Recent editions of DEOSNEWS have featured articles with a North American emphasis. We are mindful that most of the DEOSNEWS subscribers are resident outside of North America. We invite the submission of articles written with this international audience in mind.

I have observed from my moderation of DEOS-L that any effort to use technology to take education beyond classroom walls of bricks and mortar raises a set of fairly consistent issues in teaching and learning, regardless of location. Institutions of higher learning outside of North America have been coping with these challenges for many years and have much to experience - positive and negative - to offer. Articles can be submitted to DEOSNEWS through acsde@psu.edu, to my attention.

The editorial appearing in the American Journal of Distance Education 14(1) is based on this month's DEOSNEWS article. The topic is the potential threat distance education brings to academic freedom in the United States as US universities adopt the Open University of the United Kingdom's course creation and delivery structure. He expresses his concern that the potential for a negative impact on faculty academic freedom is high.

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Forward on Academic Freedom

Jack Simmons

The 1940 Statement of Principles on Academic Freedom and Tenure, jointly developed by the Association of American Colleges and the American Association of University Professors states that, "Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition." (American Association of University Professors, 1940/1990). From this it should be clear that academic freedom does not guarantee to sustain the proliferation of the profession of the university professor, the current population, or even the right to have a job.

However, we must not imagine that money and employment are irrelevant to the question of academic freedom. Academic freedom protects the job of the tenured faculty member against those who might fire her for her opinions or research. Hence, academic freedom provides a level of financial security to the tenured faculty member. Why? Not to prevent the removal of a scholar or researcher for her discoveries, because once the discoveries have been made, the common benefit would be realized. Protecting the individual’s job after the discovery would merely be a matter of furthering the interest of the individual. Rather, the researcher is protected by academic freedom for what she may discover in the future that will bear upon the common good. The assumption built into the principle of academic freedom is that financial security will embolden researchers and scholars to seek the truth, because they need not fear financial injury as a result of unpopular findings. Conversely, the absence of security will prove injurious to the quest for truth and its free exposition.

The Future of Academic Freedom: Educational Technology and Academic Freedom

Jack Simmons
Developments in educational technology threaten to change higher education. My concern today is distance learning. More specifically, I am concerned with how the development of asynchronous, on-line distance learning, will impact academic freedom. I would like to offer you a prediction, but, I cannot. Instead, I will point out the high tech danger threatening academic freedom, and hope that by pointing, we can avoid it.

My hypothesis is that by eliminating the need for faculty, or transforming a significant portion of the existing faculty into facilitators, asynchronous, on-line distance learning will weaken the profession and hence weaken academic freedom.

Most of the discussion concerning academic freedom and distance learning thus far has focused on the development, copyright and ownership of intellectual materials that are to be distributed over the Internet. While these are legitimate concerns, I believe they fail to acknowledge the real danger posed by distance learning. This may be due to a general misunderstanding of distance learning.

So what is distance learning? First of all it should be noted that distance learning is not new. Sir John Daniel, self-appointed champion of distance learning and Vice Chancellor of the Open University (England’s largest distance learning university), describes distance learning as, "the offering of educational programs designed to facilitate a learning strategy which does not depend on day-to-day contact teaching but makes the best use of the potential of students to study on their own" (Daniel, 1977). Given this definition, distance learning has been around since the development of writing. Books were the first form of distance learning. Correspondence courses represent an integration of information and curriculum requirements. In the 1970s, the Open University exploited television to transmit its curriculum. Now, the popularity of the Internet has university administrators hoping to cash in on a new academic market by offering courses to people who might not have easy access to the traditional classrooms, due to work schedules, child care, financial limitations or health care concerns. We call these people "non-traditional" students. But distance learning is not merely a tool to reach non-traditional students. Distance learning is fundamentally a financial tool: a means by which universities may reduce their costs while increasing their enrollments.

Sir John clarifies the grand purpose of distance learning when he explains that American universities are in a crisis of quality and cost. By this he means that in the United States a high quality education is very expensive and distance learning is the way to reduce the expense. He cites a USA Today article indicating that the cost of sending a child to college in the United States is approaching 15% of the median family income and rising.(Daniel, 1999, p. 3). Sir John suggests that the reason our colleges are so expensive is that the American system of higher education is teacher oriented rather than student oriented. What he means by teacher oriented is that teachers make the decisions about higher education, and they naturally resist replacing themselves with machines. "The academic tradition esteems faculty for who they are, not for what they produce. This means...that we instinctively resist the substitution of capital for labor" (Daniel, 1999, p. 3) Sir John illustrates the cost effectiveness of substituting capital for faculty by pointing out that in the United States our universities spend on average $12,500 per student per year. The Open University (which has made the substitution) spends closer to $5000 per student.(Daniel, 1997, p.3)
The advantage of distance learning is exactly the same advantage that we gain when we allow 600 students into a freshman Biology class, or when we allow adjunct faculty to teach classes. The university collects more on tuition money (and state revenue) and pays out less in salaries. Andrew Feenberg, who worked on the design team that created the first online educational program in 1981, says of distance learning that, "it’s all about efficiency and, ultimately money. And there is plenty of it for high tech approaches to education, if not to staff the French department." (Feenberg, 1999) These high tech approaches to education improve efficiency in the simplest manner. By replacing labor with technology, they reduce the labor force. But asynchronous, on-line distance learning is unique in its labor saving character in two ways. First, asynchronous distance learning is distinct from synchronous distance learning. Synchronous distance learning is merely remote learning, with the students viewing the professor over a live feed. In asynchronous distance learning, the lectures are taped and may be viewed at anytime. Having developed the course, the faculty developer need no longer be present. Second, on-line courses are not physically limited to the size of a lecture hall. Hence, thousands of students may simultaneously enroll in a single course. Sir John points out that the asynchronous delivery system provides greater economies of scale and he is critical of American’s efforts at synchronous, or remote-group, teaching because it is less cost effective, "The individual learning tradition of distance education has much more to offer, in terms of wider access, lower cost, and greater flexibility, than remote-group teaching." (Daniel, 1997, p. 6)

It is no coincidence that the for-profit University of Phoenix has made expanding its on-line course offerings its number one priority.(Heuer, 1999, p. 93). Founder of the University of Phoenix, Gene Sperling explains that for higher education to be profitable, it must rely upon standardization. "Name me one industry, one single industry, where somebody was successful without standardizing his product." The best way to achieve this standardization in education is through asynchronous distance learning. Sperling looks to Henry Ford for his inspiration, but he may as well look to Sir John. Sir John explains, "we will aggravate the crisis [of cost] if our approach to new technology is simply to let individual faculty members and departments do their own thing." (Daniel, 1997, p. 2) Instead, Sir John recommends that, "this approach needs to be taken on by the whole university if it is to help resolve the crisis." (Daniel, 1997, p.8.). Asynchronous distance learning allows for maximal standardization by replacing a department with a couple of on-line course developers and a handful of adjuncts or facilitators to grade papers and exams. Steffan Heuer explains the economics further,

Teaching a course online gives you economies of scale which are usually only to be found at software vendors. Distribution over an existing network is almost free, no matter how many users are in the virtual classroom — behold the miracle of increasing returns in education, a profession that once prided itself on a low teacher-student ratio. Paying for famous professors to give their name and seal of approval to a course and its curriculum is now a one-time cost. The .edu-enterprise can save overhead for real estate and tenured faculty; online teaching and tutoring can be done by assistants and qualified temps anywhere in the world from a simple laptop with a modem (1999, p.93)

I wish that I could paint the for-profit institutions as the bad guys, and warn you that the non-profits might follow their formula for higher education; but reducing costs through the use of cheap labor is nothing new to the non-profit universities. Graduate students have been used as cheap labor for ages. When it comes to the use of adjunct faculty and the elimination of tenure, the for-profits may well be ahead of the game, but not far. At the University of North Florida, adjunct faculty accounted for 40%
of the teaching. And the new Florida Gulf Coast University, part of the University System of Florida, does not offer tenure. On-line, asynchronous distance learning is similar to these other methods of reducing cost. By reducing the overhead for real estate and tenured faculty, distance learning offers a financial solution to the rising costs of higher education, but it is a solution that poses a powerful challenge to academic freedom.

This threat has largely been overlooked because distance learning has generally been viewed as an educational tool. In the spring of 1999, the Special Committee on Distance Education and Intellectual Property Issues of the American Association of University Professors issued a bulletin describing recommendations to protect the rights of university faculty members in the face of the development of distance learning. The bulletin focused on two issues. The first addressed copyright laws as they relate to the development of on-line materials. The second addressed distance learning and the development of distance courses and curriculum.

Copyright issues are merely details in the development of online course materials. While the AAUP has correctly noted that faculty should be vigilant to ensure that their intellectual property is protected, there is no indication that in the development of on-line course materials, universities are seeking to sell what is not rightly their own. Instead, universities are generally having on-line materials developed as part of the institutional duty, as in the case of NOVA Southeastern University, or as a work for hire, as in the case of the University System of Georgia. At NOVA Southeastern University, faculty must be trained in the use and development of web base courses as a minimum requirement for employment. The University System of Georgia is developing its on-line courses by establishing small teams of professors who are chosen by the General Education Committee, given release time and financial compensation. These actions by NOVA Southeastern University and the University System of Georgia transform the product of those faculty members into 'works for hire' and 'joint works,' eliminating the faculty member’s ownership of the product. The AAUP bulletin recognizes that, "Works created as a specific requirement of employment or as an assigned institutional duty that may, for example, be included in a written job description or an employment agreement, may be fairly deemed works made for hire," and hence owned by the institution (AAUP, 1999, p. 43). Most universities interested in distance learning have already overcome most property rights issues.

In their concern over distance learning courses and curriculum materials, the AAUP points out three central issues:

1) That the precise terms and conditions of employment should be stated in writing before the teacher takes on distance learning assignments, and no faculty member should be required to participate in distance learning projects without appropriate training.

2) That faculty maintain authority over the policies and procedures of distance learning courses and curriculum.

3) That faculty engaged in distance learning are entitled to academic freedom as a teacher, researcher and citizen. (p. 43).

While these recommendations are certainly useful, I fear that they fail to appreciate the change distance learning may bring to the traditional role of the faculty. Remember Heuer’s claim that in distance learning, the university requires only a few famous professors to give their name and seal of
approval to a course and its curriculum is now a one-time cost. Andrew Feenberg (1999) reiterates this concern and explains that what remains, "are a few highly paid, content experts acting as stars." The rest of the faculty have little more than adjunct responsibilities and privileges.

We can see this in the University System of Georgia Board of Regents' plan to develop distance learning courses. The board’s plan is to have the entire first two years of university curriculum available over the Internet by the Fall of 2000, and complete degree programs in all the traditional disciplines by 2002. The board has already standardized the core curriculum over the 34 state universities. In developing on-line courses, the board will select faculty members (approximately eight per course) from throughout the state university system to construct each core course. Once constructed, each state university will have the option of accepting the e-core courses or not. If accepted, the university will offer the e-core courses exactly the same way they offer traditional courses. There will be a designated instructor/facilitator for each course, and students will submit assignments to that instructor for evaluation. The only difference is that the students will not interact with the instructor, but instead with the on-line course. Given this format, we see that the AAUP’s concerns are somewhat off the mark.

The worry over the instructor’s contract is insignificant since only the ‘stars’ will have anything to do with the development of the e-core. Similarly, training in the development of on-line courses is irrelevant. So long as the instructor can operate e-mail to communicate assignments and collect those assignments from her mailbox, she should need no special training.

Regarding faculty authority over procedures and policies, this too is of little consequence. The e-core developers will be faculty members, hence the faculty will still have control over the curriculum as per the recommendations of the AAUP. Meanwhile the other instructors will do little more than decide due dates for assignments.

As for academic freedom, well, certainly the developers of the e-core will have some freedom. They will be limited only by other ‘star’ faculty members and the Board of Regents’ General Education Committee that will review all materials. Although that committee decides whether or not developed courses will be part of the e-core, I have the assurance of the Board of Regents that faculty will be invited to participate in the decision making process.

It should be noted that Donald Wagner (1999), chair of the AAUP’s Special Committee on Distance Education and Intellectual Property Issues is confident that the above scenario is unlikely. He believes that the on-line curriculum will be used primarily to address the increase in enrollment that state of Georgia anticipates, and he is skeptical about how popular these courses will be. Let me say that I respect Professor Wagner’s position here, and I will not try to out predict him. What is more significant than what he or I thinks will happen, is what the Board of Regents wants to happen. Jessica Summers, a member of the staff on the Board of Regents has explained to me that the e-core will change the role of the faculty (Summers, 1999). Of course she doesn’t really know this, but she does know the mind of the Board of Regents, and that is what they anticipate. That change is a change of faculty to facilitator, just as Feenberg feared.

The question then is, "What damage would such a change bring about?" First, it would destroy the academic freedom of those facilitators. The University System of Georgia distance learning
curriculum is being modeled largely on that of the Open University (Sir John spoke at the Board of Regents meeting on April 21, 1999, to convince them of the financial advantages of distance learning). He also pointed out to the board at that time that while the Open University has over 150,000 students, they employ only 800 full time faculty, and 7600 adjunct faculty who function as facilitators and graders. Facilitator faculty have no academic freedom regarding the courses they teach. The course material will be standardized across the University System of Georgia. Furthermore, their freedom with regards to research will be in jeopardy. I suppose university administrators could use distance learning to free up their faculty for research, but my fear is that a reduction in professional responsibility will lead to a reduction in professional autonomy, rather than an increase. Based upon the Open University model, there is no reason to believe that distance learning will improve the lot of the faculty.

But this transformation threatens the freedom of all academics, including the ‘stars’ producing on-line courses. My friend, Saul Fisher at the Andrew Mellon Foundation, has argued that academic freedom was never intended to guarantee a person an academic job, and so we should not equate a reduction in work force, or even a transformation of a large portion of that work force into facilitators, with a threat to academic freedom. He explains,

It may be so that you can't have academic freedom if you don't have an academic job but it doesn't follow that, as one eliminates academic jobs, one chips away at the concept or even the realization of academic freedom. If there was but one academic job in the universe, if the person holding that job had academic freedom, then we should say that the concept was universally realized.

Naturally, he is correct. But his argument fails in practice on two grounds. First, the common good provided by free exploration and future discovery cannot be met by one person, or even a cadre of stars. University professors are still a significant source of intellectual advance in this country. If we injure the privileges of this group, we 'risk' doing injury to free exploration, and hence the common good. Second, academic freedom is sustained by the professionals that enjoy those privileges. There is no independent source for enforcing the principles of academic freedom. Academic freedom is sustained by the united efforts of professional organizations like the AAUP, with the cooperation of colleges, universities and their boards. So while in principle Dr. Fisher’s example is correct, it seems unlikely that an individual or group of stars could sustain their own academic freedom.

This is not intended as an apocalyptic prediction. I am making no predictions. Nor can I predict the threshold for any damage to academic freedom. My goal is merely to describe how the popular vision of distance learning may impact academic freedom if it comes to fruition. I tend to agree with Professor Feenberg who believes that the degree of damage to academic freedom will have much to do with the institution and the strength of the faculty at those institutions.

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