing wide public access to selected learning experiences.

What are the benefits of the recent online learning experiments?

For many faculty, offering parts of their courses (like lectures) online has allowed them to rethink interactions they have with students in the classroom. No longer bound by the need to lecture in class, instructors have explored activities that are challenging, engaging, and fun for students. These opportunities may include in-class group projects, simulations, fieldwork, role-playing, in-depth discussions, problem solving, and other forms of participatory inquiry. Some professors have posted their lectures online and used in-video quizzes to identify areas where students are struggling and need additional hands-on practice. Some have used online technologies to provide rich and timely feedback to students or to offer discussion opportunities outside of class.

Online learning experiments produce a large amount of data that faculty can analyze to assess effectiveness of the techniques. We encourage all professors who are designing online learning experiments to build assessment plans into the design of their experiments.

Can I get funding for course development?

The Office of the Vice Provost for Online Learning (VPOL) has offered seed grants for faculty members across campus to develop online and blended learning experiences. Faculty can use the grants to experiment with new models of teaching, as well as to conduct research to determine what works best. The seed grants awarded last June helped to pay for teaching assistants, video specialists and equipment, and to develop peer evaluation models and grading rubrics. Some schools have offered to match funds or provide additional resources to faculty who receive VPOL grants. Further information about the continuing seed grant program can be found at online.stanford.edu.

Is there staff support for creating online teaching and learning material?

VPOL supports faculty through the following efforts:

- **The pedagogy team** can suggest new teaching and learning models, help design ways to collect data from each course, and facilitate research evaluating the success of experiments.

Stanford Online Learning Frequently Asked Questions

- **The production team** can assist faculty in producing course content by providing equipment and services (including editing, training, compliance, guidance etc.)
- **The platform team** can assist faculty in choosing an appropriate platform for hosting their online material, and can advise those interested in developing topic-specific software, such as simulations or auto-grading methods that work well with online platforms.

The VPOL staff and students collaborate with other on-campus organizations such as the Center for Teaching and Learning, Academic Computing, Continuing Studies, the Stanford Center for Professional Development, and school-based course design and production teams. VPOL will help form a support team for each project, drawing from these resources as well as educational research support from the School of Education.

What platforms are available for offering courses?

There are a growing number of platforms for hosting online classes.

Two Stanford-based platforms are currently available to all faculty, each with particular features, tools and assessment techniques. **Class2Go** is a Stanford-supported open-source, nonprofit platform that has been successful for on-campus and public course delivery. The Class2Go team is available to develop custom features for specific courses, instrument courses to collect educational research data, and facilitate other faculty-initiated innovations. The **Venture Lab** platform allows people from around the globe to collaborate directly on group projects. The **Stanford Center for Professional Development** at the School of Engineering also continues its long tradition of online education.

Among external platforms, Stanford has offered courses on **Coursera**, a for-profit company founded by two faculty members, and on **Stanford on iTunes U** (including the phenomenally successful course on apps development), as well as on **Stanford on YouTube**.

Are there any differences in preparing an online course for the public (a MOOC), versus preparing a course for our enrolled students?

There are a number of additional steps required in the preparation of course content for public courses relating to copyright clearance and other matters. The staff in VPOL can provide guidance and assistance with these issues.

Do I need to get approval to offer a course online?

Yes, you must get written approval from your dean in order to offer an online course that is open to the public. Under existing policy, courses taught and courseware developed while you are employed by the University belong to Stanford. You may fill out the form available at online.stanford.edu/resources, which VPOL will circulate to deans and school representatives for notice and approval.

Can I get paid for creating a course?

If a department or school specifically commissions the development of course content or courseware, the payment of any supplementary compensation will be consistent with the existing policies within the school. To the extent that revenue is generated from an online course, the University will ensure that the revenue is shared with the faculty member, department and school, similar to the treatment of patent royalties.

Will efforts to create courses for use outside of Stanford be considered in the reappointment and promotion process?

No. Efforts to develop and offer online courses for students enrolled at Stanford will be considered through the existing teaching evaluation process. However, online courses developed solely for the public are not evaluated or considered in the appointment and promotion process.

May I get teaching relief if I create an online course for Stanford students?

You should consult your department chair and dean regarding the policy in your school.

Can I permit course materials to be used outside of Stanford?

You may make course materials that you have personally created, such as syllabi, assessments, slides, or lecture notes, available for noncommercial academic or personal use outside the University or to instructors at other non-profit institutions. If other University faculty or staff contributed to the course materials, you must first obtain their consent. Faculty interested in publicly posting a substantial portion of a course or a video should first consult their department chairs and deans since some departments may prefer to reserve certain course materials for students enrolled at the University.

In light of the high risk of misappropriation of electronic course materials once they are in circulation, it is important to take some precautions before distributing the materials. The course materials should include the following proprietary notice: “Copyright © [year] The Board of Trustees of The Leland Stanford Junior University. All Rights Reserved.” VPOL and OTL can also provide advice on license language to protect against commercial exploitation of course materials.

If I leave Stanford can I use the course material at another non-profit academic institution?

If you leave the University you may use, at another non-profit academic institution, written and illustrative course material you personally created at Stanford, such as syllabi, assessments, slides, and lecture notes.

Can I include course materials in my textbook?

Yes, you may include traditional written and illustrative material from your course in a book. However, you may not enter into a contract with a publisher that attempts to limit your ability, or that of the University, to use and distribute the course materials in the future or to create derivative works. VPOL and OTL can provide advice on license language to include in publishing agreements to protect against this.

Can I teach for another institution or course provider?

Under longstanding University policy, a faculty member is not allowed to hold a regular teaching, research or administrative position at another institution. This is true regardless of whether the instruction is carried out in person or online and whether the faculty member is on regular duty at Stanford or on leave. This policy reflects the expectations of our students that, through their admission to the University and payment of tuition, they will receive a unique educational experience from exceptional Stanford faculty that is not available elsewhere.

Accordingly, Faculty, Academic Staff and Other Teaching Staff with a primary employment affiliation with the University, as reflected in an appointment of **more than 50% time for a year or longer**, are not permitted to teach for another institution without the approval of the Provost, unless there is a Stanford-sponsored program or agreement with that institution. Individuals who are employed by the University in an appointment of **50% time or less** do not owe their primary teaching duty to Stanford and therefore may teach for another institution, as long as such teaching does not interfere with their duties at Stanford.

What about occasional teaching at other nonprofit academic institutions?

Faculty may continue the academic traditions of teaching at other non-profit educational institutions during sabbatical leaves or of giving occasional guest lectures. However, approval from your dean is required before any electronic materials created in connection with such teaching may be used as a course or a significant portion of a course at another institution.

Can I teach in person or online or create course materials for another institution if I limit the activity to my consulting hours?

No. Merely limiting the activity to consulting hours, a vacation or an off-duty quarter does not address the potential conflict with the faculty member's obligations to the University and its students. Such outside teaching activities can be at odds with University policies on conflict of commitment and interest by: diverting attention from the individual's work at Stanford, competing with existing programs offered by the University, or undermining the development of new programs at the University. In addition, such activities may inappropriately rely upon University resources (including its personnel and students) that are funded by tuition payments and by contributions from

donors and extramural funders to support the non-profit teaching and research activities of the University.

If I have an appointment of 50% time or less, can I use the Stanford name in connection with my teaching and course materials at another institution?

You may not use your Stanford title or affiliation in any way to promote the teaching activity at the other institution or to imply that there is Stanford sponsorship of the activity. The University's name is a significant University resource and implicates the interests of not only the University, but also the reputation and academic standing of the professoriate. If you choose to teach elsewhere, you should prevent the other institution with whom you work from doing any of the following: using the Stanford name or its insignias, identifying you as a Stanford instructor (as opposed to an instructor at the institution in which the course is offered), or making statements that imply the University sponsors, endorses or otherwise vouches for your courses. In extended biographical descriptions, you may refer to the fact that you have taught at the University.

Where can I go if I have questions regarding online education?

Please see the Faculty Resources section of the VPOL site:

<http://online.stanford.edu/resources>

Several of Stanford's schools have also appointed senior associate deans to lead their respective online education initiatives:

Peter DeMarzo (GSB), pdemarzo@stanford.edu
Bernd Girod (Engineering), bgirod@stanford.edu
Charles Prober (Medicine), cprober@stanford.edu