May 29, 2014

Dear colleagues:

In their recent blog post ("The Erosion of Faculty Rights", http://chronicle.com/blogs/conversation/2014/05/19/the-erosion-of-faculty-rights, May 19), our colleagues Colleen Lye and James Vernon raised concerns about faculty rights in online education at UC Berkeley and questions about the level of faculty and Senate involvement in the decisions being made. We are writing to provide an update about the state of online education practices at Berkeley and to assure everyone that the Berkeley Senate is actively engaged in oversight of this rapidly developing mode of teaching and learning.

Berkeley currently offers three categories of online education in which courses are taught by regular faculty. The first comprises partially online degree programs, such as the Master of Public Health (MPH), the Master of Information and Data Science (MIDS), and the Master of Advanced Studies in Integrated Circuits (MAS-IC). The second comprises tuition-free noncredit MOOCs (Massive Open Online Courses), which bear the "brand name" BerkeleyX and are delivered in partnership with the not-for-profit EdX consortium (http://edx.org). The third includes a few courses supported through the UC Office of the President's UCOE (UC Online Education) and ILTI (Innovative Learning and Technology Initiative) programs. An additional category is UC Extension courses and programs; the subset offered for academic credit is taught by Extension instructors and approved by the appropriate Berkeley department and the Senate, while the rest are non-credit bearing professional and continuing education courses.

Berkeley faculty members have been actively engaged in the courses and programs for which academic credit is given. Development of the I School's Master of Information and Data Science (MIDS) program was faculty-led, with 100% of the I School faculty voting to support it. The MAS-IC program was proposed by Electrical Engineering faculty, and participation in teaching MAS-IC courses is voluntary. Similarly, the decision to join EdX was largely the result of early initiatives by individual faculty and students in Electrical Engineering and Computer Sciences, who persuaded the administration that although MOOCs

were unlikely to generate much revenue, there were important pedagogical and reputational reasons to investigate them.

In the online programs Berkeley has established to date, several different organizational and administrative models are being tested, but in every case faculty retain control over the use of their materials, including whether "derivative works" based on their content are permitted. Faculty who (voluntarily) develop content for MIDS courses license it royalty-free and in perpetuity to UC, with right of first refusal for content renewals, for as long as their employment at UC lasts. Faculty who create content for the EECS MAS-IC program similarly retain ownership of their work. Faculty who create noncredit MOOCs grant UC Berkeley and EdX a nonexclusive and revocable right to offer the associated course for free on [edx.org](edx.org), and decide whether to allow EdX to sublicense or create derivative works (such as translations) that might generate revenue, which is shared among EdX, Berkeley campus and the faculty/department. In no case does the University or the platform provider have the right to offer the faculty member's material for any purpose without explicit permission.

Financial support and services for these new programs have been provided in several different ways. Faculty members in Electrical Engineering and Computer Science (EECS) developed MOOCs without additional compensation, for pedagogical reasons, and used their discretionary research funds to cover costs of video production and student assistance. Other programs and courses have sought assistance and support from outside organizations. For example, the I School contracted with a private provider for assistance, and several faculty members received support for the development of online courses from a program offered by the University Office of the President (UCOP). Gifts to the EECS Department covered the costs of producing the online course materials for the MAS-IC program and providing discretionary funds and nominal consulting fees to faculty who prepare and deliver the courses. Berkeley has also set up the Berkeley Resource Center for Online Education or BRCOE (http://online.berkeley.edu), a full-service provider that supports faculty and departments with video production services, instructional design services, and registration services, but exerts no control over matters of academic content or ownership.

In each case, regardless of which administrative approach has been used, the online course or program has undergone the same academic review as would be required for a comparable new program on campus. With the exception of non-credit-bearing MOOCs, both individual courses and new programs must be evaluated by Senate committees. New degree programs also require review by systemwide committees and accreditation organizations. For an overview of the processes used, see http://academic-senate.berkeley.edu/committees/coci/handbook2 and http://academic-senate.berkeley.edu/committees/gc. At no time do the administrative entities or service providers, whether represented by UCOP, BRCOE, or a private vendor, make any pedagogical decisions: admissions, curriculum, course content, grading, degree granting, and all other academic aspects of these credit-bearing

programs are under the control of the Senate and the faculty.

Not all issues related to faculty involvement in online education are fully resolved. Discussions are ongoing regarding best practices for cost recovery for university investments in online courses, recognition and compensation of faculty effort for the development of online material, revenue sharing for online courses, and conditions and compensation for the use of online course material by third parties. The Senate and Administration have formed joint committees to study these matters and make recommendations on next steps.

At Berkeley, the drive to create online programs has come from faculty with a desire to spread their ideas and improve their teaching while preserving quality and reputation—not from an administration seeking to derive revenue at the expense of faculty intellectual integrity and autonomy. Because the faculty role in shared governance is one of Berkeley's distinguishing features, every step in the creation and operation of online courses and programs has been taken with that role in mind.

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