

ARTICLE 33: DISTANCE EDUCATION

Information on online courses.

Article 33 made effective January 1, 2026 will sunset on July 1, 2027 and revert to the Article 33 language in the 2022-2025 CBA unless otherwise negotiated.

A. Purpose

The purpose of this Article is to provide for an environment where the use of technology enhances, and in no way diminishes, the right of the student to a quality academic experience and the responsibility of the faculty and the college to provide that experience. It is intended to be interpreted in a manner consistent with federal law. Unless otherwise specified in this Article, all distance learning courses shall be subject to the provisions of this Agreement and District Policies, as they may be amended from time to time, that govern non-distance learning offerings, including but not limited to provisions relating to the development, assignment, size, compensation for, and evaluation of classes.

B. Definitions

Distance Learning means any form of education where students are separated from their instructors by time and/or space.

Online course means a course in which communication between the student and instructor is primarily through computer or internet technology.

C. Development of Distance Learning Courses

1. Proposals for new distance education courses, including distance education versions of current courses, shall be subject to the same procedures and policies as any other curriculum development proposal. The scheduling of distance education courses and the assignment of faculty volunteers shall be the exclusive prerogative of the District.
2. Online courses shall be considered separate preparations from the in person sections of the same courses with respect to Article 18.A.9.
3. Developing distance education courses requires special skills and shall be voluntary.
4. When the District and a faculty member agree that the faculty member will develop a distance education course, that course preparation shall apply as a new course with respect to Article 18.A.11[]
5. Faculty who complete Peer Online Course Review (POCR) badging for a course that hasn't previously been POCR certified within PCCD or outside of PCCD by that instructor, shall be compensated for forty (40) hours of non-instruction work upon course badging for each new course badged.

6. The faculty member who creates a distance education course, whether a new distance education course or an existing course converted to a distance education course, has the right of first refusal for teaching it for a period of two years so long as they remain in good standing. This right is contingent on adequate enrollment.
7. Copyright on Distance Education Material
 - a. The copyright on all course materials developed by a faculty member for use in District Education, including specific distance education classes, shall belong 100% to that faculty member, unless a separate agreement is negotiated (see section c below). The District shall not utilize such material in any way without written permission from that faculty member.
 - b. This copyright section does not apply to course outlines and other materials (such as catalogue descriptions) submitted to the District specifically for accreditation or publicity.
 - c. The District and faculty may, in lieu of 4.a. above, execute a separate agreement where the member is commissioned or engaged, at their discretion, to develop materials for a specific Distance Education Course, in which case the terms of that agreement shall prevail. The agreement must be on the “District Ownership of online and Web Based Material” Form (see Appendix).

D. Technical Support

The District will provide adequate technical instructional support services and training opportunities to ensure the ability of the instructor and students to send and receive data and to communicate effectively.

E. Distance Learning Class Assignments

All distance learning assignments shall be voluntary. A distance learning class may not be assigned as a part of a contract load without the consent of the faculty member. Distance education courses shall be voluntary and, when too few online classes are available to meet all requests, assigned on a rotating basis when possible.

F. Online Class Size

The maximum class size for any online course shall be 38 or equal to the lowest maximum class size of any section of the same course taught at that college during that academic year, whichever is lower. In courses with separate lecture and laboratory sections, the laboratory maximum shall be used. Course cap limitations provided elsewhere in contract remain binding for online sections.

G. Evaluation of Faculty Assigned to Teach Distance Learning Courses

Evaluation of Faculty Assigned to teach distance learning courses shall recognize the special circumstances of teaching such a class.

1. In any regular evaluation where an instructor can be evaluated in either a classroom setting or online, the instructor shall be evaluated in the modality used for the majority of the faculty's load during the evaluation semester. In cases where a faculty member's load is evenly split between online and in-person, the faculty members shall determine the modality of the evaluation.
2. Evaluation will be limited to the specific learning objective(s)/module(s) agreed upon in the pre-evaluation meeting.
3. Deans and Department Chairs will make a good faith effort to ensure that evaluators of online classes have experience in online instruction.