

IS THE COPYRIGHT LAW RESHAPING DISTANCE EDUCATION
OPPORTUNITIES IN COMMUNITY COLLEGES?
AN ACADEMIC CAPITALISM PERSPECTIVE

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Abstract

The purpose of this study was to examine whether distance education activities at two community colleges have followed the revenue-generating pattern of research institutions under the Bayh-Dole Act (1980). The study relied on the academic capitalism framework described by Slaughter and Rhoades (2004) to examine whether the incentives under the Copyright Act (1976), as amended in 1998 and 2002, resulted in institutional policies, networks, and shifts in academy practices that could transform distance education goods and services into marketable assets. My study also sought to identify and examine the economic, political, and social forces that positioned distance education activities at each campus in service of either the public good regime or academic capitalism regime. The evidence suggested that the convergence of these forces in approximately 2008 resulted in record student enrollment that continued through 2012 before appearing to stabilize in 2013. During this period, increased distance education opportunities contributed to higher tuition revenues. In contrast, the predominant attitude shared among faculty and staff was the desire to increase access to instruction through distance education to help prepare a diverse student population for employment in the new economy. As predicted by Slaughter and Rhoades (2004), distance education was an area in higher education where the competing interests represented by the academic capitalist regime and the public good regime would intersect. However, the forces that gave rise to record enrollment did not provide sufficient impetus at either campus to position distance education as an entrepreneurial activity.

Although the intersection of the competing interests of the respective regimes seemed to contribute to distance education's reputation as a quality instructional option,

ensuring its permanent role within the entire university system, steps towards institutionally owned distance education assets have only recently been undertaken. First, the National Science Foundation awarded Campus 1 a \$5 million grant in 2014 to develop an online pre-engineering curriculum that would be shared with two other community colleges. Second, Campus 2 has begun providing online course design and development services to other community colleges under a revenue sharing arrangement, and has fielded inquiries by private sector employers to develop customized instructional modules for their employees. Given the potential for institutional ownership or control of the distance education assets or services outside of existing policies, networks, and shifts in academy practices, a future study might track the progress of these independent activities to ascertain whether the academic capitalism regime had emerged.

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Chapter One: Introduction

Distance education has evolved into a widely accepted instructional medium in higher education. The emerging technologies that initially supplemented traditional face-to-face classroom instruction now offered a mix of highly interactive delivery systems that included web-based, online, hybrid, and interactive televised courses (Means, Toyama, Murphy, Bakia, & Jones, 2010). The ability for colleges and universities to bridge the geographical distance separating students and instructors permitted diverse student populations to pursue their educational objectives on an “anytime, anyplace” basis (Beldarrian, 2006). Based on the projected growth and sustainability observed in distance education enrollment, many colleges and universities incorporated this important delivery format into their long-range plans (Allen & Seaman, 2011). Notably, distance education’s inclusion in planning has contributed to a growing expectation of institutional self-sufficiency and service to the economic interests of the surrounding community (Lane, 2012).

In analyzing the shifting role of higher education, Slaughter and Rhoades (2004) singled out distance education as an activity at the intersection of two competing interests represented by the “public good knowledge/learning regime” and the “academic capitalist knowledge/learning regime” (pp. 7-8). The public good regime referred to higher education’s traditional mission to serve the public good through “teaching, research, and service” (Lane, 2012, p. 3). Slaughter and Rhoades (2004) described how the public good regime arose historically when universities shifted from theology and moral philosophy to science-based disciplines such as chemistry and engineering, and later to the social sciences (p. 14). Emphasis centered on the development of knowledge and the free

exchange of ideas for the public good. In one example, the authors described the critical role played by early land-grant institutions in the industrialization of agriculture that supported a growing urban population in this country. In a contemporary setting, Gumport (2000) suggested that higher education's public mission "must preserve a broader range of social functions that included such essential educational legacies as the cultivation of citizenship, the preservation of cultural heritage(s), and the formation of individual character and habits of mind" (p. 71). Arguably, higher education's *raison d'être* continues to exist within these broad objectives.

In contrast to the public good regime, Slaughter and Rhoades (2004) used the academic capitalist regime to encapsulate the policies, organizational structures, and shifts in academy practices that encouraged higher education to engage in the new, knowledge-based economy through various entrepreneurial activities. The example given rested upon the Bayh-Dole Act (Public Law 96-517, 1980), which promoted a national competitive policy agenda intended to stimulate economic growth. Essentially, the Bayh-Dole Act permitted "universities, faculty inventors, and private industry to engage in the commercialization process . . . to foster the creation of new products and services from research that might otherwise remain early-stage and undeveloped" (Boettiger & Bennett, 2005-2006, p. 261). Consequently, with patent rights in hand, many colleges and universities established alternative revenue streams by marketing and negotiating exclusive licensing arrangements directly with private sector and governmental interests. In promoting and marketing the research institution's intellectual property, a new class of administrative structures, interstitial organizations, and networks arose that "span and blur the boundaries between public and private sectors" (p. 12). Largely administered by

“non-faculty managerial professionals,” the academic capitalist regime encouraged market activities by providing the private sector with points of access into higher education. Slaughter and Rhoades (2004) associated the academic capitalist regime with the “ascendance of neo-liberal and neo-conservative politics and policies that shift government investment in higher education to emphasize education’s economic role and cost efficiency” (p. 38). As between the two regimes, Slaughter and Rhoades (2004) declared the academic capitalist regime ascendant over the public good regime, but the former regime has not replaced the latter, instead “the two coexist, intersect, and overlap” (p. 29).

Using academic capitalism theory as the primary conceptual lens, my study analyzed the policies contained in the Copyright Act of 1976, as amended, as these policies might affect distance education opportunities within public colleges and universities. In particular, my study sought to determine whether the selected community colleges attempted to secure the copyright ownership to the intellectual property incorporated into distance education courses, including course syllabi and any faculty-generated instructional materials. The study next examined whether distance education served an economic role, such as in increasing enrollment to generate more tuition revenue and additional efforts transform distance education goods and services into revenue generating assets. Consequently, Slaughter and Rhoades (2004) identified distance education as an activity subject to the competing interests of the public good regime and the academic capitalist regime. In further deciphering this relationship, my study employed a secondary lens offered by Gais and Wright (2012) in analyzing the economic networks and relationships between the institution and its surrounding

communities. One of the important objectives of the study was to identify both the internal and external forces shaping distance education activities at the respective community colleges.

Statement of the Problem

One of the earliest references to “knowledge as commodity” appeared over three decades ago in “A Nation At Risk” (1983). The seminal work on education in this country stated that “Knowledge, learning, information, and skilled intelligence are the new raw materials of international commerce and are today spreading throughout the world as vigorously as miracle drugs, synthetic fertilizers, and blue jeans did earlier” (National Commission on Excellence in Education, 1983, para. 6-7). Subsequently, Slaughter and Rhoades (2004) examined the role of copyright law and technological innovation that could transform distance education into a marketable asset. In this context, the authors conceive distance education as “a critical raw material to be mined and extracted from any unprotected site; patented, copyrighted, trademarked, or held as a trade secret, then sold in the marketplace for a profit” (p. 4).

Just as research institutions did under the Bayh-Dole Act, Slaughter and Rhoades (2004) predicted the academic capitalist regime would use the copyright law to secure ownership rights to distance education assets. Once the academic capitalist regime obtained these rights, the institution could develop “distance-education initiatives that fall outside the purview of faculty regulations for the express purpose of generating revenue” (p. 209). The institution could engage in entrepreneurial activities through internal structures, interstitial organizations, and networks. For example, distance education opportunities could be structured and marketed to increase enrollment of out-of-state and

international students who pay higher tuition. Furthermore, in the interest of maintaining a competitive workforce, various forces (e.g., government, education, and private sector interests) viewed distance education as a means of extending higher education's reach into the growing market of non-traditional, working students who required periodic re-training. The authors' predictions also noted the impact to academy practices inherent within the public good regime as the academic capitalist regime gained control of scarce resources (e.g., funds, promotion, tenure, recognition) as part of an effort to expand its entrepreneurial ideology into traditional areas of academy practice (Johnstone, 2002). For example, Blumenstyk (2012b) reported that the University of Maryland included patents and commercialization as factors in tenure review.

Under an academic capitalist regime controlled environment, faculty members were perceived as managed professionals; as another institutional asset that furthered the regime's broader entrepreneurial goals (Rhoades, 1998). Significantly, in response to declining governmental funding and increasing budgetary accountability, Slaughter and Rhoades (2004) warned of institutional cost-cutting measures such as using part-time, non-tenured faculty to teach courses across the spectrum of instructional opportunities. The authors viewed such practices as detrimental to the quality of education and the objectives of the public good regime.

Purpose of the Study

Distance education has the potential to alter higher education's traditional role of knowledge creation and transfer while also creating possibilities for revenue generating opportunities. The ability to provide quality instructional content on an "anytime, anyplace" basis to diverse student populations has elevated distance education into an

important delivery format (Means et al., 2010; Willis, n.d.) with the potential to establish markets well beyond the institution's traditional boundaries (Slaughter & Rhoades, 2004). In response to projections for continued growth and sustainability, many colleges and universities across the nation incorporated distance education into their long-range plans (Allen & Seaman, 2011). In turn, planning necessarily involved the adoption of policies, creation of new organizational structures, and changes in academy practices that supported and responded to the various contextual forces acting upon distance education activities and opportunities (Slaughter & Rhoades, 2004).

Much of the research on academic capitalism theory has involved studies of four-year institutions (e.g., Bok, 2003; Etzkowitz, Webster & Healy, 1998; Slaughter & Rhoades, 2004). In comparison, my study proposed to apply academic capitalism theory at the community college level, where the selected campuses had limited engagement with federally funded research. Specifically, I tracked Slaughter and Rhoades' (2004) prediction that the academic capitalist regime might arise in connection with distance education under the Copyright Act of 1976. I patterned my analytical framework after the authors' analysis of revenue-generating activities by research institutions under the Bayh-Dole Act (1980).

My study examined community colleges because they represented an increasingly important class of post-secondary institutions given their broad educational mission and placement in the community (Jacobs, 2012). Historically, community colleges provided students with a more direct route into the workforce as well as prepared them for transfer to four-year institutions in pursuit of undergraduate degrees. Community colleges, as with most of higher education, have been under increasing economic and political

pressure to prepare students for a rapidly changing global economy despite reduced governmental support, rising operating costs, greater accountability, higher tuition, and competition for scarce internal resources. More recently, the Great Recession of 2008 (Johnstone, 2012; Rosenberg, 2012) have intensified these environmental conditions and added increased enrollment, a diverse student population, and pressure to engage in federally funded research. All these conditions represent the “new normal” facing higher education today.

Even before the Recession in 2008, academic capitalism theory readily embodied the new normal under the neo-liberal and neo-conservative policies and politics influencing higher education’s increasing economic role. What Slaughter and Rhoades (2004) described as relationships that “blurred the boundaries” between higher education and public and private sector interests could be further classified into separate forms of economic activities. Gais and Wright (2012) placed these relationships into five categories based upon the colleges and universities’ role as: (1) economic units, (2) developers of human capital, (3) engines of innovation in research and development, (4) sources of business assistance, and (5) resources for community vitality (p. 34). This framework permitted a second level of analysis focused on the contextual forces influencing distance education opportunities as part of the broader economic activities taking place at the respective community colleges.

In exploring how these forces might affect distance education under the copyright law, I selected two anonymous community colleges noted for their early adoption and leadership in distance education. The first campus began as a technical school in an urban area, but emphasized a liberal arts program and transfer to four-year institutions. The

second campus opened as a liberal arts college, but now included a number of Workforce Development and Career and Technical Education (CTE) programs. A case study of each campus is contained in Chapters Five and Six.

The following research questions guided my study in examining the internal policies, organizational structure, and behavioral dynamics related to distance education activities at the selected community colleges. These questions also provided a framework for considering the economic consequences distance education might contribute to within the broader economic sphere of the respective community colleges.

- (1) What do faculty and administrators perceive as the objectives and driving forces of distance education opportunities at each institution?
- (2) What type(s) of organizational changes associated with distance education support either a public good regime or an academic capitalist regime as advanced in academic capitalist theory?
- (3) To what extent has the adoption of distance education as an instructional medium on campus produced changes in opportunity and outcomes for students, faculty and administrators?
- (4) Which of the activities associated with distance education offered at the respective community college campuses can be classified into one or more of the economic activities categorized by Gais and Wright (2012)?

Ultimately, the goal of my study was to achieve a greater understanding of the forces shaping how distance education might enhance the changing role of community colleges in contributing to economic engagement and innovation, and what these forces might mean for education in the future.

Operational Definitions

Copyright. A form of protection provided by the laws of the United States for original works of authorship, and includes literary, dramatic, musical, architectural, cartographic, choreographic, pantomimic, pictorial, graphic, sculptural, and audiovisual creations” (“U. S. copyright office definitions,” n.d.).

Distance education. “Distance education is teaching and planned learning in which teaching normally occurs in a different place from learning, requiring communication through technologies as well as special institutional organization” (Moore & Kearsley, 1996).

Distance learning. The desired outcome of distance education (Willis, n.d., p. 38).

Face-to-face class. A traditional class with students and teachers physically present in a common location (Allen & Seaman, 2011).

Instructional design. A development process and framework for systematically planning, developing, and adapting instruction based on identifiable learner needs and content requirements. The majority of instructional development models and processes follow the same basic stages of design, development, evaluation, and revision (Willis, n.d., p. 7; see also Cairncross & Mannion, 2001).

Internet. The largest, most powerful computer network connecting personal computers, sophisticated mainframes, and high speed supercomputers around the globe. The Internet has evolved into the most common mode of delivering distance education (Ashley, 2004).

Organization of the Study

I organized the remaining chapters of my dissertation as follows. Chapter Two contain a literature review that examined the broad, fundamental premises of academic capitalism theory in the context of distance education: policies, organizational change, and impacts to traditional academy practices. Chapter Three described the methodology used in my study. Information about the theoretical framework, research design, legal and policy analysis, data collection and analysis, and a description of the research sites were included in this chapter. Chapter Four provided a brief overview of the University system and the origins of the community college system that included the two community colleges selected for my study. This chapter also described the role of the Community College Distance Learning Committee during the relevant period between 2008 and 2010. Chapters Five and Six presented case studies of the respective community colleges. Chapter Seven developed the cross-case analysis of the two community colleges and provided conclusions and implications for further research.

Chapter Two: Literature Review

Organizational change in higher education has been a topic of discussion and research. A perusal of the research literature suggested that change in higher education moves at a slow pace, often measured in years or decades (Folkers, 2005). Numerous studies examined the internal factors resistant to change, including the institutional structure and organizational culture (Conrad, 1978; Cooper & Kempner, 1991; and Heck, 2004). In comparison, academic capitalism theory focused on policies that encouraged colleges and universities to undergo organizational change in order to pursue entrepreneurial activities alongside with their traditional academic function (Slaughter & Rhoades, 2004). The typology described by Kezar (2001) suggested that the framework described by academic capitalism theory largely encompassed an evolutionary model of organizational change.

The objective of the literature review was to examine, update and expand on the research Slaughter and Rhoades (2004) relied on in support of academic capitalism theory. The authors succinctly described the framework for their theory in a companion article that attributed the rise of entrepreneurial activities associated with the academic capitalist regime to:

. . . a systematic revision and creation of policies [that] make these activities possible; a fundamental change in the interconnection between states, their higher education institutions and private-sector organizations to support such activities, blurring the boundaries between the for-profit and not-for-profit sectors; and a basic change in academy practices—changes that prioritize potential revenue generation, rather than the

unfettered expansion of knowledge in policy negotiations and in strategic and academic decision making. (Rhoades & Slaughter, 2004, pp. 37-38)

In brief, the authors' framework described policies, networks and interstitial organizations, and shifts in academy practices that supported the rise of the academic capitalist regime. This framework served as the organization for the literature review. Section One of the literature review involved a legal and policy analysis of the amended copyright law and the initiatives that directly influence distance education activities. Section Two explored the organizational changes, particularly the presence of interstitial organizations and networks formed to commercialize distance education products and services. Section Three examined whether the academy practices associated with distance education followed the patterns of organizational change predicted by academic capitalism theory.

Policy Creation and Revision

Following the example of the Bayh-Dole Act, Slaughter and Rhoades (2004) examined the policy interests served by the amended copyright law, specifically the incentives for colleges and universities to secure or control the intellectual property rights to distance education assets (e.g., Lape, 1992). Historically, the emerging technologies supporting distance education's growth came to the attention of federal policy makers in the 1990s as part of a coordinated lobbying effort by the content industries (e.g., print, music, software, and film). The focus was on adopting international standards for copyright protection and battling widespread copyright infringement characterized as "piracy." At the center of the controversy was the balance inherent in the copyright provision contained in Article 1, Section 8, clause 8 of the Constitution of the United

States between the owner's exclusive rights to profit from their copyrighted works and the public's right to information in support of an open and democratic society. In the tradition of John Stuart Mill, "More information is better information" (Hermnes, Pyle, & McTeague, 1994; Palfrey & Gasser, 2008, p. 297). The U. S. Supreme Court recognized and supported the "marketplace of ideas" concept in *Twentieth Century Music Corp. v. Aiken* (1975). In this case, the Supreme Court noted that the objective of the copyright law was not only to reward creativity, but also to stimulate artistic creativity for the general public good. Nearly a decade later, the Supreme Court in *Sony Corp. of America v. Universal Studios, Inc.* (1984) again called for a balance in the copyright law that primarily benefitted the public and only secondarily the authors as the copyright holder.

Despite the Supreme Court decisions, Congress shifted the balance in the copyright law in favor of copyright owners through specific amendments that embodied new policy initiatives (Baker, 2005). The Copyright Act of 1976 (Public Law 94-553, 1976) contained the primary policy agenda, as amended by both the Copyright Term Extension Act (Public Law 105-298, 1998) and the Digital Millennium Copyright Act (Public Law 105-304, 1998) in 1998, followed by the Technology Education and Copyright Harmonization Act in 2002 (Public Law 107-273, 2002). Perhaps as compelling as the Bayh-Dole Act, the policies incorporated in the amended copyright law provided incentives for colleges and universities to adopt organizational change that similarly favored academic capitalist regime over the public good regime. The following sections highlight policy shifts in the copyright law having an effect on distance education that began with the Copyright Act of 1976.

Copyright Act of 1976 (Copyright Act). The Copyright Act was the last major revision of the copyright law by Congress after over 20 years of “painstaking effort” (Gorman, 1978, p. 856). Primarily, the Copyright Act updated the copyright law to address “environmental conditions” (Heck, 2004) represented by mid-twentieth century technological innovations that included radio, television, photocopying machines, computers, and “other techniques of reproduction known and unknown” (Gorman, 1978, p. 883). Furthermore, as its predecessors did, the Copyright Act preserved the authors’ exclusive rights (17 U.S.C. Sec. 106) as an incentive for generating “original works of authorship” (17 U.S.C. Sec. 102(a)).

In amending the Copyright Act, Congress shifted the balance in favor of copyright owners. First, Congress extended the copyright term, as it has done in previous amendments, on this occasion from 30 to 50 years. This amendment gave copyright owners exclusive control over their copyrights for an additional 20 years before the work of authorship entered the public domain. A second major change in the Copyright Act involved the addition of a provision covering “work made for hire” (17 U.S.C. Sec. 201(b)). In a work made for hire, the work created by an employee belonged to the employer absent an agreement to the contrary. Colleges and universities relied on this provision in asserting copyright ownership over coursework created by faculty members as well as non-faculty employees who created the coursework within the scope of their employment, or as work specifically ordered or commissioned (Klein, 2005). For example, institutions might rely on the work made for hire provision to secure ownership rights over coursework developed under a team approach since each team member contributed to a collective work (17 U.S.C. Sec. 101; Packard, 2002). Among community

colleges, DiRameo and Kops (2004) observed that the present cultural mores readily accommodate a work made for hire philosophy on the issue of institutional ownership and control.

However, instead of providing clear guidelines, the work made for hire definition confused the issue of institutional copyright ownership over faculty writings (Blanchard, 2010). Traditionally, faculty retained copyright ownership over materials related to instruction, which included course syllabi, lecture notes, course curriculum, and other scholarly writings submitted for publication (Parish & Parish, 2000). Moreover, courts recognized faculty ownership rights under the so-called “teacher exception.” For example, in *Williams v. Weisser* (1969), a pre-1976 case, a professor at the University of California at Los Angeles claimed injunctive relief against a note-taking company that reproduced and sold course packets. In granting the requested relief, the California appellate court recognized that the professor retained property rights to his lecture and class notes. Two decades later, the court in *Weinstein v. University of Illinois* (1987), the Court of Appeals for the Seventh Circuit interpreted the Copyright Act as giving employers full rights over works made for hire unless otherwise specified in the employment agreement. In dicta, the Appeals Court noted that faculty ownership of creative works has “been the academic tradition since the copyright law began” (p. 1094).

In summary, the issue of copyright ownership took on greater significance in light of the digital revolution. Wiley (2001), for example, explained how instructional content might be captured or recorded in a digital format to create learning objects, the smallest instructional unit designed to achieve a specific learning objective. In turn, learning objects could “be reused and recombined in different educational contexts (traditional or

informal) for different purposes” (McGee & Diaz, 2005, p. 13). Controlling the instructional content would permit the academic capitalist regime to develop new learning objects (i.e., customized instructional products) that the institution could deliver in various formats to traditional and non-traditional students, including third-party consumers, anywhere in the world through the Internet.

Copyright Term Extension Act (CTEA). By the 1990s the Copyright Act was already unresponsive to the technological innovations fueling the new economy and the associated threats to American economic interests. Congress responded by enacting two amendments to the Copyright Act in 1998, followed by a third amendment in 2002. Congress employed the CTEA to bring the existing copyright term in step with international copyright standards. The environmental condition attracting governmental attention was the European Union’s (EU) decision to extend its copyright term to life of the creator plus 70 year, a period that was 20 years longer than what was granted by the Copyright Act (Nimmer, 1994). Under the American system of federalism, Congress exercised authority granted by the federal Constitution to amend the copyright term to match those of EU countries. The policy outcome was the CTEA, which extended the existing copyright term for individuals from life of the author plus 50 years to life of the author plus 70 years. For corporate entities, the CTEA extended the copyright term from 75 years to 120 years after creation or 95 years after publication, whichever endpoint was earlier. The same copyright term applied to works made for hire. Furthermore, Congress gave the CTEA retroactive application so that works copyrighted in 1939, including movies such as the “Wizard of Oz” and “Gone with the Wind,” that would have entered the public domain on January 1, 2015, continued to receive copyright protection until

2019 (Lee, 2015, January 1). Consequently, copyright owners could continue to profit from the copyrighted works for the duration of the extended term.

Educators objected to the CTEA as unresponsive to the needs of an evolving digital culture. One of the leading opponents of the CTEA was Lawrence Lessig, an intellectual property professor, who challenged the constitutionality of CTEA in *Eldridge v. Ashcroft* (2003). Justice Ruth Bader Ginsburg, writing for the majority (7-2), upheld the CTEA as a “rational” exercise of Congressional power under the copyright provision of the Constitution. In a dissenting opinion, Justice Stephen Breyer argued that the CTEA amounted to granting a perpetual copyright that undermined the public interests. The majority opinion apparently focused on Congress’ legislative authority under the copyright provision of the Constitution rather than the need to balance private financial gain and public access. However, the purely economic arguments raised in favor of extending the copyright term appeared the most compelling. Writing in support of the copyright term extension, Nimmer (1994) explained that under the principle of “rule of the shorter term,” European nations with the 70-year copyright term could apply the shorter 50-year term under the Copyright Act (p. 1). This rule would allow European media distributors to sell American music and movies without having to pay royalties to U. S. copyright owners once the 50-year term expired and these works entered the public domain. Meanwhile, European music and movies would continue to enjoy copyright protection under the 70-year copyright term. The economic interests at stake were substantial, totaling at least \$34 billion in foreign sales to a copyright industry that employed 2.8 million workers in 1990 (Nimmer, 1994).

Digital Millennium Copyright Act (DMCA). The second major environmental condition that faced the content industries involved the widespread phenomenon of digital piracy (Barker, 2005). Using readily available technologies, digital pirates could easily create near perfect reproductions of copyrighted works and engage in instantaneous, worldwide distribution over the Internet (Lipinski, 2005). The resulting environmental condition jeopardized the content industries' exclusive rights to economic benefits, which involved losses in the billions of dollars. The various content industries, as policy actors, formed powerful coalitions (Heck, 2004) that enabled them to bring their concerns before Congress. Absent favorable action, the content industries threatened the U. S. economy by withholding products or content from the marketplace. Congress took the threat seriously because the content industries were responsible for \$60.18 billion in sales in 1996, exceeding both agriculture and industry exports (Senate Report No. 105-190, 1998). The resulting legislation or policy outcome was the DMCA, considered the "single greatest addendum" to the Copyright Act (Baker, 2005, p. 49).

The DMCA had two major objectives. First, the DMCA added a new Chapter 12 to the copyright law that included civil liability and criminal sanctions (Ludlow, 2003) in three broad areas. The first involved circumventing technological measures (e.g., encryption, watermarking, and other digital anti-copying strategies) put in place by the copyright owner that controlled access to copyrighted works (Sec. 1201(a)(1), see also Zimmerman, 2000). The second dealt with manufacturing or making available any "technology, product, service, device, component, or part thereof, for the purpose of circumventing technological measures that control access to copyrighted work (Sec. 1201(a)(b)). The third addressed manufacturing and distributing any anti-circumvention

devices intended to defeat technological measures protecting the rights of copyright owners (Sec. 1201(b)). Although well intended, the DMCA created a possible inconsistency in how the law applied to different technologies. For example, educators could exercise the fair use of copyrighted works recorded on analog devices, but could be subject to civil and criminal penalties if the same content was obtained from a commercially produced digital video disc protected by a technology lock (Lutzker, 1999; von Lohmann, 2010).

Second, the DMCA targeted illegal peer-to-peer (P2P) file-sharing activities on college and university campuses (17 U.S.C. §§ 501 and 506). The common factors that concentrated piracy on college and university campuses were the presence of high-bandwidth Internet connections and a large number of young, computer-literate students (Palfrey & Gasser, 2008). One of the early cases addressing the legality of P2P file-sharing was *A&M Records, Inc. v. Napster, Inc.* (2001). At its peak, forty percent of Napster's registered users were college students who contributed to 2.8 billion files being "swapped" worldwide. The losses to the music industry reached into the billions of dollars (Palfrey & Gasser, 2008). The Ninth Circuit Court of Appeals affirmed the district court's ruling that Napster could be held liable for infringement of the plaintiff's copyrights.

In higher education, however, P2P file-sharing enhanced the "educational and research capabilities of universities nationwide" (Putter, 2006, p. 421). Moreover, P2P files-sharing functions provided the underlying architecture for email and web browsing. In promoting the legitimate use of P2P file-sharing activities on campus networks, the DMCA required colleges and universities, in their capacity as Internet Service Providers

(ISPs), to meet two requirements in order to receive protections under its safe harbor provisions. The first involved adopting a network use policy, and second, designation of an institutional DMCA official to receive and act on complaints of infringement from copyright owners. Another leading case was *Metro-Goldwyn-Mayer Studios, Inc. v. Grokster* (2005), in which the Supreme Court held that creators of P2P file-sharing applications could be liable for copyright infringement where they specifically promoted the applications' use to infringe on copyrights and designed them primarily to infringe copyrights.

The heavy-handedness of the DMCA, however, worked to the advantage of colleges and universities when acting in the role of content developer. In addition to online courses and materials, institutions could enter into user license agreements in making their research, databases, and resources available to others as a revenue-generating activity. The same technology locks and sanctions that benefitted the content industries were also available to protect the institution's exclusive rights over its online course materials. By enacting these protection measures, Slaughter and Rhoades (2004) argued that the DMCA made digital property more valuable and subject to privatization. In the present copyright environment, colleges and universities have "every incentive to capture a sizeable market share of distance education before for-profit competition explodes" (p. 59). My study sought to examine whether the selected research sites exercised these incentives with respect to their distance education activities.

Technology Education and Copyright Harmonization (TEACH) Act. Congress acted again for a third time to amend the Copyright Act with the TEACH Act in 2002. In short, Congress passed the TEACH Act partially in response to the potential impact that

the DMCA anti-circumvention measures would have on the fair use of copyrighted works in education. Policy actors including libraries, researchers, consumer groups, and academics formed the Digital Future Coalition to lobby Congress for relief. This effort resulted in Section 403 of the DMCA, which directed the Registrar of Copyright to consult with copyright owners, nonprofit educational institutions, nonprofit libraries, and archives to submit to the Congress within six months recommendations on how to promote “distance education” through digital technologies. The ensuing 353-page publication, entitled “Report on Copyright and Distance Education” (U. S. Copyright Office, 1999), contained recommendations that led Congress to pass the TEACH Act in 2002 (Ludlow, 2003, p. 133). From a policy standpoint, the TEACH Act was a “policy outcome” (Heck, 2004, p. 80) designed to respond to the statutory protections and penalties imposed by the DMCA.

In attempting to rebalance the copyright law, the TEACH Act expressly supported the distance education activities of a “government body or an accredited nonprofit educational institution” (17 U.S.C. Sec. 110(2); see also Ashley, 2004). The TEACH Act did this by expanding the categories of copyrighted works that could be “performed” or “displayed” online without having to engage in the “often time consuming and expensive process of obtaining permission or negotiating license to use each work” (17 U.S.C. Sec. 110(2)). In exchange for the benefits conferred, the TEACH Act required participating college and universities to adopt policies covering a range of instructional and technological measures to protect the interests of the content industry from illegal activities using the institution’s IT system.

The policy requirements constituted “formal expectations” that required the active participation and cooperation of the various groups of institutional stakeholders (Schuler, 2003). Todd (2007), for example, advised using printed statements in course catalogs or providing the policy online through the institution’s website. Publication to the campus website was perhaps an effective means of accomplishing this task given the widespread use and versatile nature of the information technology. Other commentators suggested additional mechanisms for informing stakeholders. DiRamio and Kops (2004) and Quartey (2007) advocated establishing a campus-wide information effort to inform the institution’s stakeholders about digital copyright infringement, fair use, and the broader impact of the federal copyright law. Such a plan included forming a campus copyright committee of faculty leaders, campus administration, legal counsel, and library personnel. Hildebrand and Klosek (2003) also added that the copyright policy should cover all levels of instruction, including the “standards that educators must follow when incorporating copyrighted works in distance-learning materials” (17 U.S.C. Sec. 110(2)(D)(i)). Several colleges and universities effectively utilized distance education technologies such as campus websites to disseminate informational materials that included online tutorials, presentations, tool kits, and checklists to fulfill this requirement under the TEACH Act (Todd, 2007). A few educational institutions hosted guest speakers who could address the “do’s and don’ts” of copyright for distance learning, including updates to the TEACH Act and the DMCA (DiRamio & Kops, 2004). Moreover, given the evolving nature of the copyright law, Bielefield and Cheeseman (2007) recommended reviewing professional journals to keep current with ongoing developments in the law and court decisions (p. 71). Finally, Brevitz (2003) proposed that the best way to avoid “the worst-

case-scenario of lawsuits has been to foster an institutional climate of legal compliance and careful risk management” (p. 55).

Compliance took on greater significance as distance education gained in acceptance. Allen and Seaman (2011) tracked the growth of distance education following enactment of the TEACH Act through annual reports beginning in 2003 through 2010 based on surveys of 2,500 U. S. colleges and universities. Notably, in Fall 2002, 1.6 million students out of a total enrollment of 16.6 million (9.6 percent) had enrolled in at least one online class. In comparison, in the Fall 2010 term, there were approximately 6.1 million out of a total enrollment of 19.6 million students (31.3 percent) who took at least one online course. Moreover, the growth rate for Fall 2010 far exceeded the 0.6 percent annual growth rate of the total higher education student enrollment. Based on the projected growth and sustainability of student enrollment, Allen and Seaman (2011) also reported that 65 percent of the institutions surveyed included distance education as a critical component to their long-range strategy. These findings suggested that distance education would continue to remain an important alternative instructional medium.

The Higher Education Opportunities Act (HEOA). Congress originally passed the Higher Education Act (HEA) (Public Law No. 89-329, November 8, 1965) in 1965, one of the hall achievements of President Lyndon Johnson’s “Great Society.” The HEA paralleled another important legislation also passed in 1965, the Community College Act, which represented President Johnson’s desire to provide greater access to postsecondary education. In particular, the HEA contained a host of federal programs designed to “level the playing field” by offering students, including low-income and disadvantaged students, greater access to higher education. At the heart of the program was a broad-based,

permanent system of financial aid for students to enter and complete their higher education (Chitty, 2008). Perhaps the most significant were the Title IV Student Assistance programs, which included non-traditional and low-income students. The HEA's success could be measured by the greater racial and ethnic diversity and gender equity in the student population ("The Higher Education Act," 2006, p. 163). For example, between 1965 and 2000, the percentage of white students decreased from 94 percent to 78 percent, while the number of women increased from 38 percent to 55 percent. The impact of the HEA was also widespread. In the 2002-2003 academic year, approximately 6,400 degree- and non-degree-granting postsecondary educational institutions with an enrollment of 17.3 million students in undergraduate and graduate program participated in the HEA student aid programs. In the fiscal year 2005, student aid programs provided an estimated \$73 billion in student assistance (p. 164).

Congress reauthorized the HEAO in 2008 after fourteen extensions (Derthick & Dunn, 2009). Covering 1,158 pages, the HEOA continued to support higher education with "seventy new spending programs targeted to narrow constituencies and nearly two hundred new reporting and regulatory requirements" (p. 1029). In particular, the HEOA called for increased accountability in the area of distance education and imposed a rigorous set of copyright requirements on institutions of higher education to prevent "the unauthorized distribution of copyrighted materials using the institution's information technology system" (p. 1029). This requirement echoed the lobbying efforts associated with the DMCA when members of the content industry came together as policy actors before Congress (Heck, 2004) to initiate legislation to stop the loss of millions of dollars

annually through illegal downloading of music and video on college campuses (Derthick & Dunn, 2009).

The HEOA copyright provisions were codified in 20 U.S.C. §§485(a) and 487(a)(29). The language in §485(a) required colleges and universities to adopt a copyright policy that: (1) was subject to annual disclosure, (2) described policies that prohibited unauthorized P2P file-sharing, and (3) explicitly informed students of civil and criminal penalties for violations, including penalties under federal copyright laws. In addition, §485(a) required the copyright policy to forewarn students that they might be subject to disciplinary action for misusing the institution's information technology system, as well as to require the institution to provide a description of steps it would take to prevent and detect unauthorized distribution of copyrighted material on its information technology system. Furthermore, 20 U.S.C. §487(a)(29) required the institution to certify that it has adopted plans to combat the unauthorized distribution of copyrighted materials. The plan, designed in consultation with the institution's Chief Technology Officer, must include alternatives to illegal downloading or peer-to-peer distribution of intellectual property and explore use of technology-based deterrents, *e.g.*, "bandwidth shaping" and "traffic monitoring to identify the largest bandwidth users" to prevent such illegal activity. Finally, unlike the TEACH Act, the HEOA did not limit the institution's copyright policy or its information technology system to only distance education activities, but to any method of instruction that might infringe upon copyrighted materials.

At first impression, the HEOA copyright requirements might have been more appropriate in a further amendment to the Copyright Act. However, a review of the

HEOA's legislative history was not conclusive of Congressional intent to incorporate copyright requirements in the body of the HEOA itself. Instead, the HEOA appeared to provide additional details as to how an institution might achieve compliance under the existing Copyright Act requirements. Finally, the copyright requirements imposed by the Copyright Act and the HEOA were optional in the sense that they served as "inducements" for institutional compliance (McDonnell & Elmore, 1987, pp. 138-139). Under the Copyright Act, the inducement involved use of expanded categories of copyrighted materials in distance learning. However, Ashley (2004) reported that relatively few institutions implemented the copyright requirements under the TEACH Act for various reasons (p. 2). In comparison, by exercising its copyright authority within the framework of the HEOA, Congress made copyright compliance conditional upon continued receipt of funding for Title IV programs (Ashley, 2004). Given the large number of institutions participating in Title IV programs, Congress could seemingly achieve broad copyright compliance beyond what the TEACH Act required for distance education.

The HEOA contained other provisions related specifically to distance education that addressed an institution's technological measures to ensure academic honesty. In particular, 20 U.S.C. § 1099(b) of the HEOA required "institutions that offer distance education to establish that a student registered for a distance education course was the same student who completes and receives credit for it" (p. 325). This requirement created concern because it placed the burden on accrediting organizations to determine what type of authenticating strategy, biometric measure, or third-party solutions was acceptable (Foster, 2008; WCET, 2008). One commentator suggested that imposing student

authentication measures would add credibility and reliability from the perspective of accrediting agencies and traditional instructors (Foster, 2008). Educational institutions worried whether the cost of these technological measures to police student behavior would jeopardize their distance education programs (Parry, 2009). However, negotiated rulemaking proceedings suggested that secure log-ins and passwords, including proctored examinations, would satisfy this HEOA requirement. Arguably, these requirements relate back to the TEACH Act policy requirements that involved campus stakeholders, including administrators, IT personnel, faculty, instructional staff, and students.

Interstitial Entities and Networks

The second component of the academic capitalist regime was the rise of non-faculty managerial professionals and associated structures “that intermediate between private and public sectors” through interstitial entities and networks (Slaughter & Rhoades, 2004, p. 1). These intermediaries served the academic capitalist regime by creating new circuits of knowledge that exercised expanded managerial capacity over revenue-generating activities from public and private relationships. In the context of research institutions benefiting from the Bayh-Dole Act, these relationships might involve legal entities including joint ventures, wholly owned subsidiaries, partnerships, or foundations covering research, development, and marketing of the institution’s inventions. These formal structures offered the added benefit of shielding the institution from liability arising from its entrepreneurial activities.

Blumenstyk (2012a) evaluated the long-term success of the Bayh-Dole Act in the fiscal year 2011 through a survey of the Association of University Technology Managers. The survey reported that universities and their inventors earned more than \$1.8 billion

from commercializing their academic research. Moreover, the 157 universities that participated in the survey completed 5,398 licenses, filed applications for 12,090 new patents, and created 617 start-up companies. The survey identified Northwestern University as the leading institution with \$191 million in licensing income (see also Owen-Smith, 2012).

In comparison, the intermediary entities and networks associated with distance education institutions that do not emphasize research were expected to be less formal and more dispersed within the institution. How distance education and these entities and networks might arise and influence one another in a community college setting might appear in the social and economic activities arising between the institution and the surrounding community. In studying this relationship, the Carnegie Foundation for the Advancement of Teaching in 2006 offered a classification system for assessing “community engagement” (Driscoll, 2008). In order to reflect the evolving nature of higher education, the new Carnegie classification category broadly defined “community engagement” as “the collaboration between institutions of higher education and their larger communities (local, regional/state, national, global) for the mutually beneficial exchange of knowledge and resources in a context of partnership and reciprocity” (p. 39). More recently, Gais and Wright (2012) offered an economic-driven framework that considered five specific categories of relationships based on the institution’s role as: (1) economic units, (2) developers of human capital, (3) engines of innovation in research and development, (4) sources of business assistance, and (5) resources for community vitality (p. 34). The discussion that follows utilized this latter framework in assessing the

presence and significance of the academic capitalist regime in a community college setting and its impact on distance education.

Economic units. Slaughter and Rhodes (2004) described how the academic capitalist regime operated through organizations and networks that provided avenues for private sector corporate interests to enter the institution and market products and services to students. Under academic capitalism theory, once students enrolled in the institution, they shifted from being prospective consumers to a captive market of the goods and services offered by the institution. In taking advantage of the student market, the authors described how the academic capitalist regime formed networks through contractual relationships with fast-food and service franchise operations (e.g., McDonalds, Burger King, and Barnes & Noble) that transformed traditional student unions and bookstores into “profit centers” (p. 209). Other activities targeting the student dollar included contractual relationships with corporate interests over the exclusive use of their brand on campus (e.g., gifts, clothing or athletic gear). In short, capturing the student dollar on campus through intermediaries benefitted the economic interests of the institution.

A broader conceptualization of academic capitalism theory might involve an examination of the institution as an economic unit within the surrounding communities. For example, Gais and Wright (2012) described how the institution itself served as a consumer of the goods, services, and supplies offered by the surrounding neighborhood. Serving much like shopping malls, business centers, and industrial districts, institutions of higher education represent anchors within the surrounding community. The authors asserted that these institutions employed and educated concentrations of people (e.g., faculty, staff, and students) who collectively exercised extensive economic influence on

the surrounding community as spenders and consumers. Here, the relationships ranged from formal contractual arrangements (e.g., rental and service agreements) to informal relationships operating on an as-needed basis (e.g., office supplies and textbooks).

Developers of human capital. One of the traditional functions of higher education institutions was to produce an educated workforce. This need was particularly compelling for public and private sector employers to remain competitive in a global economy. One of the significant intermediaries between higher education and employers identified by Slaughter and Rhoades (2004) were advisory boards. The academic capitalist regime targeted well-connected individuals in the business community to help guide curricular decisions in a direction that made graduates more marketable. Gais and Wright (2012) also confirmed that the relationship between higher education and employers continued to remain important in the form of job training. In the new economy, Folkers (2005) suggested that the functional life of a technical degree was now less than five years given the increased pace of change. Over half of the nation's students, described as non-traditional students, were "generally older, have completed more college credit hours and more degree programs, and have a higher overall-college GPA than their traditional counterparts" (Diaz, 2002, pp. 1-2). Many of these students pursued their educational goals on a part-time basis while balancing a full-time job and family (Ubell, 2005). They appeared motivated by goals such as "professional advancement, external expectations, the need to better serve others, social relationships, escape or stimulation, and pure interest in the subject (Howell, Williams, & Lindsay, 2003). Distance education served as an important instructional alternative that met the needs of this growing category of working students (Allen & Seaman, 2011; Barab, Thomas, & Merrill, 2001; Mangan,

2001), particularly with the growing acceptance of online programs and degrees by employers (Nance, 2007).

The next step for an academic capitalist regime to evolve has been for distance education to develop into a marketable asset or service that can serve as the basis for revenue-generating activities (Ubell, 2010). In the area of company-specific training, Adkins (2012) predicted that eLearning could reach \$27.2 billion by 2016. Where higher education could participate in this arena has been in using distance education to keep employees up-to-date with continuing education, certification, and licensing requirements. Since employees engage in distance education at their convenience, there would be little interference to company productivity. However, in order for any company-specific training program to be successful, these employees still require the foundational skill sets that would enable them to benefit from the instructional format (Jacobs, 2012).

Innovation in research and development. Under the policies prescribed by the Bayh-Dole Act, the academic capitalist regime arose in part to maximize the profitability of the research institution's intellectual properties secured by patents. Similarly, the policies contained in the amended copyright law provide incentives for colleges and universities to secure the copyrights to distance education products and services. As my study involved community colleges, this economic category focused on entrepreneurial activities associated with distance education assets. Currently, distance education has two primary Internet-based delivery systems: synchronous and asynchronous (Beldarrain, 2006; Hrastinksi, 2004). Both synchronous and asynchronous courses shared delivery through a course management system (CMS) such as Desire2Learn, Blackboard, and

WebCT (Arabasz, Pirani, & Fawcett, 2003), as well as open-source systems like Moodle and Sakai (Collins, 2009). The CMS served as a graphical user interface, much like an Internet browser, providing students with secured access to the instructional content and text-based communication tools such as chat rooms, email, and discussion boards (Beldarrain, 2006). Over the past several years, these products have “become extremely rich in their features, able to accommodate all sorts of non-traditional activities. They feature in-network blogging, portfolios, branched lessons, instant messaging, and research “scholar” elements, including RSS feeds (Lane, 2009). Structurally, CMS delivery systems support both objectivist and constructivist learning environments (Vrasidas, 2000), with the latter particularly favored in delivering corporate training (Ubell, 2010). Continued efforts to improve the CMS may lead to new strategies, capacities, and innovation in both the design and delivery of instruction that would raise the quality of the distance education experience (Lane, 2009). The growing reliance of the CMS in higher education was reported by Borja (2005) and Roach (2006) regarding Blackboard, Inc.’s purchase of rival WebCT for \$180 million. With 1,480 institutional customers, WebCT controlled 27 percent of the higher education market compared to Blackboard’s 54 percent of the online course management market. The acquisition gave Blackboard a dominant market position of higher education courses.

Source of business assistance. The public good regime served the public interest by providing unbiased and nonpartisan research (Slaughter & Rhoades, 2004). In terms of economic support, colleges and universities could provide assistance to the surrounding community through “workforce development, business assistance, and other forms of consultation” (Lane, 2012, p. 44). As an example, Gais and Wright (2012) noted how

policies adopted by the State University of New York (SUNY) permitted colleges and universities belonging to the system to provide a range of direct services to meet the needs of specific businesses and regions. Community colleges, in particular, were arguably situated much closer and were more responsive to the needs of the surrounding community. As noted above, relationships and networks established through advisory committees provided avenues of communication between the institution and community needs. One other mutually beneficial relationship between higher education and the private sector involved student internships. Student interns served as conduits through which the latest business technologies and research could be tested in a realistic work environment. Another mechanism with growing appeal has been the use of distance education technologies to offer web-based seminars or webinars that met specific business and educational needs.

Resources for community vitality. In this category, Gais and Wright (2012) discussed the social benefits imparted by the institution to the surrounding community. The authors noted how “universities provide cultural enrichment and recreational resources, serving as a hub for community and regional identity building” (p. 46). These activities involved identifying links that engaged campus stakeholders to those relevant to community stakeholders. The measure for successful institutional involvement in the community included increased resident satisfaction, rising property values, and the success rate for new business start-ups.

Shifting Academy Practices

The third component of academic capitalism theory considered how the academic capitalist regime might affect the academy practices represented by the public good

regime. Slaughter and Rhoades (2004) argued that the faculty's traditional role experienced an "unbundling" in response to the technological innovations pervading higher education. In particular, Desai, Hart, and Richards (2008) noted that once the emerging technologies associated with distance education are applied to teaching practices, all the other institutional subsystems are also affected. The literature review reported at least four major changes to academy practices associated with distance education.

Changing faculty roles. First, in distance education, faculty members no longer serve as the students' exclusive source of information and knowledge (Beaudoin, 1990). Using new pedagogical strategies, the student or learner moves to the center of the online learning process (Moore & Anderson, 2003). These strategies transformed the faculty member's role as disseminator to that of a facilitator between students and course resources (Kearsley, 1998, April 12). As a facilitator, the instructor engaged students with the course materials, encouraged discussion, and provided feedback while leading students towards achieving the desired learning outcomes (Beaudoin, 1990; Easton, 2003; Ryan, Carlton & Ali, 2004). In the future, Beldarrian (2006) suggested the emerging technologies might further shift the faculty's role to that of a "partner in learning" where instructor and students interact together in creating knowledge (p. 149) and acted more like colleagues (Easton, 2003; Ryan et al., 2004).

Faculty's role in course development. A second area of change involved a shift in the faculty's participation in creating courses and materials specifically designed for distance education. Many institutions committed to distance education adopted a system or team approach to creating online instruction in addition to policies governing

intellectual property rights of digital course materials (Kelly, Bonne, McMichaels, & Pomea, 2002). Initially, faculty members electing to teach online were “fully responsible for the design, development, delivery, and technical maintenance and support of their online course” (Schoenfeld-Tacher & Persichitte, 2001, p. 1). One of the early drawbacks to the “craft approach” (Moller et al., 2008) was the faculty’s lack of knowledge about the selected delivery system (asynchronous and synchronous), which in turn limited the breadth of the instructional options (e.g., interactivity and collaboration) used to engage students. These factors made online courses more labor-intensive and required greater dedication to be successful (Desai et al., 2008). However, institutions using a system-wide CMS have reduced the technological challenges with a uniform set of instructional tools. Slaughter and Rhoades (2004) suggested that what would be at stake for the public good regime might involve the loss of the faculty’s intuition, experience, and spontaneity in making the instructional content fit the limitations of the existing course management technologies. Despite the challenges associated with working alone, faculty members found that distance education offered intrinsic rewards and opportunities that outweighed the obstacles (Rockwell, Schauer, Fritz, & Marx, 1999).

In contrast to the craft approach, colleges and universities committed to distance education used the team approach comprising a collection of professionals who collaborated in developing online courses. In a study on the role of non-faculty participants in distance education, Ryan et al. (2004) reported that developing a web-based course has been a time-consuming task, taking approximately 300 hours to convert a traditional course to online, not including the additional time required for maintenance and revision. Another study reported that a minimum of one year was required for the

redesign of a three-credit course to online (Boettcher & Conrad, 1997). Moreover, courses delivered asynchronously involved a development time of 18-36 months. Finally, Ashburn (2006) reported that the average investment in developing an online course was approximately \$11,500, based on findings from an Eduventures, Inc. survey of 43 nonprofit institutions.

In addition to time and cost, a course conversion required an infrastructure of administrative and technical support to ensure faculty success. In addition to trainers and mentors, Ryan et al. (2004) noted that the faculty member worked with non-faculty professional such as instructional designers and technology specialists, who gave faculty a chance to evaluate course outcomes, content, assessments, supporting materials, and resources. Desai et al. (2008) argued that instructional design was one of the single most critical factors in successful online teaching and learning. Willis (n.d.) also noted that the instructional design process was essential in distance education because it provided a framework for systematically planning, developing, and adapting instruction based on identifiable learner needs and content requirements. Finally, Easton (2003) suggested that the faculty's role required "cross-functional teaming to provide a seamless integration for the student" (p. 90). Based on the studies above, Figure 2 identified the non-faculty professionals that might be involved in distance education course development.

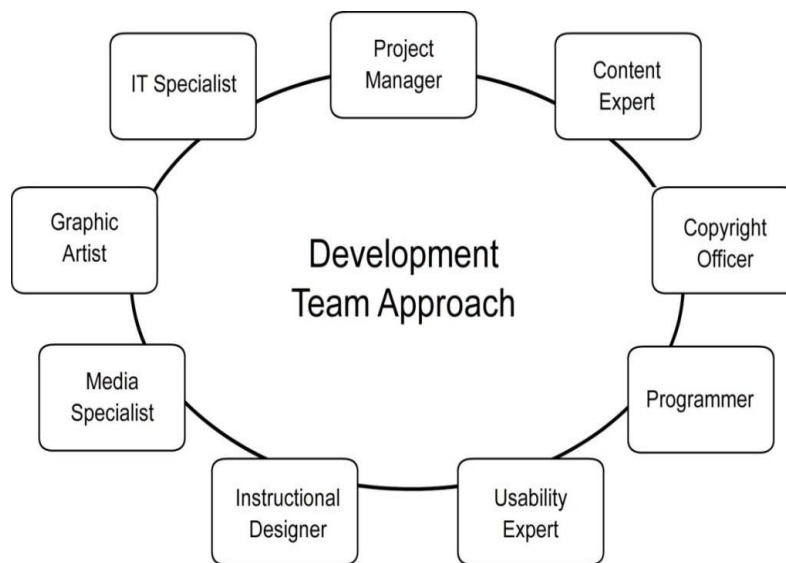


Figure 2.1. Model of a development team approach.

Adopting a team approach to assist faculty with online course development reflected the influence of the academic capitalist regime. First, the team approach shifted copyright ownership heavily in favor of the institution, since the faculty member's role has often been limited to that of a content expert. Second, the team approach offered a pragmatic, business-like solution to a technologically sophisticated, expensive, and time-consuming endeavor. Creating specialized divisions occupied by technical and instructional design professionals to develop distance education courses and materials tends to improve the overall instructional quality and consistency of the final product. Characteristics such as a common navigation system (Cairncross & Mannion, 2001), and incorporating high value design and production elements helped to create educational products that appeal to the incoming generation of "digital natives" (Palfrey & Gasser, 2008). Moreover, instructional design principles required institutions committed to distance education to regularly assess their instructional content to ensure the quality and value of their products to student needs (e.g., Dick, Carey, & Carey, 2005; Gagne,

Wager, Golas, & Keller, 2005; Park & Hannafin, 1993). Finally, the team approach was also reminiscent of the division of labor characteristic of an industrial enterprise by serving various departmental needs through mass production of instructional materials. Saba (2003) suggested that the organizational shift to a team approach in creating distance education materials as a return to an industrial paradigm where the institution used technology to reach a mass audience. Despite Slaughter and Rhoades' (2004) distinction between Fordist and non-Fordist models in describing the knowledge-based economy, when online courses and materials were viewed purely as products or assets, they were also readily susceptible to commodification, institutional branding, and marketing on a global basis.

Increasing reliance on non-tenured faculty. A third observed shift in the faculty's role involved relief from the day-to-day instructional and course management of the online course (Slaughter & Rhoades, 2004). The shift from instructor to facilitator, including the shift from charter to a team approach in online course development, also allowed many institutions to shift teaching duties from tenured-faculty to adjunct faculty or lecturers. Arguably, if properly designed, part-time faculty could serve as successful distance education course facilitators equally capable of engaging students while fulfilling the expectation and directives of the faculty who originally developed the course (Willis, n.d.). However, the choice in using part-time faculty appeared more deeply rooted in that academic capitalist regime's efforts to cut costs. Carnevale (2004) reported a high demand for part-time faculty as colleges and universities expanded their distance education programs. Using part-time faculty saved the institution money, particularly in light of declining state support and the cost to convert a traditional course

for delivery online. Schneider (2004) also observed that the average salary of a full-time faculty member at a public community college was only about 40 percent as much compared to using adjunct faculty teaching the same course load. The author further noted that when the institution calculated health insurance, retirement, and social security, it cost only about 33 percent to use adjunct faculty. Furthermore, using adjuncts fill the gap where tenured faculty members were reluctant to teach an online course (Easton, 2003). However, in opposition to the increased reliance on part-time faculty, faculty unions argued that participation of so many part-time instructors and limits on permanent teaching positions would diminish the quality of distance education (Slaughter & Rhoades, 2004).

Academic freedom and conflicts of interest. Academic freedom lies at the core of the public good regime and traditional academy practices. However, the academic capitalist regime challenged academic freedom on multiple fronts. As noted above, the academic capitalist regime sought ownership of faculty-generated intellectual property through policy incentives that took corporeal form in the team approach to distance education course and program development. Moreover, the same policies and institutional structures that supported the growth of distance education in the first instance also resulted in unintended consequences such as those associated with the civil and criminal penalties imposed by the DMCA (von Lohmann, 2010).

The technologies that allowed faculty members and students to operate separately also gave rise to disputes when faculty members used the same technologies to work outside the contractual confines of their institution. Faculty members working at prestigious educational institution often received lucrative consulting and publication

opportunities (Alger, 2001). Just as with the instructional materials generated for their own course, the faculty's so called "outside work" received broad protection by tradition, judicial exception, and the principles of academic freedom. Moreover, these works contributed to the public good regime by expanding knowledge beyond the institution's formal boundaries. However, the academic capitalist regime might challenge the faculty member's academic freedom to engage in outside work where that work directly competed with the institution.

In a well-publicized case occurring in 1999, Harvard University questioned the outside work of Professor Arthur Miller, one of Harvard Law School's widely recognized faculty members. Professor Miller videotaped a series of lectures on civil procedure for Concord University School of Law, an online school affiliated with Kaplan Educational Centers (Marcus, 1999). The taping took place during the summer months and other than his appearance in the recordings, Professor Miller had no contact with the students attending the online course. At the time Professor Miller created the videotapes, Harvard University had already pursued its own web-based distance education programs. From the perspective of the public good regime, Professor Miller's video recordings were arguably no different from his publications, consulting work, and appearances on public television. The academic capitalist regime might agree that Professor Miller owned his course materials, even allowing him to take his materials with him should he decide to teach at another law school. However, Professor Miller's actions as an employee of Harvard University created a potential conflict of interest when he offered services to Concord in direct competition with the educational services provided by Harvard Law School. The threat of lawsuits for breach of employment agreement or conflicts of

interest, and the consequences of negative media reporting on a faculty member's academic reputation has a potential chilling effect on the faculty's participation in outside work. This controversy provided another opportunity for colleges and universities to reconsider their policies governing intellectual property rights in the digital age (e.g., Young, 2000).

Serving diverse student populations. Traditional students enter higher education on a full-time basis shortly after graduating from high school, usually between 18 to 22 years of age (Eaton, 2003). Unlike their predecessors, the present generation of traditional college students, sometimes referred to as "Millennials," are "interested in small modules and short programs . . . and in learning that can be done at home and fitted around work, family, and social obligations" (Bates, 2005, p. 5). For this population, multi-tasking and staying connected had become a way of life (Palfrey & Gasser, 2008). Callahan (2003) projected that the largest enrollment of Millennials in higher education would occur in 2009. The timing roughly coincided with the recession of 2008, possibly resulting in more Millennials entering higher education due to poor prospects in the job market.

There was also a growing number of non-traditional students described above, returning to higher education (Diaz, 2002, pp. 1-2). As more employers began accepting online degrees (Nance, 2007), distance education became the choice for non-traditional students seeking to integrate education with the demands of work and family (cf. Carnevale, 2007). Finally, since non-traditional students comprised an increasingly larger percentage of enrollments (Allen & Seaman, 2011), many colleges and universities turned to distance education as a solution for sustaining growth (Moller et al., 2008).

Summary

Academic capitalism theory described in broad strokes the policies, networks, and academy practices that encouraged colleges and universities to engage in revenue-oriented and market-like behaviors. The first prong of an academic capitalism analysis involved identifying specific policies that permitted the institution to engage in entrepreneurial and market-like behaviors. The Bayh-Dole Act heavily influenced research institutions to engage in revenue-generating activities after allowing them to obtain the patent rights to the inventions derived from federally funded research (Blumenstyk, 2012a). Slaughter and Rhoades (2004) predicted that the second wave of institutional entrepreneurship might rely on the copyright law, as amended, to acquire ownership rights to faculty-generated intellectual property incorporated into distance education courses and related services.

Once the institution secured copyright ownership, the second prong of academic capitalism theory predicted that interstitial organizations and networks would arise to assist the institution in developing distance education products and services into marketable assets. Under the Bayh-Dole Act, these entities included partnerships, non-profits, and start-up companies that connect the institution to governmental or for-profit interests. One of the questions addressed by my study was whether the economic benefits derived from these intermediary relationships would also appear with respect to the distance education activities at the respective community colleges. The analysis also considered the forces that might encourage the presence of these entities.

The final prong of academic capitalism theory examined shifts in academy practices. These shifts included changing pedagogical practices from traditional to online

learning environments, increased use of adjunct and part-time faculty to expand online opportunities and to cut costs (Carnevale, 2004), as well as addressing the needs of a diverse student population (Allen & Seaman, 2011). Shifts in academy practices also included changes in faculty attitude towards distance education (Johnsrud, Harada, & Tabata, 2005) and the availability of faculty support in using the new course management systems and integrating technology into traditional and online instruction.

Although academic capitalism theory suggested that the public good regime and the academic capitalist regime were in opposition to one another, Slaughter and Rhoades (2004) remained optimistic, stating that the two regimes could maximize “the privilege of not-for-profit status while at the same time entering the private sector marketplace” (p. 306). In the new normal of the 21st century (Johnstone, 2012), the strengths of both regimes could unite in transforming distance education into a quality educational option as well as serve as an economic function that benefitted local, state, and national economies (Lane, 2012).

The literature review tended to support the continued application of academic capitalism theory as a framework for analyzing whether the public good regime or the academic capitalist regime dominated distance education activities at the selected community colleges. The literature analyzed specific activities under each prong for evidence of one regime or the other. These activities, in turn, were important criteria for analyzing distance education at each campus.

Chapter 3: Methodology

The purpose of my study was to identify the economic, political, and social forces that shaped the role of distance education under an academic capitalism theoretical framework. The study examined the data collected from two community colleges from a larger, statewide community college system. I selected these two community colleges based on their two decades experience and expertise in various distance education technologies (Johnsrud et al., 2005) and based on the number of distance education opportunities made available to students. The two community colleges are also engaged in researching emerging technologies (e.g., mobile devices) to evaluate their potential in delivering instruction. The research methods described in this chapter guided the collection, analysis, and the interpretation of the data. This chapter covered the following topics: theoretical framework, research design, data collection, and data analysis.

Theoretical Framework

A theoretical framework provides a “system of concepts, assumptions, expectations, beliefs, and theories that supports and informs [the] research” (Merriam, 2009, p. 66). My study relied on academic capitalism theory as a framework for analyzing the policy incentives, organizational changes, and faculty responses to distance education as these opportunities develop and evolve within institutions of higher education. The three major premises (policies, organizations and networks, and shifts in academy practices) of this theoretical framework served to organize the literature review.

At the outset, a number of researchers criticized the growing presence of an income generating, entrepreneurial mindset pervading higher education. Provocative labels such as “leasing the ivory tower” (Soley, 1995), “capitalizing knowledge”

(Etzkowitz, Webster, & Healy, 1998), and “the commercialization of higher education” (Bok, 2003) have been used to describe the shift in institutional priorities. At the forefront of the debate were Slaughter and Rhoades (2004), who expanded the earlier work by Slaughter and Leslie (1997). The earlier work focused on the “market and market-like behaviors on the part of universities and faculty,” in response to the new economy (p. 11). In describing their revised theory, Slaughter and Rhoades (2014) refocused attention on the influence of four important features of the new economy and how these features influence every aspect of higher education. First, the authors described the new economy as global in nature given the growth of the Internet and World Wide Web, and the incorporation of technology in education. Second, they viewed knowledge as “a critical raw material to be mined and extracted from any unprotected site; patented, copyrighted, trademarked, or held as a trade secret; then sold in the marketplace for a profit” (p. 4). Third, they described the new economy as non-Fordist, which indicated that it did not rely on mass production processes to the same degree as an industrial economy. Finally, they argued that the objective of higher education has been to produce educated workers and technology-savvy consumers. In turn, these characteristics became the normative values driving colleges and universities to adopt organizational strategies that permitted them to pursue and maximize entrepreneurial opportunities offered by the new economy.

Slaughter and Rhoades’ (2004) research on academic capitalism theory relied largely on studies involving four-year research institutions that benefitted from the policy “inducements” (McDonnell & Elmore, 1987, pp. 138-139) under the Bayh-Dole Act. In turn, these inducements led colleges and universities to organize in ways that profited from faculty-generated intellectual property later and opened the door for additional

structural changes that emphasized revenue-generating activities based on students as captive consumers. The authors next tested their framework against the policy inducements contained in the amended copyright law, which Congress adopted only two years before they published their seminal work. Their analysis focused on distance education as a source of faculty-generated intellectual property that the institution could secure through copyright ownership. In the conclusion of their presentation, the authors offered predictions on the subsequent impact distance education might have on traditional academy practices.

The area of the academic capitalism framework focused on workforce development, in particular, could benefit from further elucidation by employing a secondary theoretical framework that considers the role of colleges and universities as economic drivers at the local and state level. Lane (2012) described the diverse and growing role of higher education institutions in local and regional economic development, while Jacobs (2012) addressed the specific role that community colleges played in offering technical education, entrepreneurial training, developing local incubators for industry, and engaging in applied research projects with local businesses and industries. Gais and Wright (2012) examined these networks of activities and organized them into five categories based on the institution's role as: (1) an economic unit, (2) developers of human capital, (3) engines of innovation in research and development, (4) sources of business assistance, and (5) resources for community vitality. This framework helped to reveal the possible interstitial organizations, networks, and partnerships that might connect the selected research sites to governmental, community, and private interests.

Linking theory to research design. As noted above, academic capitalism theory provided the overarching framework for my study (Walcott, 2009). Linking my theoretical framework to the data collection and data analysis process is illustrated in Figure 3.1. This process involved a deductive, constructivist approach that relied on an examination of pre-existing data, personal observations, and on interviews across a broad cross-section of participants directly and indirectly related to the research sites (Merriam, 2009; Yin, 1989).

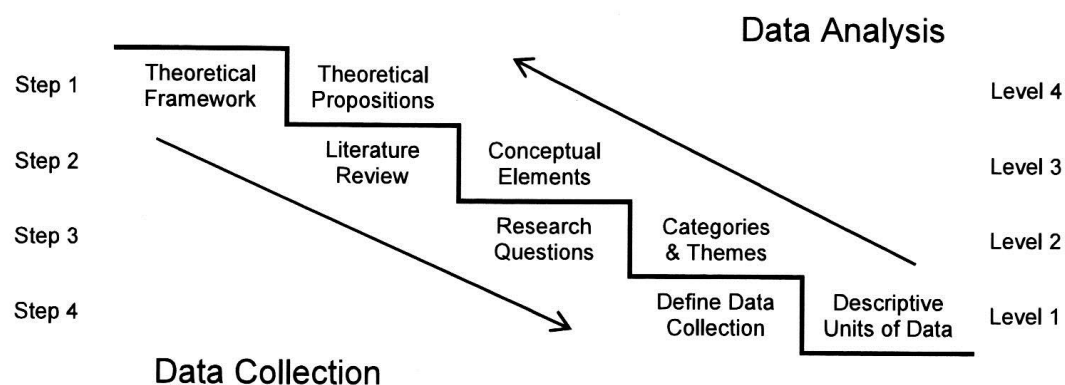


Figure 3.1. Linking theory to data collection and data analysis.

In the first phase, Steps one through four on the left side of the diagram described the top-to-bottom approach I used to link the abstract propositions of academic capitalism theory to the concrete results from my data collection. Step one involved identifying the general propositions of academic capitalism theory: (1) policies, (2) interstitial organizations and networks, and (3) shifts in academy practices (Slaughter & Rhoades, 2004). These propositions framed my literature review in Step two, which focused on deconstructing the theoretical propositions into the major conceptual elements of the academic capitalist regime. The typology on community engagement offered by Gais and Wright (2012) provided additional guidance in this effort. The dynamics of these

conceptual elements surrounding distance education in community college settings shaped my research questions in Step three (see Appendix B). Finally, in Step four, my research questions informed the scope or sphere of my data collection to ensure that the results of the investigation would yield data that were both relevant and responsive to my study. Overall, working through Steps one to four helped in developing a comprehensive list of interview questions designed to elicit responses from specific institutional stakeholders based on their unique perspectives and attitudes (see Appendix C).

In the second phase, Levels one through four on the right side of the scaffold described the bottom-to-top approach used to guide the data analysis. This process involved moving from the concrete or descriptive units of data up the scaffold to the abstract propositions of my theoretical framework. Level one dealt with coding the specific elements or chunks of information with descriptive terms. Next, in Level two, I organized the descriptive terms into broader categories and themes derived from my research questions. At Level three, I refined my categories and themes into the conceptual elements that defined the academic capitalist regime. Finally, at Level four, I returned to the broad propositions of academic capitalism theory to determine the extent to which the elements of academic capitalist regime were present within the contexts of the selected research sites. Moving up and down, and across the scaffold involved a reiterative process that required the constant comparison of existing data with newly acquired data at each step. As Merriam (2009) suggested, “Data that have been analyzed while being collected are both parsimonious and illuminating” (p. 171). Consequently, the overall process permitted me to refine my data collection simultaneously with my data analysis.

Research Design

Case study approach. My study employed an interpretive qualitative research approach (Merriam, 2009), which focused on participants' sense making about the phenomenon of interest in the study. Case studies were the preferred strategy of investigations when "how" or "why" questions were being posed, when the investigator has little control over events, and when the focus was on a contemporary phenomenon within some real-life context (Yin, 1994, p. 1). The researcher explored a bounded system (a case) or multiple bounded systems (cases) over time, through detailed, in-depth data collection involving multiple sources of information, and reports a case description and case-based themes (Creswell, 2007). In turn, a bounded system involved "a choice of what is to be studied," one where there were boundaries that fence in the phenomenon of the study. Unless the phenomenon was intrinsically bound, it would not be a case.

Yin (1994) described the case study as having the following characteristics: (1) complex social phenomena were studied, (2) relevant behaviors cannot be manipulated, (3) a contemporary phenomenon was investigated with its real life context, (4) boundaries between phenomenon and context were not evident; and (5) multiple sources of evidence were used. Analysis of the separate sources provided a unique lens for "systematically searching and arranging the interview transcripts, fieldnotes, and other materials that you accumulate to increase your own understanding of them and to enable you to present what you have discovered to others" (Bogden & Biklen, 1998, p. 157).

My study involved two research sites. By focusing on the distance education activities at the respective sites, each site represented a purposeful sample (Merriam, 2009). Data collection involved using a multiple case study design (Merriam, 2009). A

multiple case study has two stages of analysis: a “within-case analysis” and a “cross-case analysis” (p. 204; Creswell, 2007). In the within-case analysis phase, each institution represented a comprehensive case in and of itself.

The within-case analysis involved collecting testimonial and documentary data in order to construct a portrait of each campus. This phase included semi-structured interviews of four to five faculty, administrators, and staff members who possess institutional knowledge of the early decisions and strategies that led to the present distance education activities at each campus. The qualitative technique of “snowballing” or “network sampling” helped to locate participants for my study (Merriam, 2009). Each interview took approximately 60 to 90 minutes and was recorded, subject to the consent of the interviewee. When the interviewee declined to be recorded, I took detailed notes on a laptop computer that tracked my interview questions. I assigned each transcript of the audio recording a unique campus code number to ensure the anonymity of each interviewee. Following the representations in my consent form (Appendix A), I deleted all audio recordings after I prepared and reviewed the transcripts. A discourse analysis might aid in focusing on the language of the stories and recollections (i.e., the recorded text) shared by participants during the course of the interviews (Fairclough, 2003).

Data collection during this phase also included documentary data from publicly available sources. This category encompassed collective bargaining agreements, executive policies, employment contracts, strategic plans, and institutional policies regarding copyrights and intellectual property rights. A legal analysis of the documentary data helped identify relationships within the institutional organization. After I completed a portrait of each campus, the study shifted to a cross-case analysis to find explanations

that fit the individual cases (Merriam, 2009). The objective of this phase was to identify common themes or categories that would aid in building a general explanation that fit the respective cases.

Credibility and trustworthiness of the findings. My study involved multiple data sources from each campus. Merriam (2009) described a number of qualitative strategies to assure data trustworthiness so the findings were credible and the results verified. First, Merriam (2009) referred to the constant comparative method of data analysis, which involved comparing data from each source with another to determine similarities and differences. A second qualitative strategy, commonly known as data triangulation, involved confirming the emerging findings from the data collected. Thirdly, Merriam (2009) called for a “rich, thick description” about the processes that shaped the study. This included a description of the data sources, the data collection methods, and the findings in the participants’ own words. A rich, thick description would also allow the reader to determine how closely the situation found in the study matched their own experience and whether the findings were transferable.

The intent underlying the chosen data sources was to identify information that would help me understand the case in a comprehensive manner. The data collected pointed me to concepts, hypotheses, or theories about each campus’ distance education policies and long-range plans. Understandably, replication of a qualitative study would not yield the same results. “The more important function for a study conducted through interpretive methods is *whether the results are consistent with the data collected*” (Merriam, 2009, p. 221, italics in original). Therefore, rather than striving for an objective sense of “dependability” or “consistency,” my goals were to have the audience

affirm, “given the data collected, the results make sense” (Merriam, 2009, p. 221).

Legal analysis. My study relied on a legal analysis of the relevant document data collected. First, the analysis began with a review of the applicable federal legislation and judicial decisions to establish a context for the organizational changes Slaughter and Rhoades (2004) predicted would occur as distance education took on a more significant role as an instructional medium. Second, the study examined contractual documents related to faculty and non-faculty employment, “works made for hire,” and “within the scope of employment,” to identify the underlying policy interests served in connection with the creation of distance education courses and materials. Both categories called for a legal analysis that guided the interpretation of the documents, testimony, and other artifacts collected during the course of the study.

My study employed legal research methods in examining primary and secondary legal sources to examine the federal copyright law (Cohen & Berring, 1983). The primary sources in my study included provisions of the U. S. Constitution, federal statutes, administrative rules, and court decisions related to copyrights (Russo, 1996). In analyzing the federal copyright law, the study relied on applicable rules of statutory construction to interpret the relevant legislative provisions. For example, where the separate provisions of the copyright law addressed the same topic, they were in *pari materia* to one another, meaning that the separate provisions may be construed in reference to one another (Schmedemann & Kunz, 1999).

The secondary sources reviewed included a broad category of scholarly legal writings such as law reviews, journal articles, and legal treatises that analyzed the

primary sources. According to Elias and Levinkind (2007), secondary sources represented current informational data:

[B]ecause the law is always developing and changing, legal professionals are constantly analyzing its evolution. [You] can find articles about new legislation, current legal theories and viewpoints and important cases in law journals published by law schools, commercial publishers, and professional legal societies such as bar associations. (p. 75)

The secondary sources do not constitute law per se, but offered alternative interpretations, criticisms, and commentary on the statutory requirements and judicial decisions rendered under the Copyright Act (e.g., Nemire, 2007), the CTEA and DMCA (e.g., Band, 1998; Nemire, 2007), and the TEACH Act (e.g., Carter, 2007; Crews, 2002; DiRamio & Kops, 2004; Hildebrand & Klosek, 2003; and Schuler, 2003). The examination also included secondary sources that addressed “best practices” regarding compliance issues in distance learning.

Finally, the study utilized online legal databases such as Lexis/Nexis, Westlaw, Findlaw, as well as Public Library of Law, a free online legal information source (Ebbinghouse, 2008). In addition, information available from government websites, such as the U. S. Copyright Office website, also contributed to my data collection and analysis.

Policy analysis. My study had two levels of policy analysis. Under an academic capitalism theoretical framework, national policymakers relied on the amended copyright law as a primary mechanism for shaping distance education policies (Slaughter & Rhoades, 2004). A policy analysis of the copyright law revealed the competing interests faced by national policymakers in response to the emerging technologies that made

distance education possible. Once these policies were codified as federal statutes, institutions of higher education responded by using their own internal processes for deciding how best to implement the law. My study attempted to collect data that reflected the early decisions that led to the present institutional policies governing distance education. In examining the copyright law, my study relied on the analytical framework described in Heck (2004), presented in Figure 3.2, for studying policy decisions.

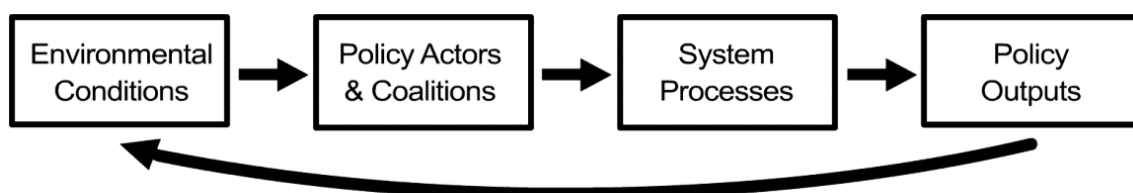


Figure 3.2. Analytical framework for the policy development process.

Applying this framework involved four major steps, each with multiple levels. First, environmental conditions served as a catalyst for initiating policy activity by creating a conflict within the existing stability or state of equilibrium (Heck, 2004). Examples included the U. S. Supreme Court's 1954 decision in *Brown v. Board of Education*, the 1957 launch of Sputnik, and the 1983 publication of "A Nation At Risk." Each event, in their respective ways, "crystallized" the debate on cultural values leading to educational reform (p. 9). As Heck (2004) noted, the policy problems that arose from these events were "public in nature, consequential, complex, dominated by uncertainty, and affected by disagreement about the goals to be pursued" (p. 66).

Second, policy actors sought information about policy issues and devised strategies with others holding similar beliefs. These policy actors formed policy coalitions that collaborated in translating policy goals into concrete collective actions (Heck, 2004). These actors may vary depending on the nature of the environmental

conditions or event. For example, in describing the reform movement over school governance in Chicago, Heck (2004) discussed how policy actors such as parents, business interests, community organizations, and political leaders formed coalitions to take control over the public school system's educational agenda in order to improve student outcomes. However, not all policy actors were equally positioned in policy decision-making. Heck (2004), for example, organized policy actors into the following categories based on their ability to influence the policymaking process: insiders, near circles, far circles, sometime players, and forgotten players (see also, Marshall, Mitchell, & Wirt, 1989). Consequently, individual policy actors might find it advantageous to join coalitions in bringing the issue or problem to the attention of a governmental decision-making domain (i.e., system processes).

Third, system processes then refer issues and problems to governmental units with formal decision-making authority (Heck, 2004). Since my study examined how the copyright law affected distance education, it may be worth noting that the U. S. Constitution granted Congress the authority to regulate copyrights. Under our federalist system of government, policy actors have multiple points of entry, with the legislative domain being the most accessible to the public. Participants in the policy development process might include various policy actors, coalitions, and governmental subsystems. Notably, governmental subsystems, such as Congressional subcommittees, were particularly instrumental in defining and redefining the policy issues for decision within a particular domain. Since access to these subsystems has been highly competitive, only those issues that have system or coalition support tended to reach the system's decision-making agenda.

Finally, system level decision-making resulted in policy outcomes and outputs that were unique to each governmental domain. In the context of copyrights, the Constitution authorized Congress to enact, amend, or repeal laws. Notably, the policies codified as federal statutes “may set directions and provide a framework for change, but they do not determine the outcomes directly” (Heck, 2004, p. 72). Arguably, the policy outcomes may be subject to further interpretation, giving rise to unforeseen consequences or confusion over implementation and compliance. Consequently, policy outcomes could serve as environmental conditions that trigger another round of activity through the policy development process.

Limitations. Several limitations should be noted. First, the copyright law has been ever changing through the process of enactment, amendment, or repeal. Likewise online documentary resources may be subject to revision or removal without notice. Therefore, my analysis was primarily descriptive and interpretive and was limited to the legal and documentary resources available at the time the study was conducted. A second and related issue was the unavailability of campus stakeholders possessing institutional knowledge of distance education’ evolution at the respective research sites due to retirement or moving out of state. Third, Slaughter and Rhoades (2004) argued that the Bayh-Dole Act permitted research institutions to acquire patent rights to the inventions derived from federally funded research. Securing these patent rights contributed to the observed organizational changes that encompassed entrepreneurial and market-like behaviors at the colleges and universities they studied. As far as I could determine, the community colleges selected for my study have not engaged in federally funded research that would lead to patents. Historically, that has not been the primary function of the

community colleges educational mission in the State. Consequently, my study focused on identifying the forces influencing the development and expansion of the distance education activities observed at each campus based on the incentives afforded by the copyright law and other forces affecting higher education.

Role of the researcher. In this qualitative study, I served as the primary research instrument for data collection and analysis (Merriam, 2009). According to Lincoln and Guba (1985), humans are the “instrument of choice” for naturalistic inquiry because of their ability to collect information at multiple levels concurrently and perceive situations holistically (p. 193). Humans can also process data as soon as it becomes available, provide immediate feedback, ask for data verification, and can explore unexpected or unusual responses. However, humans bring their values, perspectives, and experiences into the study by shaping the lens through which the researcher collected, analyzed, and interpreted the data. Consequently, Jones, Torres, and Arminio, (2006) explained, “every decision a researcher makes influences the process and outcome of a particular study” (p. 185). Disclosing these biases, dispositions, and assumptions would permit the reader to understand how the researcher might have arrived at the particular interpretation of the data. Merriam (2009) labeled this practice as “researcher’s position” or “reflexivity” (p. 219).

Following the practice of reflexivity, I want readers to know how my earlier experience in the educational technology program and as a legislative staff researcher shaped my interest in the subject of my study. My continued interest in the design and development of multimedia instruction, learning objects (Wiley, 2001), and other digital instructional resources led me to explore copyright issues as part of the project

management process. By its nature, multimedia involved a combination of instructional content in various media formats (Najjar, 1996) any one of which could be protected by a copyright. To address this concern, I explored the existing federal copyright laws (the Copyright Act, CTEA, DMCA, and the TEACH Act) as part of a directed study during the fall 2005 semester. My legislative experience helped me to navigate the complex framework of the copyright law and to research issues involving statutory construction and interpretation.

My interest in distance education continued as a doctoral student in the educational policy studies program, which focused on the processes involved in policy development and implementation. In 2008, when I first entered the doctoral program, Congress reauthorized the Higher Education Opportunities Act (HEOA) (Public Law 89-329, 1965), which renewed in part the call for colleges and universities across the country to adopt copyright policies. Passage of the HEOA led me to join the University Community College Distance Learning (DL) Committee's efforts as an invited participant where I could apply my earlier copyright research experience in addressing the HEOA copyright requirements as part of a comprehensive community college distance education policy.

My role in this study was both emic and etic. My role was emic as a former student of the first community college involved in the study and through my relationships and access to instructors and administrators at that campus. Some of those relationships have grown since I was accepted into the educational policy studies program and by my growing interest in higher education. I am hopeful that my study would result in information that the DL Committee could use in harmonizing the competing interests of

both the public good regime and academic capitalist regime in serving student and community needs. My role was also etic since I did not have contact or access to faculty or administrators at the second community college. However, interviews conducted at my former community college provided leads to stakeholders in the second community college using the strategy Merriam (2009) referred to as “snowball, chain, or network sampling” (p. 78).

Throughout the study, I remained conscious of my ethical responsibilities to protect the privacy and confidentiality of my interviewees, as well as to ensure that the community colleges involved in my study were neither exploited nor harmed (Jones et al., 2006). At the start of every interview, I reviewed my consent form with each interviewee and informed them that they could withdraw from the study at any time.

Data Collection

The academic capitalism theoretical framework used in my study guided the data collection process. Applying an existing framework involved a deductive, constructivist approach that relied on an examination of pre-existing data, personal observations, and interviews across a broad cross-section of participants directly and indirectly related to the research sites. This section describes the data sources and collection process.

Website data. My data collection process began by perusing each campus’ website for content including the institution’s mission statement, general course catalog, online course listing, Career and Technical Education (CTE) courses, non-credit programs, personal enrichment (lifelong learning) courses, and student services and activities (Cooper & Burns, 2007; Packard, 2002). The respective websites also made mission statements, strategic plans, accreditation reports, institutional policies, and

campus' governance structure publicly available. As a medium for marketing, each campus' website described exemplary and award winning programs as well as audio-visual material on the web containing highlights of various campus programs, activities, and events. Additionally, the movement towards globalization might find these websites also serving an increasing number of international students interested in entering higher education through the community colleges. My experience with institutional websites as data sources paralleled the observations made by Creswell (2007), who noted the major advantage was the savings in time and expense related to collecting documents and reports directly from administrative sources. The disadvantage with website data has been its transitory nature, lending itself to change or removal without notice.

Institutional documents. As noted above, the campus websites made a great deal of documentary data publicly accessible. In addition, a number of interviews directed me to printed documentary information, such as course catalogs, program brochures, and a broad category of related resources. For example, one of the administrators I hoped to interview was not available, but was able to direct me to system-level financial and enrollment data that encompassed the entire community college system.

Non-participant observations. Qualitative data collection was defined as “the process of gathering open-ended, firsthand information by observing people and places at a research site” (Creswell, 2007, p. 221). My data collection process included non-participant observations made while physically touring each campus at least three times during the spring 2014 term. I visited various CTE offices, the library, computer labs, bookstore, and cafeteria. I also examined the student newspaper for news, special events, and advertisements directed at students. The student bulletin board was particularly

insightful with job postings, housing opportunities, and student activities. I also drove through the surrounding neighborhoods and found a combination of residential, urban, agricultural, and commercial activities. I recorded my observations in a notebook, which I later transcribed into my research journal. My observations permitted me to experience the respective campuses from the stakeholder's point of view.

Personal interviews. Case studies often rely on input from many participants to develop multiple perspective of the same phenomenon. After obtaining Institutional Review Board approval on November 7, 2013, I searched for potential interviewees by first focusing on the interstitial networks and organizations that bridged the academic and business communities described by Slaughter and Rhoades (2004). This step involved an online search of business and professional organizations representing the communities surrounding the respective research sites. For Campus 1, I identified two business organizations. When attempts to contact the first organization by telephone failed, I contacted a small business owner in the community who informed me that the organization never fully materialized. During the course of my conversation, this individual consented to being interviewed. The second professional organization was still active in the community. I attempted to contact organization leaders first by telephone. Both believed there was no actual connection between the organization and the institution, referring to an exchange of membership. However, both leaders believed that the institution provided an economic benefit to the community. Although I scheduled interviews with these individuals, they never materialized. My emails to other Campus 1 administrators and staff also went unanswered. Ultimately, I was able to interview two faculty members, one administrator, two students, in addition to a small business owner

and resident from the surrounding neighborhood. Each offered information about Campus 1 from their unique perspective.

For Campus 2, my online search and telephone call revealed that the organization closest to the institution became inactive sometime after 2008, but its website was still accessible online. The organization's website contained a membership list that identified six Campus 2 faculty members. Based on the campus directory, I learned that two faculty members were still working at Campus 2 in spring 2014. I emailed both faculty members who, despite their extremely busy schedules, graciously consented to being interviewed. The interview sessions "snowballed" into leads of potential interviewees that could offer different perspectives regarding the forces impacting the campus (Merriam, 2009, p. 78). I was particularly interested in faculty from the Business Department under the assumption that they were most active in networking with the business community under the typology described by Gais and Wright (2012). The early interviews provided leads to potential interviewees among other faculty and administrators involved in distance education. I emailed each prospective interviewee and explained my dissertation topic and research questions as part of my broader efforts to complete my studies in the Education Policy program. In total, I interviewed two faculty members, a senior counselor, a senior administrator, two technologists, and a Campus 2 graduate now attending the University.

A constructivist inquiry emphasized the importance of each interviewee's personal views within the context of the respective research sites and the personal meaning they give to their environment (Creswell, 2007). In order to reveal different views and voices, I interviewed representatives from various stakeholder groups (faculty,

administrators, technology support, instructional designers, past and present students, business owners, and community members) associated with the respective research sites. My goal at this stage was to identify individuals who might help me confirm the presence of an academic capitalist regime, describe the level of institutional engagement with the surrounding community, and the extent to which revenue-generating objectives influenced decision-making at their respective campuses. My interviews were based on semi-structured, open-ended questions based on the theoretical framework of the academic capitalist regime, the typology of institutional priorities as economic drivers, and from elements from my literature review, discussed in the next section.

In preparing for my interviews, I created a master outline of questions based on my theoretical framework and literature review (Appendix B). I kept my questions focused based on my initial assessment of each interviewee's area of personal knowledge and experiences regarding the respective research sites. I also kept my questions focused because I attempted to keep each interview less than an hour in duration, although some interviewees gave me as much time as I needed. The interviews lasted between 50 and 75 minutes. Interviews of campus stakeholders took place at their respective campuses. Interviews of graduates and community members took place at mutually agreed upon sites. My legal background provided me with experience in using different interviewing techniques depending on the circumstances of each case. At an initial meeting, open-ended questions and active listening were appropriate strategies to collect information, as well as to establish trust and rapport. I consciously avoided asking leading questions, although a few slipped in during my interviews for purposes of clarification. Throughout, my goal was to capture my interviewees' perspectives and insights.

Data Analysis

Transcription. The first order of my data analysis involved transcribing each interview as soon as my schedule permitted. Transcribing each interview myself gave me an intimate sense of what the interviewee said and how it was said. I gave each transcript a distinct identification number to ensure the anonymity of the interviewee. As each transcript was completed, I placed a printed copy into a three-ringed binder for easy access and review in refining my questions for the next interview and subsequent analysis.

Coding for Themes. Level one coding involved organizing my transcript data into manageable sections that would help me answer my research questions. I began organizing my transcript data after completing all the interviews for one of my research sites. I created a three-column table in a Microsoft Word document. Column 1 contained a distinct identification number assigned to each interviewee. Column 2 contained sections of transcripts separated into distinct chunks of information by rows. Column 3 was reserved for my initial codes (Level 1 codes) that described the essential idea or concept conveyed by each piece of information (see Appendix C, Figure C1). Where the transcript section discussed two or more concepts, I duplicated the row and assigned an appropriate Level 1 code to the new Column 3 cell. At this stage, I avoided over analyzing each piece of information during my first pass through the transcripts.

I next proceeded to Level 2 coding. At this stage, I began forming concepts or categories from my Level 1 codes. I began by adding a fourth column to my transcript table. By reviewing my alphabetized sort of Level 1 codes (from Column 3), certain patterns began to emerge that described my Level 2 codes (in Column 4). After

completing my Level 2 coding, I ran a sort giving priority to my Level 2 codes, then to my Level 1 codes (see Appendix C, Figure C2). Again, where the Level 2 codes reflected the same concepts, I consolidated the codes and made parallel corrections in Column 4 of my transcript table. I then ran a second sort of my transcript table again giving priority to Level 2 codes, then Level 1 codes. This procedure helped me to organize the transcript data by placing all the similarly coded testimony in one section of the table. Throughout the Level 1 and Level 2 coding process, I inserted marginal notes and comments alongside by transcript data to aid me in the subsequent analysis.

My Level 3 coding, also referred to as “focus coding,” involved identifying the themes or categories that emerged from the Level 2 coding process. The Level 3 codes came from two thematic sources. The first source involved themes that emerged from my literature review, such as the increasing use of adjunct faculty as a cost-cutting measure and faculty control and ownership of online courses and related materials. The second source involved themes derived from the typology described by Gais and Wright (2012) in assessing an institution’s role as an economic driver with respect to the surrounding communities (see Appendix C, Figure C3). The Level 3 codes connected the descriptive codes in Level 1 and concepts in Level 2 to the Level 4 codes derived from the three broad theoretical elements underlying the academic capitalism regime: (1) policies, (2) interstitial organizations and networks, and (3) shifts in academic practices (Appendix C, Figure C4).

The process involved coding each level in its entirety before proceeding to the next level, allowing me to organize my transcript data into four levels of analysis. For example, a descriptive Level 1 code such as “Institutional Ownership” led to the

conceptual Level 2 code of “Institutional Policies,” which gave way to the categorical Level 3 code of “Federal Copyright Policies,” under the broad theme of “Policies” under the academic capitalism framework (Appendix C, Table 1). I followed the same procedure in organizing my transcript data from the second campus into a separate transcript table. Notably, when I initiated my Level 1 coding, I had the benefit of my code list from organizing the first campus transcripts as a guide. However, where new codes arose during the coding process, I added them to the list at the appropriate coding level. I next assessed how the new codes from the second campus transcripts compared to the codes from the first campus transcripts. I kept codes representing new concepts, while I removed redundant or overlapping codes from the code list. At the end of the process, I had two transcript tables, one for each research site, as well as a master list of codes organized into four levels.

In total, I completed 13 interviews, six from Campus 1 and seven from Campus 2. Certain concepts and themes began repeating themselves as I proceeded through the several interviews. Merriam (2009) referred to this point in the data collection process as “saturation of categories” (p. 171). For example, four out of the five Campus 2 interviewees expressed the similar perspectives regarding the role of shared governance at their campus.

Chapter 4: Description of the Research Sites

My study examined two anonymous community colleges that were part of a larger public system of higher education. I selected each campus, designated as Campus 1 and Campus 2, because of its demonstrated leadership role in distance education for at least the past two decades. As separate cases, each campus operated in accordance with its mission statement, governance structure, allocation of government support, human contributions and resources (including the unique set of experiences and resources each person possesses), academic and workforce development programs, geographical region, student populations served, and so forth. This section provided a historical narrative of the University system, establishment of the community college system, and efforts at coordinating distance education among the campuses. The goal of this chapter was to provide a context for how social factors in each case came to be and how the various stakeholders playing their roles interpreted and acquired meaning from their activities (Fay, 1987).

The University System

The University system began as a single campus in 1907 when the territorial legislature established the College of Agriculture and Mechanic Arts as a land-grant college under the Morrill Act (Kamins & Potter, 1998, p. 5). The College offered programs in agriculture, sugar technology, home economics, and engineering. The next major addition came in 1920 with the addition of the College of Arts and Sciences, which offered Bachelor of Arts degrees in a variety of fields, and an athletics program. The authors also reported that the change in title from “College” to “University” foretold expansion that included the Teachers College in 1931, the School of Social Works in

1948, followed by the College of Business Administration in 1949, and School of Nursing in 1951. In the 1960s and 1970s, the University added the School of Public Health in 1964, the School for Travel Industry Management in 1966, the School of Medicine in 1967, and the School of Law in 1973. More recently, the University expanded with the addition of the Academy for Creative Media, the new medical school and biomedical research facility in 2003, and the school of indigenous knowledge established in 2008 (Takeyama, 2008). Presently the flagship campus offered Bachelor's in 143 programs, Master's degrees in 93 graduate programs, and 53 Doctorate programs, including professional degrees in law, medicine, and architecture (System Overview, 2014). The flagship campus also holds the distinction of being only one of 13 institutions designated as a land, sea, and space-grant research institution (Yount, 1996, p. 1), and characterized as "very high research activity" by the Carnegie Foundation (<http://carnegieclassifications.iu.edu/>).

In addition to the flagship campus, the University system expanded to include two other four-year campuses established in 1970 and 1976, respectively, together with the seven-campus community college system (Kamins & Potter, 1998). During the period relevant to my study, the combined 10-campus University system reached an enrollment of 49,990 in 2006, and 50,454 in 2007 ("Headcount Enrollment," n.d.). In 2008, the year the Recession began, the University system experienced a record high enrollment of 53,526 ("Headcount Enrollment," n.d.). Enrollment continued to increase in 2009 and 2010 with 57,945 and 60,090, respectively ("Headcount Enrollment," n.d.), and appeared to stabilize in 2011 and 2012 with 60,330 and 60,295. There was a slight drop in 2013 with 59,941 students ("Headcount Enrollment," n.d.) following a national decline that

began in 2012 (Kalani, 2013, September 10). In fall 2013, the combined University system offered 143 Bachelor's degrees, 98 Master's degrees, 54 Doctorates, seven professional degrees, 129 Associates, 82 Certificates of Achievement, and 68 Certificates of Completion (Kalani, 2013, September 10). Economically, the University system made \$2.32 billion in education-related expenditures that generated \$3.61 billion in local business sales, \$1.10 billion in employee earnings, \$194 million in state tax revenues, and supported over 28,500 jobs in fiscal year 2012 (UHERO, April 16, 2013).

Over the past two decades, the University system employed a combination of five distance education technologies: cable television, interactive television, online and web-based through a CMS, video-conferencing, and various hybrid methods (Johnsrud et al., 2005). Historically, the University began offering interactive television in 1990, followed by the first Internet-only courses as early as 1993. During the fall 1997 semester, the University had 4,900-plus students registered across 280-plus distance learning courses in nine graduate, eight undergraduate, and thirteen associate program areas across the University system. In addition, at some sites, the community colleges offered various certificate programs in specialized content areas (see "Distance learning overview," n.d.). In the post-2008 Recession period, the University's Vice President of Academic Planning and Policy (VPAPP) specifically described how increasing the number of online and hybrid courses contributed to solving the demands from growing enrollment at all levels within the University system (Nakaso, August 25, 2010).

Collective bargaining agreement. A number of sources contributed to the policies governing distance education practices and activities throughout the University system. In no particular order, this section began with the "2009-2015 Agreement Between the

[University] Professional Assembly and the Board of Regents of the [University]” (see [http://\[University\].edu/hepc/data/collective-bargaining-agreements/](http://[University].edu/hepc/data/collective-bargaining-agreements/)). In examining the collective bargaining agreement, I looked for language that provided incentives for viewing distance education as a revenue-generating activity. The presence of such language reflected evidence of the academic capitalist regime. The provisions of the agreement discussing intellectual property rights referred to a property interest in distance education courses and materials. As a general proposition, Article XI, Section A of the agreement adopted the traditional practice in higher education that allowed faculty members to “own all rights to materials prepared on their own initiative for classroom, educational or professional purposes, and shall be exclusively entitled to the benefit of any royalties derived therefrom” (p. 19). Section B of the agreement, governing distance learning and multimedia presentations, stated in relevant part that the University could “transmit or record for transmission any classroom instruction, lecture or other instructional performance event produced by the faculty as part of a program of distance learning” (p. 20). However, the agreement conditioned such right upon the faculty member receiving “an equivalent reduction in other classroom assignments or overload compensation . . .” (p. 20). In addressing the revenue-generating potential of distance education, Section B required the University and the participating faculty member to enter into an agreement that granted each party a “fifty percent (50%) interest in the net profits from either the sale or rebroadcast” of such recordings (p. 20). At a minimum, this provision suggested a craft approach to distance education design and development by a faculty member working alone (Moller et al., 2008). However, the language did not articulate a specific policy that promoted distance education development as a revenue-

generating activity. In other words, if a faculty member developed distance education assets, the University reserved the right to record and transmit the asset in exchange for a 50% interest in the net profits. Arguably, the discretionary nature of this arrangement would not lead to an ongoing institution and faculty partnership based on distance education assets. In the absence of clear language establishing revenue-generating incentives in the collective bargaining agreement, I turned to other system-level policies for evidence of the academic capitalist regime.

Executive policies. The next two documents, University Executive Policies E5.204 and E5.210, both addressed distance education within the University system. E5.204, entitled “[University], Distance Learning Plans, Policies, and Procedures” (1998), in particular, described broad policy objectives related to the deployment of distance education activities throughout the University system. These objectives included making quality higher education opportunities accessible throughout the State as well as expanding the University’s leadership role in the Asian and Pacific regions. Specifically, E5.204 recognized the entrepreneurial potential for distance education, both in “credit and/or non-credit instruction delivered out-of-State or in response to requests from special in-State populations not served through normal University programming” (p. 4). In advancing distance education through E5.204, the “[University’s] Strategic Plan 1997-2007” established the foundation and University’s commitment to this alternative mode of instructional delivery (E5.204, p. 6). However, in the absence of specific procedures implementing the policies contained in E5.204, each campus could pursue distance education in ways that met their particular goals.

The second Executive Policy, E5.210, entitled “Use and Management of Information Technology Resources” (1999), defined the acceptable use and management of all University computing, information and network system, including actions by individuals over connections using the University system. Although E5.210 did not address ownership interests in distance education materials, its regulatory framework contained provisions aimed at protecting intellectual property and copyright interests that may be accessed through, transmitted over, or used on the University’s IT system. Notably, E2.210 has arguably met the DMCA (1998) notice requirement and contained language that appeared to foreshadow many of the policy requirements imposed by the TEACH Act (2002) and HEOA (2008).

Planning documents. Finally, I turned to planning documents that focused on distance education and its role within the University system. The most relevant document identified was by Johnsrud et al. (2005) and entitled “Faculty Attitudes, Adoption, and Application of Technology in Higher Education: Implications for Distance Education Policy.” In short, the study focused on faculty attitudes related to the use of information technology and the impact on participation rates in distance education delivery. The study used the findings to offer recommendations for policy development within the University system in order to expand educational opportunities throughout the state in light of the technology-driven New Economy. Among the core issues identified by the authors included: (1) intellectual property and copyright protection of course materials, (2) the quality of distance education, and (3) course design and technology support for faculty to transform instructional materials for distance education environments. I discussed these issues in my case studies of the respective research sites.

The Community College System

The origin of the University community college system began in the 1950s when early legislative studies determined that only a fifth of local high school graduates pursued higher education at the University (Fearrin & Lucas, 1998, p. 260). These studies indicated that many graduates from geographically distant regions could not afford to attend the University once travel, housing, and related living expenses were added to the cost of tuition. In 1964, the Legislature learned that two-thirds of the high school graduating class would consider attending a two-year college if given the opportunity. In response to the demand, the Legislature transferred the existing trade and technical schools established nearly 50 years before under the Department of Public Instruction (and later operated under the State Department of Education) to the University in 1964 (Yount, 1996). The newly created community college system with seven sites located throughout the State focused on three main goals: (1) transfer to a four-year baccalaureate institution, (2) non-degree vocational programs, and (3) various associate's degree programs (p. 2).

Once established, the community colleges' egalitarian, affordable tuition, and open-door policy witnessed enrollment growing from 2,010 in 1965, to 10,853 in 1970, 19,359 in 1980, 23,727 in 1990, and 27,361 in 2009 (Kamins & Potter, 1998, pp. 320-321). In 1981, the community colleges' total enrollment (22,706 students) surpassed that of the University's flagship campus (20,466 students) for the first time (Kamins & Potter, 1998). During the relevant period covered by my study, the community colleges' total enrollment in 2007 and 2008 was 25,890 and 28,444, respectively ("Headcount Enrollment," n.d.). In 2009, enrollment increased to 32,203 followed in 2010 by 34,203

(“Headcount Enrollment,” n.d.). Beginning in 2011, the community colleges experienced a small decline in overall enrollment with 34,100 (“Headcount Enrollment,” n.d.). The drop continued in 2012 and 2013, with 33,715 and 32,531 (“Headcount Enrollment,” n.d.) as the economy began to recover.

Role of the Community College Distance Learning Committee

Following the national trend in distance education reported by Allen and Seaman (2011), the community college system proposed plans for increasing the number of its distance learning courses and programs among its campuses. Based on its commitment to expand technology-based course and program offerings, the community college system established the DL Committee in fall 2008. The DL Committee consisted of a network of representatives from each campus including invited participants and was responsible for establishing broad distance education policies and procedures for the entire community college system. This association of participants focused on distance education arguably fits the definition of a “new circuit of knowledge” that could contribute to the academic capitalist regime through enactment of policies (Slaughter & Rhoades, 2004).

In hindsight, the timing of the DL Committee’s formation seemed fitting since it was poised on the cusp of a number of converging forces. Foremost among them was the ongoing pattern of declining state support for higher education. A second major force that tested the efficacy of the community colleges was the record numbers in student enrollment. Factors that contributed to student enrollment began with the global economic downturn that occurred in 2008. Non-traditional students who suffered job loss returned to the community colleges for retraining (Nakaso, 2010, September 24). A second wave of enrollment followed consisting largely of traditional students born to the

baby-boomer generation that was expected to peak in 2009 (Nance, 2007). Another contributing factor to the record enrollment was the phenomenon of “swirling,” a national trend where students already enrolled at a four-year institution took online courses at community colleges because of the lower tuition rate (Nakaso, 2010, September 24). In a related strategic initiative that began in 2010, the community colleges implemented a “reverse credit transfer” strategy that allowed students attending a four-year institution to use their credits to earn a liberal art’s degree at one of the community colleges (“Community colleges get [University] support”, 2009, December 28). Another initiative was the “15 to Finish” campaign, which encouraged students to take at least 15 credits per semester so they remained on track to graduate within four years’ time (Initiatives, 2010-2015). Finally, the most recent effort to increase enrollment was the “55 by 25” initiative adopted in 2013, whose goal was to have 55% of working-age adults with a two- or four-year college degree by 2025 (Matsushima, 2013, March 19).

Another factor that arose in 2008 particularly relevant to the University system’s efforts to expand distance education was the switch from WebCT to the present course management system. The present CMS was also a comprehensive interactive tool that supported both face-to-face and online instruction. The community colleges appeared committed to the transition by establishing internal structures referred to as “Learning Centers.” These Learning Centers were intended to provide campus-level training and support, one of the essential elements for promoting distance education within the University system (Johnsrud et al., 2005). As part of this shift, the DL Committee sought to establish uniform standards and procedures to ensure equal academic rigor between

traditional and distance learning courses, thereby making credit transfer between the community colleges more acceptable.

Another significant objective of the DL Committee involved examining institutional policy requirements under the Copyright Act (1976), DMCA (1998), and the TEACH Act (2002), but particularly the conditions imposed by the HEOA (2008) on distance education activities. This objective focused on establishing uniform copyright policies as one of the preliminary steps in permitting the community colleges to meet the increased demand for more distance education opportunities. A discussion of campus copyright policies will follow in the chapters describing each campus.

Chapter 5: Campus 1 Individual Case Results

Campus 1 was established in 1946 as a technical school on a five-acre site located in what was largely a residential community located on the outskirts of the business and commercial centers surrounding the harbor district. Campus 1's first program was in Food Service, followed by Hotel and Restaurant Operations (1946), Nursing (1947), Business Education (1956), and Dental Assistant (1959) ([Campus 1] Technology Plan 2013-2015, 2013). After joining the University system in 1965, Campus 1 realigned its courses and programs as part of the overall community college system. One of the new additions was a liberal arts program, which permitted students to transfer to a four-year institution. Within a short time, Campus 1 outgrew the physical limitations of its original site. Recognizing the need for more space, the University's Board of Regents approved Campus 1's relocation to its present site in 1974. The larger 52-acre site was surrounded by residential neighborhoods on three sides. Immediate neighbors included a small hospital, a public elementary school and adjoining recreational facilities, and a cemetery. Beyond the residential areas were major business, retail, commercial, and resort and hospitality districts. A geographical landmark bordered the undeveloped conservation land on the fourth side of Campus 1. The landmark has long been a popular site for outdoor and ocean related recreational activities.

In the years following the relocation, Campus 1 added technical, occupational, and professional programs that included business education, food service and hospitality, and nursing ("[Campus 1] campus overview," 2014, April 15). Among the notable programs were the Culinary Arts, Emergency Medical Services, Legal Assistance, and International programs ("[Campus 1] campus overview," 2014, April 15). Again, during

the relevant period, Campus 1 experienced continued growth in enrollment from 2006 with 7,272 and 2007 with 7,517 (“Headcount Enrollment,” 2014). Enrollment began to increase in 2008 with 8,221, representing a 9.4 percent increase from the previous year. Annual increases followed in 2009 with 9,102 and 2010 with 9,301, representing a 10.7 and 2.2 percent increase. Annual declines followed in 2011 with 9,023, 2012 with 8,892, and 2013 with 8,376 (“Headcount Enrollment,” 2014).

In 2013, Campus 1 offered 45 programs, 21 associate degrees, and numerous certificate courses that met the educational and training objectives of its students ([Campus 1] overview, 2014). Campus 1 offered 176 courses through distance education in Fall 2011, 195 courses in Fall 2012, and 211 courses in Fall 2013 (“2014 Annual Report,” 2014, April 1). There were approximately 300 full-time and part-time faculty members, resulting in a student to faculty ratio of 20:1 2013 (“2014 Annual Report,” 2014, April 1). The remaining sections of this Chapter, including the next Chapter on Campus 2, will be organized following the academic capitalism framework used throughout my study: policies, networks, and shifts in academy practices.

Institutional Policies

Campus copyright policies. Under the academic capitalism framework, institutional copyright and intellectual property policies based on the federal copyright law could foretell whether Campus 1 was pursuing distance education as a revenue-generating activity. Searching the Campus 1 website seemed a logical starting point to locate the institution’s copyright policy optional under the TEACH Act, but mandatory with the HEOA. Already, the University’s IT Department implemented annual copyright notice requirements required by the DMCA and HEOA because of its responsibilities for

maintaining the system-wide email, registration, and student information services. The most visible of these policy requirements involved annual notification to University stakeholders of the severe civil and criminal penalties associated with copyright infringement using the University's IT system. However, to the extent each campus operated and controlled its own IT system with computer servers, other copyright and HEOA policy requirements might apply. My search focused on copyright policies at each campus that defined ownership rights to distance education courses and related instructional materials.

A search of the Campus 1 website in Spring 2014 using keywords such as "copyright," "DMCA," "TEACH Act," "HEOA," "fair use," and "intellectual property" failed to locate an institutional copyright policy or copyright resources either online or in print. However, there was evidence of a Campus 1 copyright policy in the past. A review of another University community college website revealed an inactive hyperlink to a PDF formatted document on the Campus 1 website. The document, which was no longer available, was entitled, "[University] Policy Guidelines," and commissioned by the University in April 1992. Note that the document predates both the DMCA passed in 1998, the TEACH Act in 2002, and the reauthorized HEOA in 2008. Furthermore, the absence of any historical knowledge among the Campus 1 faculty and administrators interviewed for my study added to the difficulty in identifying the author of the PDF document, its contents, and the reasons why Campus 1 removed the document from its website.

Despite what appeared to be the absence of a formal copyright policy, Campus 1 recognized the importance of the federal copyright laws as they related to distance

education. In a job listing for a “Community College Educational Technology Developer” in May 2014, Campus 1 advertised for an applicant to “assist the department in providing training to campus clients to ensure compliance with policies related to higher education. These policies included [University Executive Policy] E2.210, HEOA, DMCA, TEACH Act, as well as possess “[W]orking knowledge of applicable federal and state laws, rules, and regulations associated with higher education and distance learning, such as the Fair Use Act, the Higher Education Opportunity Act, and Americans with Disabilities Act” (Work at [University], 2014).

As noted in the literature review, the TEACH Act’s copyright policy requirement was not mandatory, but conditional upon making fair use of a broader category of copyrighted materials in distance education. Consequently, the absence of a campus copyright policy did not prohibit Campus 1 from expanding its distance education opportunities. However, under this scenario, the fair use exemptions in the copyright law acquired greater importance. Fair use guidelines would likewise inform faculty of the legal limits that they could legitimately incorporate copyrighted materials into distance education courses without permission or payment. Moreover, fair use guidelines would aid in resolving the qualitative and quantitative ambiguity inherent in the copyright law. Unfortunately, Campus 1 might be considered an example of what Ludlow (2003) observed over a decade ago regarding how “institutions of higher education have been notoriously lax in explaining copyright law and intellectual property rights to both faculty and students and in helping to keep them informed of the latest developments related to distributed and distance education” (p. 42). Arguably, the absence of clear policies and guidelines could have a chilling effect on the faculty’s legitimate use of copyrighted

materials for fear of exposing Campus 1 to the “worst-case scenario” of a lawsuit (Brevitz, 2003, p. 55).

[Campus 1] Technology Plan 2013-15. In the absence of a campus copyright policy, my review turned to searching for broad campus policy statements addressing distance education. The [Campus 1] Technology Plan 2013-2015 (2013) appeared to be the most current and comprehensive statement of policy for technology in support of Campus 1’s mission and vision for the future. From the perspective of my study, the Technology Plan was significant for a number of reasons. First, Campus 1 adopted the Technology Plan in response to a recommendation from the Accrediting Commission for Community and Junior Colleges (ACCJC) following a 2012 site visit. The Technology Plan described policies for implementing technology on a campus-wide scale in order to promote what was referred to as “an ecology of learning” (Technology Plan, 2013, p. 6). As one interviewee noted,

[W]e need to revisit the purpose of education. Education was meant to change society. We don’t have to be satisfied with the status quo. We don’t have to accept things as normal, we can change it. We need to train people to change the system instead of becoming a part of it. (Subject 1003, Campus 1)

In striving for change, the breadth of the “ecology of learning” concept reached planning at the program level (Technology Plan, 2013, p. 6).

Second, from an academic capitalism framework, the Technology Plan addressed compliance requirements under the HEOA (p. 16). While the HEOA incorporated portions of the federal copyright law by reference, the Technology Plan did not incorporate any of the federal copyright law’s incentives for institutional ownership or

revenue sharing that were associated with distance education materials. What the Technology Plan addressed from an academic capitalist regime perspective was efficiency through centralized decision-making and adoption of cost-cutting measures in securing future technology resources.

Third, by serving as a primary source of technology-related policies, the Technology Plan arguably connected and unified disparate campus interests. Notably, the Technology Plan recognized the potential for technology not only to expand Campus 1's geographical reach, but also to have a role in meeting future academic, workforce development, and continuing education needs. Moreover, by placing emphasis on the underlying technology infrastructure, instead of focusing only on distance education activities, Campus 1 further advanced the centralized decision-making predicted by Lipinski (2005), who noted,

. . . the policy and informational materials requirement is the responsibility of the institution, suggesting that it is not ad hoc, but centralized, coordinated, and pervasive; that is, it occurs throughout the institution, and is part of its information infrastructure of policy formation, implementation, enforcement, and of training and assessment, as it must reach "faculty, students, and relevant staff members. (p. 90)

Arguably, the Technology Plan paved the way for the so-called non-faculty, managerial professionals (Slaughter & Rhoades, 2004) with authority to guide decision-making that could reach across the pre-existing organizational hierarchies and internal barriers that often contribute to system equilibrium (Heck, 2004).

Finally, the Technology Plan was paradigm changing in the sense that it recognized that the underlying technology infrastructure in recent years had become ubiquitous in higher education. The same course management system and related information technologies now supported the full range of instruction from traditional, web-facilitated, blended and hybrid, to entirely online courses (e.g., Allen & Seaman, 2011). By focusing on the campus technology infrastructure, the Technology Plan changed the early discourse that reflected a bias against distance education as experimental, alternative, and a substitute for traditional classroom instruction. Instead, the Technology Plan shifted academy practices by mainstreaming distance education into one of many quality instructional options designed and offered by faculty to meet contemporary student needs.

The goals and objectives of the Technology Plan appeared as a compromise between the public good regime and the academic capitalist regime. Under the public good regime, the focus was on offering quality instruction through distance education. As Johnsrud et al. (2005) noted, providing support and training was an essential requirement in recruiting more faculty members to participate in distance learning activities. In turn, the training and support tended to result in online courses and programs of higher quality that enabled Campus 1 to capture more of the online student market. In turn, increasing student enrollment through distance education would benefit an academic capitalist regime from the additional tuition revenue. However, as discussed in more detail below, there was no evidence of a coordinated effort to provide technology support to increase faculty participation so Campus 1 could generate more revenues through distance education.

Interstitial Entities and Networks

The second prong of the academic capitalist regime involved the presence of interstitial entities and networks associated with revenue-generating activities (Slaughter & Rhodes, 2004). The findings suggested that Campus 1 was active in pursuing close ties with business, government, social institutions, and other community resources (“[Campus 1] history,” n.d.). These efforts were relevant in order to identify current interests or trends so Campus 1 could plan and develop its curriculum (“[Campus 1] history,” n.d.). In assessing whether any of these networks included revenue-generating components, I focused on the more prominent programs that seemed to attract the most students and outside support. I also began incorporating the framework from Gais and Wright (2012) for community engagement based on the unique perspectives of my Campus 1 interviewees.

International program. The Campus 1’s International Program has been recognized nationally among community colleges for developing a gateway to higher education for students from the Asia and Pacific regions (Kerr, 2013, September 3). For several years, the Chancellor actively promoted the program and its global perspective (Kerr, 2013, September 3). Given his educational and administrative background in international education, particularly in Asian studies, the Chancellor spent four-and-a-half months traveling to various Pacific-rim and Asian countries beginning in 2013. According to the report, universities, government, or accreditation groups sponsored seven of the 17 trips the Chancellor took during this period. For example, the Chancellor was a member of the State Department delegation of community college representatives on a trip to India and Sri Lanka. In addition, the Chancellor also participated in hosting

visits from dignitaries from a number of foreign institutions. In May 2013, 15 college presidents from the Philippines visited both the University and Campus 1 (“Presidents from Philippines,” 2013, May 19). Later, officials from the University of Mumbai visited Campus 1 to learn what made community colleges so successful in this country and how this model could be adapted to India (“India Officials,” 2013, June 22).

As a revenue-generating activity, the international student market contributed \$108.5 million to the State economy through tuition and living expenses during the 2012-2013 academic years (Gima, 2013, November 11). The article ranked Campus 1 as fourth among its local competitors in the international student market, after the University and two other private four-year institutions. Another new article further described how the higher tuition rate for international students accounted for \$6 million or 35 percent of Campus 1’s tuition revenue (Kerr, 2013, September 3). Presently, there were more than 664 international students attending Campus 1, with more students from Japan than at any other college or university in the United States. In addition to attracting students from Asia, the Chancellor recently secured \$4.5 million in private funds in support of Campus 1’s study abroad programs. The Chancellor also participated in plans to establish the Center for International Affairs, which would assist incoming international students as well as instruct Campus 1 faculty and students on international opportunities for studying and teaching abroad (“[Campus 1] campus overview,” 2014, April 15). The press release described the Center for International Affairs as an aid to Campus 1’s ongoing efforts to expand its reach not just across the Pacific, but throughout the world.

The University’s Vice President of Community Colleges (VPCC), the Chancellor’s superior in the University’s hierarchy, reported saying, “[T]hese

[international] efforts have required extensive groundwork, preparation, and face to face meetings, and the results have been very positive for all [University] community college students" (Kerr, 2013, September 13). In terms of the public good regime, all these networking activities reflected positively on Campus 1's reputation and geographical reach in the international arena. Although distance education opportunities were available to international students, one interviewee believed that most would prefer to experience education in a traditional classroom setting and among a diverse student body (Subject 1003, Campus 1). Despite the preference for classroom interaction, an academic capitalist regime might view distance education as benefiting from these international networks, as further discussed below.

Culinary arts program. The Culinary Arts program was another well-respected, award-winning program that has contributed positively to Campus 1's reputation among the community colleges. In June 2012, the Full Service Restaurant magazine ranked the Campus 1 Culinary Arts program in the top 20 in the nation (Engle, 2014, June 2). Presently, the program has a blue-ribbon advisory board with one of the largest memberships in comparison to other Campus 1 programs. The membership included persons influential in the food service, hospitality, tourism, agricultural, and seafood industries, not to mention individuals representing cultural and sustainability practices. The policies and networks supporting the program was evidenced by plans to establish the \$150 million Culinary Institute of the Pacific, a potentially academy shifting, world-class culinary arts program (LaTorre, 2010, November 1). The Culinary Arts program has also been actively involved in providing banquets and catering services to the public both as an instructional opportunity and revenue-generating activity.

Economic unit. An important framework for identifying interstitial entities and networks involved examining points of economic engagement between Campus 1's academic environment and the government and business sectors. Under their framework, Gais and Wright (2012) theorized that Campus 1 stakeholders represented an economic unit of consumers and spenders that could benefit the businesses and services located on campus. As noted above, Campus 1's student enrollment as recent as 2013 was estimated at 8,376 ("Headcount Enrollment," n.d.), representing a sizable potential market. Estimates placed the economic value of this market at \$25,631 per student in the fiscal year 2012 (UHERO, 2013, April 16). Under academic capitalism theory, students were perceived as captive consumers targeted by on-campus revenue-generating activities such as fast-food franchises and services (e.g., bookstores, copying services, etc.). One of the visible structures for these activities was campus malls where students congregated between classes. The concept extended to businesses and services in the surrounding community that might receive patronage from campus stakeholders as they travel to and from Campus 1. The UHERO report calculated student spending on food at \$4,044, recreation and entertainment at \$971, and personal care at \$4,004 (p. 10). As noted above, there were numerous eateries, service providers, and vendors within minutes of Campus 1 by automobile (Subject 1005, Campus 1).

However, the findings suggested that Campus 1 received only a limited on-campus economic benefit. Besides tuition, students spent an average of \$1,388 on books (UHERO, 2003, April 16). However, from the category of students as captive consumers, there was only a single fast-food franchise operation on campus located near a major student parking lot. The franchise operation competed directly with the campus cafeteria

and the numerous vending machines that have existed around the campus for many years. Although the price of soft drinks and snacks from the franchise operation were perceived as relatively high, one interviewee rationalized,

. . . that also means I don't have to leave campus, lose my parking space, drive somewhere to get something to eat or drink. I'd rather spend money on campus and know that some of the profits from each sale go back to the school. Some of the choices are not the best from a health perspective, but you need to sell what the students want, like sodas, candy bars. Maybe that is all the time you have to eat as you walk between classes. But the prices are really high. They don't cut the students' any slack on prices. For the price of three bottled-water, you can buy a case of water on sale. So there is that incremental profit in exchange for the convenience. (Subject 1005, Campus 1)

The presence of one franchise operation on campus potentially opens the door to other services particularly aimed at the student market. Based on my visits to Campus 1, the circular design of the campus layout around a "great lawn" did not appear to lend itself to development of a central mall for vendors and service provider without substantial construction work or commitment of existing space. However, the layout might support kiosks for drinks and other specialty food items popular with students.

Second, a small population of Campus 1 stakeholders has economically benefitted the residential rental market in the surrounding neighborhoods. Since Campus 1 did not have student dormitories or residence halls, one of my interviewee noted that students "from the neighbor islands, the mainland, or international students" have helped to boost the rental market in the surrounding area (Subject 1005, Campus 1). The

UHERO report determined that students spent an average of \$7,898 on housing and another \$2,402 on utilities (p. 10). Another interviewee also noted that people in the area:

rent out rooms to Campus 1 students, not so much to faculty. They rent out rooms for \$800. There's shared living areas, bathrooms and kitchens. There's a lot of international students and mainland students. I think it works out well because some of these students also work in [the visitor district]. (Subject 1001, Campus 1)

Arguably, the rental market in the neighborhoods surrounding Campus 1 may be higher as compared to those around Campus 2, for example, since other competitors included students from a private four-year institution, the University flagship campus, and a private international college. The rental market around Campus 1 was also highly competitive because of its proximity to a major hospitality district and numerous retail operations.

Third, to the extent that the stakeholders reside near Campus 1, there may be an economic benefit to businesses and service providers in the neighborhood. One of the assumptions implicit in Gais and Wright's (2012) study was that people generally patronize the business and services in the community they reside. One of the interviewees living near Campus 1 affirmed this assumption for himself, stating,

Yes, we buy everything for our daily needs from this area [around Campus 1]. It's convenient, there is a diverse selection of merchants and eateries, and we don't have to drive in traffic. When you expand the distance, we have the mall and other places to hang out. (Subject 1005, Campus 1)

A small business owner also noted that Campus 1 stakeholders patronized his business.

He reported that these stakeholders consisted primarily of:

. . . students [that] have been coming in over the years . . . It has grown into a nice niche of regular customers . . . If I have a particular niche group, I try to cater to them in terms of getting them the products they want. (Subject 1001, Campus 1)

However, it may be important to note that this particular business was the only one of its kind within a five-mile radius of Campus 1, the owner had ample free parking in a district with metered street parking, it was located along a major route to and from Campus 1.

Fourth, there may be an economic benefit from the construction of the proposed Culinary Institute of the Pacific (LaTorre, 2010, November 1). The \$150 million construction price for the project included nearly 1,200 additional parking stalls to meet the demands of a campus that was already operating near capacity (LaTorre, 2010, November 1). Again, like employment at Campus 1, the proposed project may not have a direct benefit to the surrounding communities. However, the construction activities might result in a broader economic benefit for the State's workers in the design and construction trades.

Fifth, my personal observations suggested that the surrounding businesses did not market directly to Campus 1 stakeholders. During my visits to Campus 1, I noted the absence of advertisements in the campus newspaper as well as on the student bulletin board targeting Campus 1 students. An interviewee shared the same observation, noting,

When I was working on the [Campus 1] student newspaper, it's not like there were advertisements from the surrounding businesses to attract students. If you don't live in the area, you would probably head out to wherever after your classes.

Think about it, if you were heading west there is only a limited number of businesses you would run into before getting on the freeway. You have more options if you head east, like the mall, the bookstore, places to hang out. Besides you need to pay for parking if you want to go anywhere in [two of the three surrounding neighborhoods]. (Subject 1005, Campus 1)

Arguably, many of the businesses and services near Campus 1 employed mass marketing strategies that were aimed at a broader customer base. Notably, at the end of the spring 2014 semester, the Campus 1 student newspaper published its last print edition and moved entirely to an online format due to low readership (Sadoy, 2014).

Sixth, Gais and Wright (2012) suggested that the presence of an institution of higher education might result in higher sale prices and real property taxes. One of the interviewees of my study was a homeowner living within walking distance of Campus 1. He did not believe that the presence of Campus 1 in the neighborhood influenced the sale price of his home (Subject 1001, Campus 1). He stated, “I looked at other homes of the same size in [two of the three neighborhoods around Campus 1] and found the prices comparable. I don’t think proximity to [Campus 1] is a factor” (Subject 1001, Campus 1). Furthermore, he did not see a correlation between the proximity between his residence and Campus 1 on his real property tax. He says, “The only thing I know is that my assessment keeps going up. I don’t know. I don’t think home values are tied to how close we live to [Campus 1]” (Subject 1001, Campus 1). On the other hand, this interviewee’s major complaint about living near Campus 1 was traffic and parking problems, stating,

The biggest complaint I would have is traffic. . . . My area is not too bad. . . . I think the [northern side of Campus 1] has more parking problems because that

area is relatively level with the [Campus 1] upper campus. Well, [Campus 1] still has free parking . . . [with] students coming and going across the whole day.

(Subject 1001, Campus 1)

Arguably, Gais and Wright's (2012) proposed in terms of higher real estate values and real property tax assessment based on proximity to an institution of higher education involved complex issues that lie beyond of the scope of my study.

Seventh, Gais and Wright (2012) described how institutions also served as an economic unit as a consumer of electricity, water, contracted for services, and so forth. Recently, however, Campus 1's reputation as an economic unit may be tarnished. In February 2013, the media reported that the award winning Culinary Arts program was up to four months behind in paying approximately 60 vendors that supplied services and products (Kerr, 2013; Mendoza, 2013, February 6). The Chair of the program explained in the report that while he oversaw orders, the payment was made at the University system level through a financial process activated the previous summer.

Finally, Campus 1's efforts to expand distance education opportunities seemed to have two broad effects on the campus' role as an economic unit. On the one hand, distance education reduced the need for students to travel to campus to attend classes. Non-traditional students who were already working and raising a family found this option particularly attractive (Diaz, 2002). This may have the effect of reducing Campus 1's impact as an economic unit relative to the surrounding community by reducing the number of students that need to travel to the campus. On the other hand, the ability to increase enrollment permitted Campus 1 to generate additional tuition revenue while the campus has already been operating at near capacity in the category of traditional

instruction. As noted in the literature review, converting a traditional course for online distribution is costly and time consuming. However, once the institution formatted a course and related instructional materials for delivery across a digital medium, reproducing the course is arguably relatively inexpensive.

Moreover, as Slaughter and Rhoades (2004) suggested, Campus 1 could realize additional cost savings by hiring lecturers on an as-needed basis to facilitate the online courses instead of hiring full-time faculty. The downside, warned the authors, was the potential detrimental impact such a practice has on the overall quality of education. Arguably, distance education represented an area where the public good regime and the academic capitalist regime might intersect and mutually benefit by elevating the quality of instruction while also increasing enrollment.

Developers of human capital. As discussed above, the Legislature established the community colleges to prepare students for transfer to a four-year college and to provide vocational training for entering the workforce (Gais & Wright, 2012). Less than two decades ago, institutions committed to developing human capital offered numerous evening courses geared towards non-traditional students already in the workforce. With the expansion of distance education opportunities, non-traditional students in particular, were able to pursue their educational goals in greater numbers with this convenient medium of instruction (Subject 1006, Campus 1). Campus 1's faculty members and students discussed the subject of convenience in the section on shifts in academy practices.

Engines of innovation in research and development. As noted above, Slaughter and Rhoades (2004) discussed the revenue-generating activities of research institutions

pursuing the incentives afforded by the Bayh-Dole Act. Since community colleges do not generally engage in research activities that lead to patentable assets, I focused on efforts by the two research sites in developing and securing the ownership rights to distance education assets. As noted above, my study did not identify specific system level or institutional policy instruments that gave Campus 1 the ability to acquire ownership or control over distance education assets. However, I located a goal statement that might serve as a precursor for viewing distance education as serving the public good as well as a basis for future entrepreneurial activity. The statement provided:

[Campus 1] has taken the lead in blending credit and non-credit programs in an effort to be more responsive to the needs of the community, more flexible in its offerings and more entrepreneurial in generating revenues that can be used for improving existing programs or creating new ones. By rethinking the way credit and noncredit programs relate to each other, [Campus 1] has been able to make all of the campus' resources and programs available to larger populations, thereby extending its outreach and accessibility to the community and fostering the potential for new partnerships with business and industry. (“[Campus 1] history,” n.d.)

Arguably, this statement reflected the ideals that Slaughter and Rhoades (2004) hoped for where the intersection of the public good regime and the academic capitalist regime mutually guided research and development of distance education activities and opportunities that benefitted the institution and the student populations it has served (“[Campus 1] history,” n.d.).

Resource for community vitality. From the beginning, as one interviewee described, “The community was designed into [Campus 1]. ... The campus is basically surrounded by residential communities” (Subject 1002, Campus 1). Campus 1’s low-rise buildings on 52 acres site contributed to community vitality by providing open spaces in this relatively densely populated residential area. A homeowner living near Campus 1 commented,

On Sundays, I take the kids up to [Campus 1] to ride their bikes. The security guards don’t really bother if you stay away from the building perimeter. Although the land is developed, it has an open space feel to the area. I see a lot of people walking and running; they park their car in the [Campus 1] lot and head out towards [the ocean]. I’m beginning to see more bicycle riders. There is also a small exercise park next to the old church across from the entrance to the [ocean-side of Campus 1]. (Subject 1001, Campus 1)

Campus 1’s design and proximity to residential communities and visitor centers also contributed to community vitality by hosting the Farmers Market in the campus parking lot. While the Farmers Market has been a favorite of tourists and nearby residents because of the fresh produce offered and the “different kinds of foods, to flowers and crafts” (Subject 1001, Campus 1), its popularity has also contributed to parking and traffic congestion. A nearby resident stated,

Now they have trolleys that drop off and pick up tourists. So you have a lot more vendors catering to the tourist crowd. I think the food vendors make out because tourists want to try different ethnic foods. It’s so crowded now that I don’t go on Saturdays. I heard they get up to 5,000 people. (Subject 1, Campus 1)

Another interviewee viewed the Farmers Market positively as a business incubator, noting that,

. . . someone with an entrepreneurial spirit might test interest in their product at the Farmers Market with very little overhead. It could be anything. Clothing, hats, food, gifts, anything. But, what's wrong with staying small especially if you travel the Farmers Market circuit around the island. You could have island-wide coverage with little risk. (Subject 1005, Campus 1)

On the other hand, another interviewee simply stated, "I go there, but not all the time. To me, it is too expensive" (Subject 1006, Campus 1).

Campus 1 also hosted a number of attractions that add to community vitality. A former student recalled his experience at the on-campus fine dining restaurant as follows:

I like the fine-dining restaurant tied to the Culinary Arts program. You get a great meal for a fraction of the cost if you went to a restaurant. You're basically paying for the cost of ingredients and supporting students with hands-on experience in the food service industry. (Subject 1005, Campus 1)

Another annual event has been the International Festival. An interviewee noted that this event, "brings a lot of people onto the campus . . . I've been to a couple of them. It's a good opportunity for cultural exchange. All these events bring new faces onto the campus" (Subject 1005, Campus 1). Other recent public events included the Eisa Drum Festival with performers from Okinawa in May 2014 ("Eisa drum festival," 2014, May 13) and featured regional cuisine to highlight the Culinary Arts program ("Mughal-cuisine," 2014, October 1). However, an interviewee suggested that one of the shortcomings of Campus 1 in this area has been,

. . . the campus does not do enough to advertise these events. There are banners and fliers around the school, but since I graduated, the only way I learn about events on campus is through the newspaper or television. Sometimes the coverage is after the fact. (Subject 1005, Campus 1)

Overall, there appeared to be an effort to utilize the campus and its resources to encourage community vitality through various events and activities.

Lifelong learning. The concept of lifelong learning has taken on new meaning in light of the increasing number of non-traditional students returning to Campus 1 to learn new skills, explore different employment options, or seek knowledge for personal enrichment (Howell et al., 2003). The Campus 1 continuing education program offered noncredit courses that had an enrollment of 25,000 students and covered topics including language and culture, health and home care, massage therapy, and culinary arts (Bernardo, 2012, October 11; “[Campus 1] history,” n.d.). An interviewee considered lifelong learning as an important concept, but one that has not been “heavily marketed or developed. There has not been much effort to inform and draw people into existing programs. How do you get the message out to the community?” (Subject 1005, Campus 1). A news article also addressed this observation about how the Campus 1 administration had not actively marketed these courses for the 2013 summer session (Essoyan, 2013, May 18). In addition, compared to other community colleges, Campus 1 did not list the non-credit courses on the Campus 1 website. The non-credit instructors also saw a decline in enrollment after the school stopped mailing printed catalogs for its non-credit courses. In the article, the Dean, again, acknowledged in the report that changes were needed so these courses were made available to the community, and pledged to raise

these concerns with the marketing committee. From an academic capitalism perspective, although the continuing education program was a revenue-generating component, perhaps it did not generate enough revenue to warrant the administration's attention in light of more pressing concerns. Furthermore, as will be discussed below, these courses were largely taught by non-tenured, part-time faculty who lack the political influence to bring about substantive change.

Shifts in Academy Practices

Campus 1's efforts to promote and expand marquee programs such as the International and Culinary Arts programs were well suited within the academic capitalist regime's policy and networking prongs. The shifts in academy practices discussed in this section represent the third prong of the academic capitalist regime.

Increasing distance education opportunities. Increased distance education activities at Campus 1 may be viewed as a shift in academy practices that paralleled patterns occurring at institutions of higher education across the nation (Allen & Seaman, 2011). Within the University community college system, Campus 1 has been considered a leader in expanding distance education opportunities to meet student demands (e.g., "[Campus 1] Technology Plan," 2013). For example, Campus 1 offered 57 courses through distance education in 2006-2007 and has increased that number to 425 courses in 2012-2013, with 33.9% of faculty and staff having taught an online course since 2009 ("[Campus 1] Technology Plan," 2013). Given the breadth of distance education course opportunities, a student attending Campus 1 has been able to complete one-half or more of the course requirements for four associate's degrees and seven certificate programs.

Reflecting the public good regime, a Campus 1 interviewee acknowledged that through distance education, “We can extend the reach of education in a good way to the neighbor islands. We can build online communities and extend the reach of education in a good way” (Subject 1002, Campus 1). The interviewee added that due to the growing role that distance education has in higher education, publishers began supporting their “textbooks with online materials and other forms of course assistance” (Subject 1002, Campus 1). This shift was especially beneficial to faculty who choose to work alone in developing their own distance education courses. From an academic capitalist regime perspective, publishers’ support might increase the number of faculty willing to participate and commit to distance education. However, on-campus technology support and additional course materials from publishers would tend to reduce the need for faculty to participate in a team approach to distance education design and development. Maintaining a charter or individual approach to distance education development would negate opportunities for institutional ownership.

A major organizational change that contributed to distance education’s acceptance at Campus 1 was establishment of a “Learning Center” in 2005. The Learning Center’s centralized training and mentoring contributed to faculty incorporating more technology in their instruction as well as aided faculty electing to teach online courses. Before 2005, the administration encouraged faculty to teach online, but did not offer much technical support in using WebCT. However, when the University system transitioned to the new CMS, the community colleges were committed to provide workshops and training to help faculty succeed in teaching courses through distance education. Campus 1’s Learning Center increased its staff and widened its areas of expertise to assist faculty in the

transition (Subject 1002, Campus 1). By increasing training and support, more faculty members would learn to use the CMS and eventually participate in distance education (Subject 1002, Campus 1). One interviewee commented positively on the Learning Center's success by describing the help as "extraordinary and well done. You can put so much instructional materials online and provide guidance with the various interactive tools" (Subject 1002, Campus 1). Also, posting instructional materials online served a cost-saving function by helping the campus save on copying handouts. The present skill level has permitted a number of faculty members to develop online courses combined with the interactive elements built into the course management system. Another interviewee, in particular, developed her own online courses in marketing, management, and entrepreneurial studies (Subject 1002, Campus 1). The interviewee described how the distance education resources enabled her to design and offer "concentrated, three-course [certificate] programs" that have been well received by students (Subject 1002, Campus 1). In meeting this need, the Campus 1 websites stated, "As the information age brings about changes in the ways we learn, we will continue to look at alternative methods of delivery to make education more accessible to non-traditional students" ("[Campus 1] history," n.d.). In this way, distance education permitted faculty to respond directly to specific student needs within a diverse population.

A recent potentially academy shifting event involved a \$5 million grant awarded to Campus 1 by the National Science Foundation (NSF) to develop an online pre-engineering curriculum aimed at underrepresented students ("Campus 1 wins \$5 million federal grant," 2010). The goal was to have students attending Campus 1 and two other community colleges complete the program and transfer to the University's School of

Engineering (“Campus 1 wins \$5 million federal grant,” 2010). Arguably, the NSF grant represented a highly desired and substantial revenue infusion that would favor an academic capitalist regime without being first dependent on affirmative policies or directives from the administration. Moreover, assuming the NSF project followed the general pattern under the Bayh-Dole Act, Campus 1 may be able to secure the copyrights to the distance education assets as a condition of the grant or under the incentives of the copyright law (e.g., work for hire in a team approach). Again, depending on the terms of the NSF grant, Campus 1 might be able to generate revenues by licensing the curriculum to other community colleges. As the copyright owner, Campus 1 might translate the curriculum into other languages and possibly market them through, for example, the International program’s existing network of participating countries. A future study might track any revenue-generating activities associated with the development of the pre-engineering curriculum beyond serving the target population for this project.

Growing reliance on lecturers and part-time faculty. Another shift in academy practices involved the growing reliance on lecturers and part-time faculty. An interviewee noted that there were “fewer full-time faculty members now for a variety of reasons” (Subject 1002, Campus 1). Another interviewee stated that in 2014, lecturers broke “a threshold by teaching over 50% of the courses” (Subject 1003, Campus 1). This pattern also appeared at many colleges and universities that relied on part-time faculty to expand their distance education programs (Carnevale, 2004). However, Slaughter and Rhoades (2004) warned that increased reliance on part-time faculty could diminish the quality of distance education. Although reliance on lecturers was associated with declining State support, one interviewee who has experience in developing online courses in marketing,

management, and entrepreneurial programs, viewed the present condition as an opportunity to improve the overall quality of online instruction. The interviewee stated,

The idea is that full-time faculty can work on developing standardized courses for delivery through distance education. The full-time faculty could teach the course initially to work out the kinks. They are the ones most familiar with the subject. After that, lecturers can teach the course. I like this model because you would have a standardized format across the program. Since assessment is a big thing now, we can be more assured that students acquire the skill sets out of the program. Grades are beginning to be replaced by skills and learning assessments are a big thing. (Subject 1002, Campus 1)

However, such an endeavor required administrative support and resources to bring to fruition. She explained, “Any decisions would necessarily be restricted by the budget. ... Without support, the job will not get done or will get done poorly” (Subject 1002, Campus 1). Complicating this effort further was the ambiguity in the collective bargaining agreement regarding workload or teaching equivalency issue. The interviewee shared, “We don’t have a master agreement as to how to do it, no signposts, or direction” (Subject 1002, Campus 1). Arguably, the absence of specific directives was one factor among many that contributed to the uncertainty regarding the role of distance education at Campus 1.

Academic capitalism theory proposed that reliance on lecturers permitted institutions to generate revenue by increasing distance education enrollment while also cutting costs associated with full-time faculty employment (Slaughter & Rhoades, 2004).

However, despite the significant role lecturers play in fulfilling Campus 1's mission, an interviewee described how:

. . . lecturers get the short end of the stick. They are under-recognized and hired on an as-needed basis. At the end of the academic year, they lose their health benefits. I wish the union would step forward to give them more rights and protections. (Subject 1002, Campus 2; see also Hananel, 2013)

The vulnerability suffered by lecturers portrayed in a series of news reports that began in May 2012 that described how instructors from Campus 1's non-credit continuing education programs had not been paid for several months (Essoyan, 2012, May 21). The report stated that "some of these instructors are owed as much as \$4,000, but because they are 'casual hires' with no job security, they have suffered in silence." After the story appeared, a few of the instructors received payment in August 2012, while others received their overdue paychecks in October 2012 (Bernardo, 2012, October 11). In at least one case, the amount owed was for courses taught in September 2011. Many of these instructors declined to be interviewed for the story because they feared retaliatory action that might prevent them from teaching in future semesters (Bernardo, 2012, October 11). Currently, the only practice that recognized the lecturers' commitment and dedication to the institution was by informally applying seniority when hiring for the next semester (Subject 1003, Campus 1).

Emphasis on employment and graduation rates. The discussion on critical thinking raised by one of my interviewees (Subject 1003, Campus 1) seemed related to a perceived shift in academy priorities that favored employment and graduation rates at the expense of the humanities. The humanities have long been the foundation for teaching

critical thinking and helping students become well-rounded individuals (Subject 1003, Campus 1). The interviewee added:

Increasing graduation rates is not the answer if you want to improve the educational level of this country. We are processing students through a system where graduation rates are more important than instilling critical thinking. The ability to take an online course and complete tests is a skill, but it is not a skill that will lead to lasting learning. How much content will students actually remember after final exams? The machine is moving higher education in this direction and what then will make us different from a diploma mill where you take your class online. The objective is to have people with degrees. Look at the [55 by 25 program]. (Subject 1003, Campus 1).

In response to the growing emphasis on workforce development, another interviewee added, “We are moving back in the direction of a vocational school. . . . We are going back to the trades. . . . Career and Technical Education lead to jobs, but not history” (Subject 1002, Campus 1). The interviewee attributed the shift in priorities to the downturn in the economy causing the enrollment in workforce development and Career and Technical Education (CTE) courses to increase in record numbers after the 2008 recession. Consequently, as CTE enrollment increased, the humanities became less important and therefore, more vulnerable to having classes cut by the administration (Subject 1002, Campus 1)

Evidence of such a shift in priorities at the campus level could be found in recent management decisions that resulted in the diversion of nearly \$1 million in tuition revenue over a three-year period to balance the budget of the Culinary Arts program

(Kerr, 2013, June 13). The tuition money came from other programs, such as English and math, which have already sustained regular cuts to their budgets due to reductions in State support (Kerr, 2013, June 13). Similarly, another interviewee noted,

We push select programs, like the International programs, but the International students aren't here to take vocational classes, they are here to transfer to a four-year institution. We are responsible for laying the foundation for the next step in their education. The administration is missing the forest for the trees. (Subject 1003, Campus 1)

Unless the administration moved to a more balanced approach to making budgetary decisions, the interviewee explained, “the humanities are going down. The humanities were supposed to make you a well-rounded, informed citizen. Now, education is more focused on getting a job” (Subject 1003, Campus 1). Arguably, the emphasis on graduation and employment rates were the result of external forces pressuring community colleges to get people back to work in the aftermath of the 2008 recession.

Greater reliance on grants. Reliance on grants represented one of the realities of the post-2008 new economy. As one interviewee explained the importance of “grants if you want anything today. . . . The State’s allocation to the overall budget is a real slap in the face to the University. The slope is headed in a downward angle for the foreseeable future” (Subject 1002; Campus 1). As an example, the interviewee described how money from different grants were mixed together “to pay for the new technology” represented in the business department’s computer lab (Subject 1002, Campus 1). The problem with grants, however, was that the money comes with a number of assessment and accountability requirements that need to be tracked for reporting purposes to the grantor

(Subject 1002, Campus 1). From the federal government's perspective, the grant outcomes were more important, referring to graduation rates and transfers to four-year institutions. That has become the present measure of success, but that did not equate to success in learning (Subject 1002, Campus 1). Another downside to relying on grants was the issue of sustainability. "What happens when the money is gone?" (Subject 1002, Campus 1). However, not all departments pursued grant opportunities. For example an interviewee from the humanities suggested, "Maybe what we should do is start looking for external funding through grants too, but there isn't a culture of grant writing in the art department. I wouldn't know where to begin" (Subject 1003, Campus 1). Overall, in an environment of flat or diminishing State support, grants have served as short-term solutions that have permitted the community colleges to pursue various projects. However, grants have reporting requirements attached to them that represent another level of assessment and accountability that may not be specifically tied to learning (Subject 1003, Campus 1).

Increasing assessment and accountability. As discussed above, community colleges face assessment and accountability requirements from a number of sources. Already, the HEOA (2008) imposed a number of conditions on distance education activities subject to continued receipt of federal funding. The interviewees in the previous section referred to the assessment and reporting requirements attached to grants. Additionally, employment and graduation rates now represent another form of accountability measures based on economic priorities. Slaughter and Rhoades (2004) attributed these measures to proponents of the neo-liberal and neo-conservative politics and policies that emphasized higher education's economic role and cost efficiency.

Specifically, the authors noted that these assessment and accountability measures do not necessarily originate from instructors, but from individuals who exercise influence that reached all the way into the classroom and involved themselves in matters such as “asking how much it is costing us to educate a student” (Subject 2002, Campus 1).

Student diversity. When asked to identify the greatest forces affecting higher education today, an interviewee felt it was the increased student diversity. According to an annual list published by *The Chronicle of Higher Education* in 2014, Campus 1 ranked seventh in student diversity among two-year public institutions (Malo, 2014). Among full time students, 44 percent were men and 56 percent were women. The average age was 24.6 years with about 51% in the non-traditional student categories (Subject 1002, Campus 1; “[Campus 1] campus overview,” 2014, April 15). The Campus 1 breakdown by ethnicity included 35 percent Asians, 19 percent Hawaiian and Pacific Islander, 10 percent Caucasian, and Mixed and Other making up the balance (Malo, 2014). In addition, Campus 1 had a substantial enrollment of International students (Kerr, 2013, September 3).

Contemporary student enrollment has been analyzed using traditional and non-traditional student categories (e.g., Levin, 2007). One interviewee described traditional students, also called “digital natives” or “Millennials,” as acting so “entitled” (Subject 1003, Campus 1). She viewed them as being “. . . less demanding, but also less engaged. They just want to get through the course. It may be because someone else is paying for their tuition” (Subject 1003, Campus 1). In contrast, an interviewee perceived the non-traditional students as follows:

The non-traditional students are more demanding; they take less ‘BS’ and hold you accountable. If you say you are going to grade assignments by a certain date, you better have it done. They are here for a purpose and are paying for the education out of their own pockets. They are looking at themselves more as clients and customers. There’s more participation from them because they have more life experiences. They have more to contribute. They can easily interact with younger students. (Subject 1002, Campus 1)

An interviewee shared similar first-hand observations as a non-traditional student taking a full-load of online course (Subject 1006, Campus 1). She initially described her early experience taking face-to-face classes on campus and how she worried about being late for class if she missed the bus. Since then, she has migrated to online classes, which she has found to be much more convenient as a mother of four children and part-time worker at two jobs. In describing her transition from face-to-face to online classes, the interviewee noted the help she received from her two eldest daughters who were also enrolled in the University system. While her daughters helped her learn to navigate the online environment, she also mentioned how her life experiences benefitted her in her online courses. She said, “it’s almost like cheating because what I am doing here at my job [in Special Education] is what we are learning in class” (Subject 1006, Campus 1). One of the significant lessons she has learned from her online courses was respect for her fellow students. It seemed that whether her students were traditional or non-traditional, she could learn from them as well as her instructor. Through posting questions, comments, and reflections, the interviewee explained that each student could offer something new or a different way of understanding a particular topic.

Another perspective of student diversity came from a non-traditional student and military veteran who explained the role that Campus 1 offered in his pursuit of higher education (Subject 1005, Campus 1). Primarily, the lower tuition at Campus 1 permitted him to extend his educational benefit under the G. I. Bill before transferring to the University where he earned a bachelor's degree. Overall, the former student summarized his experience at Campus 1 by stating, "The community college is an excellent pathway for people who don't have a strong academic background" (Subject 1005, Campus 1). He proposed applying the same strategy when his children are ready to pursue higher education by having them enroll at a smaller campus with a lower tuition rate.

Finally, one of my interviewees addressed student diversity based upon the different life experiences between traditional and non-traditional students. The interviewee stated,

One of my courses covered building a business plan. I had students ranging from engineers to recent high school graduates. It requires a lot of ingenuity to challenge them at their respective levels. Naturally, they have different goals so there is more than you can do in one class. Every single week, there is something new. (Subject 1003, Campus 1)

She described how the dynamics associated with student diversity could be felt in the classroom and has contributed to the evolving student-teacher relationship (Subject 1003, Campus 1).

Summary

Slaughter and Rhoades (2004) associated the academic capitalist regime with the "ascendance of neo-liberal and neo-conservative politics and policies that shift

government investment in higher education to emphasize education's economic role and cost efficiency" (p. 38). In turn, the authors proposed that policies, networks, and shifts in academy practices allowed the regime to arise and permeate higher education with an entrepreneurial mentality that eventually achieved "ascendency" over the public good regime (p. 29). However, in applying an academic capitalist framework in answering my research questions, the broad findings suggested activities at Campus 1 that were less well planned, organized, and systemic to support the presence of a market or revenue driven regime. At the outset, while current University policies promoted distance education activities, none specifically provided policy mechanisms that allowed Campus 1 to secure the copyright ownership to distance education courses and related assets. Arguably, clear institutional ownership or control was a prerequisite to turning distance education materials into marketable assets. Moreover, in the absence of institutional incentives (e.g., compensation, tenure, recognition, or promotion) and due in part to the ambiguity in interpreting the collective bargaining agreement (Subject 1002, Campus 1), the decision to engage in distance education remained largely an individual choice. With this preface, the rest of this section attempts to answer my research questions.

Research Question 1. The first research question asked, "What do faculty and administrators perceive as the objectives and driving forces of distance education opportunities at each institution?" Based on the findings above, the inherent goals of the public good regime readily appear as the driving force for faculty to engage in distance education opportunities at Campus 1. A number of faculty objectives served as "intrinsic" rewards that motivated present distance education activities. These rewards included: (1) expanding the geographical reach of the campus, (2) providing an alternative to

traditional classroom instruction (Subject 1003, Campus 1), (3) meeting specific student learning goals (Subject 1003, Campus 1), (4) allowing more students to enroll in courses at a campus already at capacity, and (5) serving the retraining needs of non-traditional students displaced by the 2008 recession (see e.g., Rockwell et al., 1999). Notably, a major factor that assisted faculty in accomplishing these goals was the availability of the faculty training and support. Table 5.1 identifies the forces affecting both faculty and administration as affirmative (+) and neutral (=) forces that suggested an impact on distance education opportunities at Campus 1. These forces or factors appeared largely social in nature, but also served economic interests as well.

Table 5.1. Research Question 1.

	Faculty	Administration
RQ 1: What do faculty and administrators perceive as the objectives and driving forces of distance education opportunities at each institution?	(+) Intrinsic reasons tied to serving student needs	(+) Increase revenue from DE courses
	(+) Meet dramatic enrollment demand	(=) Ambiguity in collective bargaining agreement re: workload and IP rights
	(+) Faculty support for DE through workshops and training	(+) Technology Plan focused on technology integration
	(+) University initiatives related to graduation	(=) No institutional policies supporting DE

From the administration's perspective, increasing distance education opportunities contributed economically to Campus 1 by generating additional tuition revenue.

However, the administration's inaction in promulgating policies and procedures that might resolve ambiguities in the collective bargaining agreement (e.g., workload, compensation, and intellectual property ownership) compared to the support available to faculty through the Learning Center reflected a mixed commitment to distance education

(Meyer, 2002). However, as noted above, the NSF awarded Campus 1 a significant grant involving the design and development of an online pre-engineering curriculum for underrepresented students in the field. As a potentially academy shifting event, the ability to attract federal funds fits well within the pattern Slaughter and Rhoades (2004) described under the Bayh-Dole Act where the institution secured patent rights to faculty-generated intellectual property developed with federal funding. Depending on the terms of the NSF grant, Campus 1 might be able to secure institutional ownership of the final distance education assets under the federal copyright law. As the owner, Campus 1 can translate these assets into foreign languages and market them through Asia and Pacific networks possibly associated with the International program. Consequently, the possibility of securing future federal grants as well as the ability to generate revenue from the distance education assets developed might provide the impetus for administrators to provide clear directive or policies that might steer Campus 1's distance education efforts in the direction of the academic capitalist regime.

Another force affecting distance education, perhaps indirectly, included efforts at the University system level to increase transfer and graduation rates. The "55 by 25 campaign," the University's automatic transfer process, the reverse credit transfer initiative, and the advent of student "swirling" also contributed to increases in distance education activities. An interviewee described these efforts as short-term responses, particularly to the economic downturn in 2008 (Subject 1003, Campus 1). The same observation applied to workforce development and the CTE programs where the government also equated graduation rates with jobs.

Finally, although distance education was largely an individual faculty endeavor, the administration controlled the resources required to create quality online materials (Subject 1002, Campus 1). However, the findings suggested that the administration was more focused on Campus 1's marquee programs rather than taking a more balanced approach that considered the institution's overall mission (Subject 1003, Campus 1). As mentioned above, while the Chancellor traveled in Asia promoting the International program, the media reported how non-tenured faculty went unpaid for months and how the administration failed to market the continuing education courses offered during the summer. In the same period, a number of vendors servicing the Culinary Arts program also went unpaid, while the administration diverted nearly a \$1 million dollars in tuition revenue from other programs to balance the Culinary Arts program's budget (Kerr, 2013, September 3).

Research Question 2. The second research question asked, "What types of organizational changes associated with distance education support either a public good regime or an academic capitalist regime as advanced in academic capitalist theory?" Table 5.2 describes the three significant organizational changes associated with distance education that supported a public good regime. The first organizational change involved the system-wide transition from WebCT to the present course management system in approximately 2008. The new CMS was not an exclusive tool for distance education, but

Table 5.2. Research Question 2.

	Public Good Regime	Academic Capitalist Regime
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RQ 2: What types of organizational changes associated with distance education support either a public good regime or an academic capitalist regime as advanced in academic capitalist theory?	(+) Adoption of WebCT and Sakai	(=) No policies for institutional copyright ownership
	(+) Establishing the Learning Center for faculty support	(+) Major grant opportunities
	(+) Adoption of the Campus 1 Technology Plan (2013)	(+) Cost-cutting through centralized technology selection and integration (+) Existing networks both locally and internationally

Note: (+) refers to a positive effect; (=) refers to a neutral effect.

served faculty by providing course-specific communication tools, interactive devices, and content delivery mechanisms. In other words, the organizational change dealt with technology being incorporated into all areas of instructional modalities. The technological innovation offered by the CMS, driven by the forces representing the public good regime, greatly facilitated moving distance education from the novelty stage to acceptance and integration as more faculty members engaged in online instruction at higher levels of quality and academic rigor. A second major organizational change focused on establishing Learning Centers on each campus. When the University first adopted WebCT, faculty members interested in teaching online had to learn the technology on their own. Presently, Campus 1's Learning Center actively supported faculty in effectively utilizing the tools and pedagogies built into the new CMS through workshops as well as in one-on-one consultations. The Learning Center's support was instrumental in engaging more faculty members to participate in distance education activities (Johnsrud et al., 2005).

Finally, the Campus 1 Technology Plan (2013) represented the third major organizational change. Perhaps best representing a shift in cultural perspectives, the Technology Plan focused on the effective use of technology across all formats of

instruction. Overall, the organizational changes proposed by the Technology Plan appeared to support the public good regime by enabling Campus 1 to expand distance education opportunities to more students. Note also that the Technology Plan called for centralized technology acquisition that may have a cost-savings benefit.

From an academic capitalism perspective, the absence of policies that provided incentives for Campus 1 to pursue institutional ownership of distance education materials effectively precluded the need for an academic capitalist regime. In other words, the academic practice of individual faculty members working alone in developing online courses would likely continue. However, it may be worth mentioning that the recent NSF grant to develop an online pre-engineering curriculum might shift academy practices to a team approach to meet specified standards for quality and academic rigor. As discussed above, a team approach required the participation of numerous professionals that contributed their respective expertise in producing the final product. In short, the substantial nature of the NSF grant may be sufficient to urge Campus 1 in the direction of institutional ownership of online assets even where policies may be absent.

Research Question 3. My third research question asked, “To what extent has the adoption of distance education as an instructional medium on campus produced changes in opportunity and outcomes for students, faculty and administration?” The findings, appearing in Table 5.3 suggested that the primary beneficiary of distance education at Campus 1 were the students, generally, and non-traditional students in particular. There appeared to be at least three major groups of non-traditional students: (1) those returning to school seeking to update their skills for use in their present employment, (2) displaced workers retraining for employment opportunities in the new economy, and (3) military

Table 5.3. Research Question 3.

	Students	Faculty	Administration
RQ 3: To what extent has the adoption of distance education as an instructional medium on campus produced changes in opportunity and outcomes for students, faculty and administration?	Pursue education while meeting other commitments	Learn new and marketable technology skills	Ability to meet fluctuations in enrollment
	Remain on track to graduate on time	Ability to meet diverse student needs	Generate additional tuition revenue
	Provide opportunities to veterans		

veterans pursuing higher education under the post-9/11 G. I. Bill. While each student has unique educational goals, distance education provided a convenient means of achieving these goals without necessarily having to commute to campus for each class. However, there were students who preferred face-to-face courses to online instructions. An interviewee shared his preference for traditional classes where there was more discussion and interaction (Subject 1005, Campus 1).

Faculty also benefitted from participation in distance education as they searched for new methods of instruction that helped them serve the needs of a diverse student body (Subject 1002, Campus 1). The knowledge and experience gained represented marketable skills that have been in demand throughout much of higher education and potentially in the private sector as eLearning opportunities continued to grow (Adkins, 2012). Finally, the administration benefitted from the flexibility offered by distance education in meeting fluctuating enrollment as well as from the additional tuition revenues generated by having more distance education opportunities available.

Research Question 4. Finally, my fourth research question asked, “Which of the economic activities associated with distance education offered at the respective community college campuses may be classified into one or more of the economic

activities categorized by Gais and Wright (2012)?” My findings were organized in Table 5.4 below. In considering distance education’s role in developing human capital, the humanities made up the majority of the online course offering. An interviewee also noted that faculty possessed the experience and skill to develop unique courses or programs that meet specific needs given the broad diversity of students in each class (Subject 1002, Campus 2). However, distance education had only a supporting role in the CTE and workforce development programs because the objectives of instruction required face-to-face interaction and hands-on learning. This scenario, however, did not foreclose use of the course management system to disseminate additional instructional materials and facilitate student interaction.

Table 5.4. Research Question 4.

	Developer of Human Capital	Economic Unit	Innovation in Research & Development	Business Assistance	Community Vitality
RQ 4: Which of the economic activities associated with distance education offered at the respective community college campuses may be classified into one or more of the economic activities categorized by Gais and Wright (2012)?	Supports liberal arts programs	DE reduces student and faculty presence on campus	Learning Center engaged in developing online pre-engineering curriculum under NSF grant	Keep abreast of community workforce needs	Outside the scope of DE

Second, in the absence of the academic capitalist regime, distance education’s role as an economic activity at Campus 1 appeared diluted. At the outset, there appeared an inverse relationship between distance education and Campus 1 as an economic unit since the former tends to reduce the number of faculty and students that need to commute to campus (Subject 1005 and 1006, Campus 1). Arguably, students participating in

distance education courses might not even need to purchase their textbooks from the campus bookstore since they can purchase them through online booksellers.

Third, in the area of research and innovation, Campus 1 received an NSF grant to develop an online pre-engineering curriculum. Notably, the federal grant represented a substantial revenue source tied to the development of timely and innovative curricula designed to meet the educational goals of targeted student populations. Moreover, once developed, Campus 1 could market and license these assets to other community colleges as well as Pacific and Asian institutions. Pursuing alternative revenue sources of this nature encourages the presence of non-faculty managerial professionals predicted by Slaughter and Rhoades (2004), who would be responsible for marketing and licensing the distance education assets as a revenue-generating activity.

Fourth, Campus 1 formed networks with the business community through individual consultation, advisory boards, student internships, and the numerous public events held on campus. The role distance education could play appeared much more suited to offering business assistance through Webinar (Web seminars) or non-credit courses that addressed current and prospective needs.

Finally, distance education did not appear to have any significant role in contributing to community vitality. This facet of the Gais and Wright (2012) system was not a priority of Campus 1. However, the same technology resources that supported distance education, particularly video and Web, also made campus events accessible through campus and social media technologies.

In summary, the technological, economic, and social forces that maintain a place for distance education at Campus 1 over the past two decades took on greater significance especially since 2008. As one interviewee aptly summarized,

Yes, change is rapid. . . . Now we have widespread integration of technology throughout the system and the consequence of data breaches. The bigger question is what are we paying attention to and is it the right thing? Is that where we want to go? Change is happening so fast we don't have time to reflect. (Subject 1002, Campus 1)

Additionally, change in this context suggested winners and losers, as another interviewee noted:

I'm sorry to say that the humanities are moving down the totem pole. We have these short-term concerns about increasing graduation rates. . . . But, increasing graduation rates is not the answer if you want to improve the educational level of this country. We are processing students through a system where graduation rates is more important than instilling critical thinking. . . . The machine is moving higher education in this direction and what then will make us different from a diploma mill where you take your class online. The objective is to have people with degrees. Look at [the 55 by 25 initiative.] It is missing the forest for the trees. (Subject 1003, Campus 1)

While increased tuition revenue and higher graduation rates were associated with the academic capitalist regime, without the certainty of campus level policies or direction from the administration describing distance education's role as part of an overall strategic plan, it seemed unlikely that the academic capitalist regime would arise. The social and

economic forces converging to expand distance education activities might be viewed as transitory in nature and therefore might lack the impetus to disrupt the present state of equilibrium (Heck, 2004). Instead, Campus 1's distance education expansion appeared largely reactive or consequential instead of planned. However, where the academic capitalist regime had the most potential to arise was in connection with the International Culinary Arts, including Science, Technology, Engineering, and Math (STEM) programs (supported by federal grants). These centerpiece programs cultivated partnerships and networks with private sector and governmental interest that appeared more economically driven rather than academically based.

Chapter 6: Campus 2 Individual Case Results

Campus 2 was another two-year community college that has been part of the same community college system (Kamins & Potter, 1998). The University system established Campus 2 in 1968 as a liberal arts community college to serve students from the rural areas of the county (Subject 2006, Campus 2). Campus 2 is physically bounded by a small residential community and family-owned agricultural activities to the east, the ocean to the south, and the interstate highway on the north and west boundaries. The only point of ingress and egress is a two-lane overpass across the highway. These physical barriers tend to isolate Campus 2 from the surrounding communities and require virtually all faculty, staff, and students to commute to the campus by automobile or public transportation. Over the past 30 years, the surrounding districts that were previously in large-scale agricultural production were in residential, commercial, and industrial uses.

The dramatic increase in population that followed has contributed to record enrollment at Campus 2 for the past two decades. Like other community colleges, Campus 2 experienced record enrollment of credit students reaching 6,771 in 2008, 7,484 in 2009, and 7,942 in 2010 (Headcount Enrollment, 2014; Nakaso, 2010). In 2011, Campus 2 experienced a slight decrease to 7,895, but rose to 7,960 in 2012, 7,976 in 2013, but decreased again to 7,742 in 2014 as the economy improved (Nakaso, 2010.; Kalani, 2013, September 10). As explained by the University's former executive Vice President of Academic Affairs, "[E]nrollment in higher education typically runs counter to economic growth. Students often leave college when the economy provides more jobs. This is particularly true of the community college students" ([University] system enrollment, 2013).

Campus 2 has promoted distance education in the University system, with efforts that began with a handful of closed-circuit televised courses over 20 years ago. Recently, Campus 2 offered 143 total distance education courses in Spring 2010, including eight televised courses, across 88 subject areas and taught by 63 faculty members. Campus 2 has over 250 full-time faculty and part-time faculty members.

Institutional Policies

Campus union agreements. A previous section above discussed the faculty collective bargaining agreement regarding the provisions related to faculty-generated intellectual property and the potential revenue-generating prospects of distance education activities. During my data collection on this subject, an interviewee described how an environment governed by multiple bargaining agreements resulted in an underlying formality among campus stakeholders. She explained,

I think there are six unions representing seven bargaining units on campus. Each has their own set of rules, contracts with the University. We are all colleagues here working to create the best learning environment possible, but you sometimes need to take a moment when considering who you are dealing with on a particular issue. (Subject 2005, Campus 2)

The interviewee's comments made me cognizant of the mutual rights and expectations under each bargaining agreement, which pointed me to two bargaining unit agreements that were relevant to my study. The first was the faculty bargaining agreement, which protected faculty-generated intellectual property. The second University bargaining agreement covered Administrative, Professional, and Technical (APT) employees for the

period from July 1, 2013 to June 31, 2015. Article 25 of the agreement, entitled “Patents and Copyrights,” stated:

An Employee may be entitled to royalties from patents and copyrights in accordance with the [University] Patent and Copyright Policy, adopted by the Board of Regents on August 14, 1968, and approved by the Governor of the [State] on November 12, 1968. (p. 23)

In turn, the applicable provision of the “R-11, BOR Appendix 9-14, [University] Patent and Copyright Policy,” incorporated into the 2009-2015 faculty bargaining agreement and based historically on the [University] Patent and Copyright Policy, effective January 22, 1968 and revised June 22, 1981, covering APT employees, stated:

Works produced or written “for hire” are defined as manuscripts or materials produced by persons who are engaged by the University specifically to produce such manuscripts or works, or released from other work to produce such materials. The University shall be the sole proprietor of any work done “for hire” and may make such disposition of resultant manuscripts as it may choose. . . .
(www.uhpa.org)

The provision described a work-for-hire arrangement recognized under the Copyright Act of 1976, which provided authority for transferring the intellectual property generated by APT employees to the University (see DiRameo & Kops, 2004). Although the above provision did not specifically address distance education, the language appeared broad enough to cover any materials produced by APT employees hired to contribute in a team approach to distance education design and development. The work-for-hire provision has application to faculty participating in a team project under special arrangement or

incentives from the department or administration. The academic capitalism regime relied on the work-for-hire provision to secure intellectual property ownership and control over distance education assets (Slaughter & Rhoades, 2004). However, the APT bargaining agreement did not address employee's access to confidential or propriety to University-owned IP that might have been broad enough to encompass processes, procedures, and strategies (e.g., template courses and hybrid course design), that Campus 2 might wish to protect from competitors. Again, the academic capitalist regime might utilize confidentiality and non-competition agreements in order to extend and secure its ownership and control rights.

Campus 2 strategic plan. Although distance education was part of Campus 2's long-term strategic plan, it has not been implemented (Subject 2003, Campus 2). An interviewee stated that, perhaps "a better way to explain this is that the distance education component has been tabled for now" (Subject 2003, Campus 2). As a result, the administration's action maintained the status quo on future Learning Center proposals to expand distance education, such as utilizing templates and instructional design principles to develop future online and hybrid courses. The interviewee added, "Using instructional design principles, we can test the instructional quality of the course and make improvements each semester" (Subject 2003, Campus 2). However, the interviewee hinted at the need for the administration to first address basic questions such as "who is going to teach the course and who is going to update the template? Someone should be paid to oversee development and be involved in continued development" (Subject 2003, Campus 2). Arguably, an affirmative response to these questions would demonstrate the

administration's commitment to distance education and thus encourage more faculty members to participate in expanding online opportunities.

Campus 2 copyright policy. Campus 2 was unique within the University system with respect to its efforts to comply with the policy requirements under the amended copyright law. My research located the institutional copyright policy on the campus website using one of the predefined keyword search terms. My data collection involved listing all the topic headings and text contained in the policy, such as fair use, the TEACH Act, Copyright, and so forth. Next, I searched for references to any primary and secondary legal sources referenced in the text of the policy. Finally, I listed any hyperlinks to internal and external sources of information used in support of the policy. The primary objective was to examine the copyright policy for its compliance with federal requirements as well as to identify any provisions that described incentives for institutional ownership of distance education assets.

On the issue of compliance, the Campus 2 Copyright Policy appeared on the Learning Center's website. The Copyright Policy guided faculty in their selection and use of copyrighted materials in their courses, whether offered face-to-face or through distance education. Having a copyright policy took on greater importance as technology increased access to copyrighted materials, and therefore raised the possibility of copyright infringement (Meyer, 2002). The Copyright Policy described a seven-step process, presented in Table 6.1, that assisted faculty in determining whether the copyrighted materials were in the public domain, subject to the fair use exceptions, or whether permission and licensing fees may be required before the materials may be used in instruction.

Table 6.1. Campus 2 copyright policy steps for compliance.

Copyright Headings	Steps	Resources
Introduction to Copyright, Fair Use, and the TEACH Act	Step 1	Primer on Copyright
	Step 2	TEACH Act presentation
Useful Checklists, Worksheets, and Sample Statements and Forms	Step 3	TEACH Act Copyright Notice Requirements <ul style="list-style-type: none"> • Sample Statement • [Campus 2] Policy on Copyright • Educational Fair Use Guidelines for Distance Learning • American Library Association – Copyright Issues • Legal Information Institute – Copyright an Overview • The TEACH Toolkit – An Online Resource for Understanding Copyright and Distance Education
	Step 4	Fair Use Worksheet
	Step 5	Basic TEACH Checklist: For Institutional Users, Faculty, Staff, and Students
	Step 6	Copyright Permission Guide
	Step 7	Permission Request to Copy, Distribute, and Display a Copyrighted Work

As Meyer (2002) suggested, “much of policy-making is to avoid lawsuits resulting from not having a policy or to lay the groundwork for a successful defense based on having, and following, an adopted policy” (p. 1). In this case, the TEACH Act granted college and university leaders authority to draft policies with respect to using copyrighted materials in distance education within specified guidelines. In particular, the TEACH Act required the policies to “accurately describe, and promote compliance with, the laws of the United States relating to copyright” (17 U.S.C. Sec. 110(2)(D)(i)). Here, the Copyright Policy’s Primer provided a textual summary of the major provisions of the

Copyright Act, while the accompanying slideshow presentation outlined the major requirements under the TEACH Act. Posting the Copyright Policy to the campus website served to inform and advise stakeholders of acceptable limits regarding the use of copyrighted works in instruction as well as the appropriate uses of the institution's information technology system. The Copyright Policy played a role in a multi-session faculty certification program for teaching through distance education (Subjects 2001 and 2003, Campus 2). Overall, the Copyright Policy appeared well organized and thorough.

The Campus 2 Copyright Policy, however, did not address the subject of institutional ownership of faculty-generated copyrighted works. Generally, such declarations of ownership would be defined in a campus IP's policy (Lape, 1992; Slaughter & Rhoades, 2004). Such a policy could not be located as part of my review of Campus 2. Borrowing a term from the Carnegie Foundation rating system, Campus 2 did not appear to be engaged in "high research activity" that would justify adopting an intellectual property policy (Subject 2001, Campus 2). However, after interviewing faculty, staff and students, along with the opportunity to tour the Learning Center's production and support centers, Campus 2 appeared to possess the design and development capabilities that could expand distance education opportunities as well as serve as a potential revenue-generating activity.

Already, Campus 2's workforce development and CTE programs included distance education opportunities where practicable. Workforce development included intensive certification programs such as medical data input, health industry reporting, and data processing programs (Subject 2006, Campus 2). Although these programs rely heavily on hands-on-training, distance education helps faculty transmit instructional

content to students in support of their classroom studies (Subject 2003, Campus 2). Campus 2 also explored partnerships with unions and employers to assist workforce and CTE graduates meet periodic certification, licensing, and continuing education requirements through distance education (Subject 2003, Campus 2). For example, in the automotive repair program, students encounter new models, features, and technologies each year (Subject 2003, Campus 2). Consequently, Campus 2 considered ways of deploying distance education opportunities to help students and graduates with retraining without them having to come to campus (Subject 2006, Campus 2). Significantly, the unions or employers generally pay for the retaining courses (Subject 2006, Campus 2), thus creating a revenue-generating opportunity. Moreover, the Learning Center established partnerships with other community colleges that might lack the capacity, experience, or expertise in developing their own online courses. A recent project involved creating online instructional modules for a nursing program at another community college using the Campus 2 templates (Subject 2003, Campus 2). Another example of the evolving partnerships between the community colleges involved allowing students from another community college to take online courses at Campus 2 under a credit transfer arrangement. Finally, private sector interests also approached the Learning Center to develop online instruction to train employees to meet new regulatory requirements (Subject 2003, Campus 2).

Arguably, the institutional policies in place, albeit in separate documents, neither prohibited nor encouraged Campus 2 from commercializing distance education assets and services. However, according to a number of interviewees, the limitations surrounding distance education stemmed from the shared governance structure at Campus 2 (Subjects

2002, 2003, 2004, and 2005, Campus 2). The discussion that follows tracks the remaining two prongs of the academic capitalist regime and the theme of shared governance where applicable.

Interstitial Entities and Networks

Community networks and partnerships. An interviewee stated that one of the underlying principles for the creation of the community college system was interaction with the community (Subject 2005, Campus 2). One of the important forms of interaction through networking and partnerships described by Slaughter and Rhoades (2004) were advisory boards. Like other community colleges in the University system, advisory boards represent an important mechanism for connecting the campus to public and private sector interests (Slaughter & Rhoades, 2004). Members serving on advisory boards helped the institution develop additional partnerships and to address particular needs within the community (Subject 2006, Campus 2). Notably, members assisted in exploring issues, finding resources, and developing the curriculum (Subject 2006, Campus 2). An example of this form of networking arose when large-scale agricultural enterprises approached Campus 2 about the need for qualified managers and field technicians. In studying the need, an interviewee established an advisory board comprised of representatives involved in both core and peripheral activities. He explained,

I think that is one of the major advantages of the CTE programs. We base our programs around people with practical knowledge and experience of the specific programs. We don't have someone who teaches from a textbook, but from actual experience. (Subject 2006, Campus 2)

In this example, the feedback from the advisory board helped guide faculty and administrators in developing the new Agricultural Technology program that not only met industry needs, but also incorporated concepts on sustainability and green technologies (Subject 2003, Campus 2).

Another form of networking involved faculty and counselors joining community groups, such as business and professional organizations, to help them with workforce development and job placement (Subjects 2004 and 2005, Campus 2). Membership helped the community college, explained an interviewee, to “keep a finger on the pulse of the surrounding communities so we can help our students prepare for the job market” (Subject 2004, Campus 2). These relationships permitted faculty to balance their curriculum between theory, practical skills, trends, and tools (e.g., accounting and bookkeeping software) (Subject 2005, Campus 2). One of the interviewees added that by working closely with industry, Campus 2 kept their courses updated and responsive to community needs (Subject 2003, Campus 2).

A third form of networking involved student internships. As conceived, internships provided students with practical experience and work skills through placement in actual businesses. However, an interviewee observed, “good internships are hard to find,” noting the difference between paid and unpaid internships (Student 2004, Campus 2). She offered that many businesses who sought interns only wanted free labor, instead of providing students with an actual learning experience (Subject 2003, Campus 2). As part of the discussion, the interviewee noted that the recent court decision related to the Black Swan movie addressed whether the producers should have paid the interns (Subject 2003, Campus 2). The interviewee explained the ruling has implications

throughout education, not just in higher education, on whether an internship has a learning component tied to an academic program (Subject 2003, Campus 2).

Consequently, until there is more clarification on this subject, the interviewee suggested that she would take a conservative stance on internships (Subject 2003, Campus 2).

Another example of building community partnerships arose in connection with the construction industry. For example, the proposed route of a local fixed rail transportation system included a major stop that would service Campus 2. As a result, the rail developer approached Campus 2 and a second community college along the route to develop training programs for up to 300 employees to maintain and service the rail cars. An interviewee working in workforce development and CTE programs stated, “That’s exciting for us to be at the forefront in matching education with an emerging employment need” (Subject 2003, Campus 2). To that end, Campus 2 worked with the developer to create a curriculum for the first generation of students to work on the rail transit system (Subject 2003, Campus 2).

Finally, an interviewee shared Campus 2’s goal in establishing a physical presence in the various communities it served (Subject 2006, Campus 2). Based on projected population growth in this area, the interviewee expressed his desire to “develop better partnerships with the community in order to keep on the pulse of shifts in industry and employment so we are ready to act” (Subject 2006, Campus 2). One project, for example, involved establishing a satellite facility in a shopping center. The two-story facility served more than 500 students and offered general education and remedial courses. By Summer 2015, the satellite will move into a new building that will be four-times the current size and offer credit, CTE, and workforce development programs. The

satellite facility would not have been possible had it not been for a partnership that combined community interests, business interests, and legislative funds to purchase the building. The second project involved a partnership with a high school's award winning video production program and Campus 2's existing television production programs. While these programs created networks that helped increase enrollment, the interviewee emphasized that they represented examples of Campus 2's efforts to open student pathways to higher education and eventually to the University's new four-year West campus.

Partnerships within the University system. In addition to community-based networks and partnerships, Campus 2 actively pursued partnerships with other community colleges within the University system. For example, Campus 2 worked with another community college that offered teaching and nursing certifications. Generally, students complete the general education courses at their home campus and take the CTE or non-credit courses at Campus 2 (Subject 2006, Campus 2). Another example mentioned above, involved a Campus 2 partnership with a third community college in training students to maintain the rail system (Subject 2006, Campus 2). Arguably, these partnerships permitted the community colleges to maximize their existing resources while also minimizing their risks during periods of flat government support, changing economic trends, and fluctuating student enrollment.

Another promising partnership lies with the [West] University campus that recently moved to a larger, permanent site near Campus 2. The expansion of the four-year institution created opportunities for Campus 2 graduates to pursue bachelor's degrees. An interviewee explained how this event created an opportunity "to break down the barriers

and start a dialog with our partners” to negotiate favorable articulation agreements that would enable more Campus 2 graduates to remain in the University system rather than transfer to competing private institutions (Subject 2006, Campus 2).

Economic unit. First, it may be worth noting that Campus 2 did not fit the description of a typical college town found across the United States. As described above, the founders selected an isolated site for Campus 2 that was formerly surrounded by agricultural activities on three sides. Since then, the physical barriers between Campus 2 and the nearest residential communities have intensified with a multilane freeway, highways, and a future rail transit line (Subjects 2004 and 2006, Campus 2). Based on my visits to the campus, the only means of ingress and egress was a two-lane freeway overpass (Subject 2004, Campus 2). Although accessible by foot, the high level of traffic, road dust, and exhaust, the route was not necessarily pedestrian friendly. During my visit to the campus, I experienced heavy traffic congestion to and from the campus due to the roadwork associated with the rail transit project. One of the interviewees explained that since nearly all the campus stakeholders commute and because there was no place on campus for students to “hang out,” and like Campus 1, Campus 2 did not have student dormitories. Consequently, most students leave for home or work after they finish their classes for the day (Subject 2004, Campus 2). A second interviewee affirmed this pattern, noting that once he reached the campus, he did not usually leave to shop or dine in the surrounding neighborhoods (Subject 2001, Campus 2). More likely, he suggested, the campus stakeholders would provide an economic benefit in the community in which they lived (Subject 2001, Campus 2). A third interviewee also noted that she could find almost everything her family needs in her neighborhood (Subject 2007, Campus 2). She also

shared a similar belief that where a person shops was more of a function of where that person lives rather than which community college they attended (Subject 2007, Campus 2).

Other evidence that countered the premise that Campus 2 served as an economic unit to the surrounding communities came from the student newspaper. My review of four printed issues and visits to the online version of the student newspaper revealed an absence of any advertisements from the community, least of all any directed at students. Another interviewee also affirmed the lack of advertisements in the student newspaper targeting students (Subject 2007, Campus 2). Furthermore, my investigation of Campus 2 did not identify any study or report that discussed the institution's economic impact on the surrounding communities. Arguably, based on the physical separation, the general shopping habits of Campus 2 stakeholders, and the lack of advertisements targeting Campus 2 students, there seemed to be evidence that countered the concept that Campus 2 was an important economic unit relative to the surrounding communities (Gais & Wright, 2012). However, Campus 2 has long been a major consumer of utilities, goods, and services, as well as a significant employer. More recently, Campus 2 has been the site of major building activities including construction of the new Technology Center (Subject 2005, Campus 2) and the recipient of an \$8 million allocation for theater renovations (Teague, 2014). In that sense, Campus 2 might qualify as an economic unit.

Finally, the only commercial activities observed at Campus 2 included a single franchise sandwich outlet and beverage kiosk. Arguably, Campus 2's layout, based on the design of a shopping mall (Kamins & Potter, 1998), could take advantage of the student

traffic with additional franchise operations, services, and activities that could generate additional revenue for the institution (Slaughter & Rhoades, 2004).

Developers of human capital. Campus 2 originally began as a liberal arts institution (Subject 2006, Campus 2). Presently, the enrollment appeared equally divided between transfer students and those pursuing technical degrees (Subject 2006, Campus 2). This section examined distance education's role in the latter category of courses that included the Culinary Arts and automotive repair programs. Although these programs relied primarily on traditional classroom and hands-on instruction, an interviewee noted, "Where distance learning can step in is in making additional instructional materials available that students can review at home at their convenience. It reinforces the classroom instruction" (Subject 2003, Campus 2). Another interviewee also affirmed the role that distance education could play in industries that require re-certification or continuing education, explaining:

Our graduates have learned the skills and acquired the knowledge, we can use distance education to bring them up to speed with new regulations or requirements. They don't have to come to campus, they can study at home. Often the unions will pay for upgrading the skills of their members. There are many opportunities like this for forming partnerships between Campus 2 and business and industry. (Subject 2003, Campus 2)

This vision of distance education suggested an ongoing relationship between Campus 2 and the private sector that extends past the students completion of their programs and may create revenue-generating opportunities on a larger scale than what has been currently taking place.

In support of the institution's mission in developing the human capital for the region, many of my interviewees emphasized the need for Campus 2 to remain flexible and responsive to business and industry workforce needs (Subjects 2003, 2004, 2005 and 2006, Campus 2). Historically, as described by one interviewee, the University established Campus 2 in a largely rural setting dominated by expansive agricultural activities (Subject 2005, Campus 2). While the demise of agriculture resulted in lost employment opportunities, the demand for workers with different types of skills in the business, retail, and resort sectors have gradually arisen (Subject 2006, Campus 2). In response to the demand, the interviewee noted, “. . . we have new employment needs with new skills . . . and how [Campus 2] can service their needs is through a nice array of CTE programs (Subject 2006, Campus 2). Finally, the interviewee suggested that by having these employment opportunities in the area where the students live, they could enjoy a better quality of life by not having to spend hours commuting to and from work each day (Subject 2006, Campus 2).

Resource for community vitality. Campus 2 has been the site of numerous activities that contributed to community vitality (Gais & Wright, 2013). An example of Campus 2's contribution included the annual small business fair hosted on campus (Subject 2005, Campus 2). The small business fair offered business advice through workshops conducted by representatives from the banking industry, small business owners, the Small Business Administration, and the Internal Revenue Service (IRS) (Subject 2004, Campus 2). Moreover, the IRS helped to underwrite the cost of these events, since arguably, more businesses tend to increase the tax base (Subject 2004, Campus 2)

Another activity that might indirectly benefit the community involved Campus 2's free tax preparation service that has been ongoing for many years (Subject 2005, Campus 2). This past year, approximately 600 clients from the community took advantage of the service conducted by business students certified by the IRS and working under the supervision of senior business faculty members (Subject 2005, Campus 2). Some of the clients qualified for refunds ranging from \$1000 to \$4000. An interviewee participating in the free tax service felt, "that is money that is going back into their pockets, that they can spend however they want, money that they can spend in the community" (Subject 2005, Campus 2). Arguably, spending tax refunds in the community had a positive incremental benefit.

Campus 2 also served as a venue for a variety of on-campus events that included job fairs for students seeking employment (Subject 2007, Campus 2) and Geek Day for anyone who wanted to discuss the latest technologies, online games, and "just talk tech" (Subject 2005, Campus 2). Other popular events involved the Farmers' Market along with theatre, dance, and musical performances that has generated revenue through admissions and rental charges (Subjects 2004 and 2007, Campus 2). Finally, Campus 2 has a fine dining restaurant that has been gaining public attention (Subject 2004, Campus 2).

A less well-known service that might indirectly contribute to community vitality involved the repair services offered through the automotive program (Subject 2004, Campus 2). While students received hands-on training under an instructor's supervision, the program benefited the community by charging only for the cost of repair parts. In

addition to the savings, the repair service helped people remain mobile in terms of employment and commuting within their community (Subject 2004, Campus 2).

Lifelong learning. One of the early adopters of distance education at Campus 2 was a faculty member in the Art Department (Subject 2001, Campus 2). Initially, the idea of teaching online represented a challenge (Subject 2001, Campus 2). Since then, he discovered that his online courses allowed him to “introduce that guy [who cannot attend courses on campus] to a new medium for self-expression. . . . Online courses were intended to reach those faraway students” (Subject 2001, Campus 2). In his particular discipline, the interviewee felt that by enriching the lives of his students through art, he not only contributed positively to the community, but it also helped himself:

. . . to find meaning in my own life and my role as an art instructor. I hope that if someone has a bad day, jumping on one of my projects might help lower the stress level or maybe direct the stress to an environment they have total control over. Maybe they won’t yell at their spouse or their kids, or kick the dog. (Subject 2001, Campus 2)

The ability for distance education to reach students who otherwise would be unable to experience higher education provided a foundation for lifelong learning throughout the State. However, offering courses that support lifelong learning through this format may not always be feasible due to the resources required to convert a traditional course into an online format and the willingness of a faculty member to learn the skills needed to become an effective online instructor. As one interviewee explained, Campus 2’s decision-making process would likely focus on courses that lead to skills needed in the market place (Subject 2006, Campus 2). Consequently, the online Art course described

above may be an exception to other “core” courses that were required in the liberal arts and CTE programs (Subjects 2002, 2003, 2004, and 2005, Campus 2). As another interviewee described, Campus 2’s decision-making process would likely emphasize courses that lead to marketable skills (Subject 2006, Campus 2).

Shifts in Academy Practices

Background of distance education. Campus 2 was an early adopter of distance education technology that included cable and HITS courses that began over 20 years ago. After the Internet became accessible to the public, an interviewee described how faculty, primarily working on their own, began developing online courses based on the Hypertext Markup Language (HTML) (Subject 2003, Campus 2). In an effort to support the faculty, Campus 2 established the Learning Center in the early 2000’s. Since then, the Learning Center assisted faculty in integrating technology in all facets of instruction (Subject 2003, Campus 2).

After the Internet, the next major evolutionary shift in the development of distance education involved the University’s adoption of WebCT as a universal course management system. WebCT enabled the faculty to change their focus from learning HTML to developing the pedagogy for effectively using the interactive communication tools of the CMS (Subject 2002, Campus 2). Again, faculty members worked primarily on their own in learning and using the new CMS (Subject 2001, Campus 2). However, when the University later transitioned from WebCT to the present course management system in approximately 2008, the Learning Center was better able to assist faculty in using the new CMS. The Learning Center actively supported the transition by offering workshops and training to induce more faculty members to utilize the new CMS and

possibly engage in distance education activities. An interviewee explained, “The plan was to have a certification-type of program where faculty could take a series of workshops covering different skills and receive a certificate upon completion” (Subject 2003, Campus 2). In addition, an interviewee described how he completed the program and how he received “special mentoring in order to build up his first class from scratch within the time of one semester” (Subject 2001, Campus 2). The Learning Center’s support reflected higher success rates in learning outcomes when comparing distance education courses compared to success traditional face-to-face courses (Subject 2003, Campus 2).

Underlying distance education’s achievement was the technology skills and support offered by the Learning Center personnel. One of the Learning Center’s innovative projects involved the development of templates for designing and developing online courses. For example, an interviewee explained, “Math has a template course. Templates can be effective for lecturers to start their teaching careers” (Subject 2003, Campus 2). Moreover, course development and duplication based on templates was practical from a fiscal standpoint (Subject 2003, Campus 2).

Another factor that encouraged faculty to teach online involved the growing support from publishers. An interviewee offered how “many publishers are supplementing their text with online materials, like software exercises, so we don’t have to create them ourselves” (Subject 2005, Campus 2). A second interviewee noted how students once had to either purchase [industry standard] applications used in class or drive to campus to use the application in the computer lab (Subject 2001, Campus 2). However, since teaching online, he negotiated agreements with software companies

where students can lease the applications on a monthly or semester basis at an affordable rate (Subject 2001, Campus 2). The arrangement benefits both traditional and distance education students (Subject 2001, Campus 2).

Overall, approximately half of the students that took online courses at Campus 2 resided in the surrounding area while the other half were from throughout the State (Subject 2003, Campus 2). Campus 2 faculty recognized the diverse needs of such a broad student population by using distance education opportunities to offer quality instruction to all students who cannot attend a traditional face-to-face class (Subject 2001, Campus 2). For many working students, online courses offered a convenient means for them to pursue their education without them having to come to the campus (Subject 2006, Campus 2). An interviewee who recently graduated from Campus 2 noted how the quality in instruction improved from her first online course to a later online course taken more recently. She described her first online course as being “more about memorization and regurgitation” (Subject 2007, Campus 2). As a current Education major at the University, the interviewee suggested how her instructors could have been “more detail oriented when teaching online” (Subject 2007, Campus 2). She specifically mentioned how the instructor’s direction “needs to be more precise since the primary form of communication is through postings” (Subject 2007, Campus 2). In comparison, the interviewee expressed how she enjoyed her experience in a later online course. Describing herself as a visual learner, she preferred the use of colors and images incorporated into the instructional materials. In addition, the course incorporated a high level of interaction, and was much more detail oriented (Subject 2007, Campus 2). She stated, overall, it was a “much more enriching class” and reflected “a better

understanding in how to guide students in becoming better critical thinkers” (Subject 2007, Campus 2). Arguably, the interviewee’s disparate evaluations of her two online instructors may be based on a number of factors that cannot be fully explored at this time. However, it was the objective of the Learning Center to provide the training, support, and skills to help faculty elevate the instructional quality of their online course offerings.

More recently, the Learning Center’s support enabled faculty to develop entire online programs offered through distance education. An interviewee concluded, “One thing that is certain to me is that the Internet is a necessary part of education” (Subject 2005, Campus 2). Based on that realization, the interviewee participated in developing a retail management program that has been online for five years (Subject 2005, Campus 2). The common navigation system and consistency between the courses created a “total package” that remained popular with a broad range of students (Subject 2005, Campus 2).

Massive Open Online Courses (MOOCs). MOOCs represented a potential resource in the area of distance education. One of the major innovators in this area has been the Massachusetts Institute of Technology (MIT) (Subject 2002, Campus 2). In 2008, MIT’s faculty members made all of their instructional material available online to the public. Despite its attraction and widespread availability, the Campus 2 interviewees raised a number of concerns surrounding the use of MOOCs. The first interviewee stated:

[MOOCs] serve as a foundation for educators around the world to use and adapt for their specific learning objectives. [But,] one size does not fit all. You make it fit your needs. By themselves, there isn’t the interactive element that bridges the gap to actual learning on the part of the student. (Subject 2002, Campus 2)

In confirming the above statement, a second interviewee added that interaction was not only pedagogical, but a legal requirement for creating “a truly authentic learning environment” (Subject 2003, Campus 2). In addition, a third interviewee raised assessment and accreditation in using MOOCs as a basis for instruction:

How do you assess learning? How do you assess SLOs (student learning outcomes) to validate what you learned? Let’s say you designed a course around a set of MOOCs with defined SLOs, I think you would need curriculum approval; that would take at least two years. Also, how would an accrediting agency view an institution that based its courses on MOOCs? How would an accrediting agency determine whether the assessing organization is qualified to make an assessment of learning based on the use of MOOCs as the instructional medium?

You need proof. (Subject 2005, Campus 2)

Following the comments on assessment, another interviewee discussed how she learned about MOOCs in a recent workshop (Subject 2004, Campus 2). While she believed MOOCs have the potential for supplementing an existing course, she did not believe an entire course should be based on MOOCs (Subject 2004, Campus 2). Arguably, the discussion of integrating MOOCs into course curricula was premature since distance education’s long-term, strategic role at Campus 2 required further consideration (Subject 2003, Campus 2).

Faculty opinion on distance education. The convenience offered by online courses also appealed to participating faculty as well. Reflecting on his current teaching load (two traditional and three online courses), an instructor addressed the pros and cons to teaching both formats (Subject 2001, Campus 2). First, he liked the challenge when

asked by his department head to create an online course. Moreover, since he offered his courses online, he did not have to drive to campus as often (approximately 30 miles roundtrip). On the other hand, he likened his online courses as being “more like a process than a relationship” (Subject 2001, Campus 2). He found that his comments to his online students were more cryptic compared to a face-to-face class where he could engage the students in dialog.

A characteristic of an effective online instructor was responsiveness to their students. However, in attempting to be available to her online students, an interviewee expressed how she felt “connected 24/7, particularly over the weekend when most students work on their classes” (Subject 2005, Campus 2). She stated, “Students have access to you by email and expect a response. I tell them that I will try to get back to them in 24 hours, but you always feel connected” (Subject 2005, Campus 2). Another interviewee added, “Yeah, now with iPhones and iPads, students can contact you anytime they want. And because they have these mobile devices with them constantly, they think you are connected, too” (Subject 2004, Campus 2). On the other hand, a third interviewee believed there was a tradeoff in teaching courses online (Subject 2001, Campus 2). He noted the savings in time and money by not having to drive to campus and that he could walk his dog during daylight hours (Subject 2001, Campus 2).

Challenges to distance education. Although distance education seemed to be gaining in popularity, its long-term role at Campus 2 appeared uncertain. As one interviewee mentioned above, the Campus 2 strategic plan deferred the distance education component (Subject 2003, Campus 2). This move suggested that distance education “is not a priority for the administration, not enough for the administration to

take a long-term look at distance education” (Subject 2003, Campus 2). Based on my interviewees’ experience and perspective of distance education, without direction from the administration, they believed that other faculty members have been hesitant to commit to distance education (Subject 2003, Campus 2). Consequently, distance education operated largely on an “as-needed” basis, particularly in meeting fluctuating enrollment (Subject 2003, Campus 2). An interviewee attributed distance education’s indefinite status to the “shared governance” structure at Campus 2, referring to the absence of a strong directive from administrators to promote distance education (Subject 2003, Campus 2). As she explained, each campus was “home grown” in terms of the level of autonomy among the community colleges and between the faculty and administration (Subject 2003, Campus 2). Currently, as one interviewee stated, “unless there is a strong push by the administration, distance education development is sort of on the backburner for faculty. It’s a push/pull thing between faculty and the administration” (Subject 2003, Campus 2). For example, the need for distance education might decline if the current decrease in student enrollment continues.

Another factor associated with distance education was faculty attitude towards learning new skills (Johnsrud et al., 2005). According to one interviewee, the collective bargaining agreement offered faculty time for personal development or continuing education (Subject 2002, Campus 2). Instead, he asserted, the faculty used the time for vacations (Subject 2002, Campus 2). The interviewee believed that faculty members have a fear in revealing that they may lack skills and knowledge concerning distance education:

. . . they have an image of themselves that they should know everything. In the case of technology, we are constantly evolving. Skills need to be updated. . . .

They don't have the skills or knowledge associated with online learning. This gap keeps us falling behind. (Subject 2002, Campus 2)

This perception of the faculty, however, must be weighed against the administration's recent decision that abolished the one-hour preparation time initially allotted for each online class. "Now it's all on our own time. If you are a full-time faculty member, you are teaching five courses, the loss of that time makes a big difference in the amount of time you spend on each class" (Subject 2005, Campus 2). The faculty believed that the increased workload has a negative impact on instructional quality and gave the impression that the administration did not care about the students, but only cared about "the bottom line" (Subject 2003, Campus 2).

As another challenge to distance education, an interviewee believed that the proprietary attitude held by certain faculty members tended to limit deployment of distance education opportunities at Campus 2 (Subject 2002, Campus 2). For example, there might be several sections of English 100, but individual faculty "will develop their own curriculum; select their own textbooks, and writing assignments" (Subject 2003, Campus 2). The interviewee added, "Faculty developed courses seems to be the mainstay here. The people who engage in distance education put so much of themselves in the course that they don't want to let go, let others use their materials" (Subject 2003, Campus 2). Consequently, faculty ownership and control of their instructional materials presents another challenge the Learning Center must overcome in creating more "template courses that all instructors can agree upon" (Subject 2003, Campus 2).

A third interviewee indirectly raised the question of whether the recent reduction in faculty salary under the prior University administration had an impact on faculty attitude towards distance education. The interviewee shared that the University faculty “is in the bottom third nationally in faculty salary. Now that the [University President] is gone, what happens to [her promises] to restore the pay cuts we already took?” (Subject 2001, Campus 1). However, whether the salary reduction leads to a lack of faculty commitment and interest in distance education would be difficult to assess based on the statement of a single interviewee. A future study might examine this issue using other data collection methods such as questionnaires and surveys of a larger faculty population.

Finally, the gap or lack of experience on the part of students enrolling in distance education might negatively affect their overall impression of distance education. As one interviewee observed, the courses were designed to appeal to a diverse range of students; however, in distance education, some students were not prepared to take an online course. For example, the interviewee noted how “older students think I can use the Internet and do Google searches so how hard can it be,” while “younger students lack the discipline to keep up with the course material. I even had a student who signed up for an online course and did not have an Internet connection at home” (Subject 2005, Campus 2). In addition faculty learned that they need to keep current with the new technologies, and in particular the “mobile technologies—tablets, smart phones, and the growing availability of high speed broadband connections” (Subject 2001, Campus 2). Arguably, a commitment to distance education required a corresponding commitment from institutions to keep abreast of the evolving nature of Internet-based technologies and how people use them.

Growing reliance on lecturers and part-time faculty. Like many colleges and universities across the nation, Campus 2 relied on adjunct faculty and lecturers to sustain the institution's overall educational efforts, especially in the area of distance education (Allen & Seaman, 2011). At Campus 2, reliance on part-time faculty helped to address fluctuations in student enrollment (Subject 2003, Campus 2), but also served a cost-cutting function when comparing salaries for full professors at \$80,900 and instructors at \$53,400 (Almanac of Higher Education, 2012). However, not everyone welcomed part-time faculty for distance education at Campus 2 since not all of them had experience teaching online. An interviewee stated, "They don't know how to effectively interact with the students. . . . They don't know how to give feedback." Since part-time faculty were hired on an as-needed basis, "the best [Campus 2] can do is to run those without experience through a crash course on how to teach online" (Subject 2002, Campus 2). Moreover, the part-time faculty and lecturers were given a course that has been pre-designed and generic so "that anyone can teach the course" (Subject 2002, Campus 2). However, due to the timing in hiring and the "as is" design of the course there was "no time to modify the course to meet [the part-time faculty's] specific wants" (Subject 2002, Campus 2). Another interviewee added, "In this environment, learning is too rigid and you lose the opportunity to explore critical thinking" (Subject 2002, Campus 2). The overall environment often contributes to a poor experience resulting in them not wanting to teach online again. This situation "naturally shrinks the pool of lecturers" (Subject 2002, Campus 2). A related challenge involved lecturers who "are often split between more than one campus or they have other full-time jobs. We don't get their full commitment" (Subject 2003, Campus 2). Another aspect to using adjuncts and lecturers

involved “creating a lower social class in education” (Subject 2003, Campus 2). “It is an antiquated system that must be gotten rid of. That’s up to the administration. That’s what happens in an environment that puts profit ahead of learning” (Subject 2002, Campus 2).

Finally, as an example, decreasing enrollment and flat government support converged at the University’s law school. One of the dramatic measures taken has been to reduce hiring in three categories: (1) lecturers by 25%; (2) research assistants by 10%; and (3) teaching assistants by 10% (Deneen, 2014). Another shift in academy practices dealt with eliminating the hiring of adjunct law professors from other schools to fill positions held by permanent faculty when they go on sabbatical. Instead, current faculty now teach extra courses when faculty go on sabbatical (Deneen, 2014). Furthermore, the law school has adopted a number of initiatives to increase enrollment. First, the law school also offered upper level courses in alternate years as another cost cutting measure. First, the law school recently marketed its part-time, evening program to University faculty and staff who can use their tuition waivers as a means of earning a law degree (“Law School,” 2014). Second, the law school initiated new programs, such as in Energy Law to attract a broader population of students (Johnson, 2014; Mykleseth, 2014, October 23). Third, the law school began marketing itself in the international arena as a pathway for foreign lawyers to qualify for the bar exam. The law school’s response might illustrate the new normal in higher education under the current budgetary crisis.

Greater reliance on grants. Public and private grants have remained a significant factor in an environment of declining State support. An instructor shared how her department brought in about \$600,000 (Subject 2004, Campus 2). However, the problem with grants was that:

. . . the funding used to be good for five years provided you met the grant requirements. Now the rule is three years. After the grant ends, the institution is expected to take over the program, whatever it is. You hire people and there are no guarantees. . . . We cannot keep relying on grants as a solution because it prevents us from making long-range plans. (Subject 2004, Campus 2)

Planning was a significant issue, particularly since Campus 2 has the largest and second largest of two highly underrepresented student populations in the University system (Subject 2005, Campus 2). As part of Campus 2's plans to increase enrollment for these groups, an interviewee described how he used a combination of funds from the Carl D. Perkins Vocational and Technical Education Act and from the C3T CC Career and Technical Training Grants to develop credit and non-credit career pathways for underserved and underrepresented populations (Subject 2005, Campus 2). This endeavor illustrated how the present economic conditions and budgetary constraints would have made such pathways difficult, if not impossible, to pursue without the federal grants.

Finally, as higher education placed more reliance on technology, there was a need to keep one's skills and program up to date. The Art Department, for example, secured grants from the Pacific Center for Advanced Technology Training and other federal sources to keep the digital arts program current with the latest industry standard applications (Subject 2001, Campus 2). The economic condition within higher education required faculty to be innovative, such as pursuing lease options for the software discussed above.

Emphasis on employment and graduation rates. Slaughter and Rhoades (2004) described the numerous forces influencing the internal operation of colleges and

universities across the nation. Among the most direct forces were demands for greater assessment and accountability (Subjects 2004 and 2005, Campus 2). Measures included transfer rates to four-year institutions and success of the workforce programs. The former category included the University's adoption of automatic transfer initiatives discussed above, while the latter involved equating graduation rates with employment. These concepts were codified in the University Community Colleges Policy, entitled, "Culture of Evidence," dated September 2013. The opening paragraph began, "This codifies the [University] Community Colleges' . . . commitment to developing, assessing, and continuously improving a culture of evidence that supports institutional effectiveness and results in student achievement and success" (p. 1).

Although none of the interviewees objected to having measures for assessment and accountability, the concern focused on the types of measures used as evidence of student achievement and success. For example, the main complaint centered on the institution's reliance of the number of degrees conferred as the primary measure of "success." However, the assumption that everyone who enrolls in a community college desired a degree was not true. An interviewee explained,

Certain programs, like the automotive program, have students that find jobs while still in the program and the job pays well enough that they decide to work full time. That's great for the students, but we, the institution gets dinged because they did not complete the program and earned an Associate's degree or certificate.

Perkins looks only at completion data not whether the student got a job. (Subject 2004, Campus 2)

Another interviewee sharing similar sentiments, stated,

We have students who enter a program, like accounting or IT, but who only take one or two courses, just enough courses to either get the job or to do the job that they already have. They might take a course in QuickBooks, and that is all they need, or a course in Microsoft Office. There is a lot of pressure on the assessment side, but the data is not really accurate, it is not an accurate measure of student success. (Subject 2005, Campus 2)

Using graduation and employment rates as the measure of success has both a negative and depressing emotional impact on faculty (Subject 2005, Campus 2). In essence, the interviewee added, “The current measures do not take into account the specific student-needs when entering and whether they are satisfied when they complete the course” (Subject 2004, Campus 2).

Another factor has been the rising cost of tuition. An interviewee described how “students today are carrying more of the cost of higher education” (Subject 2004, Campus 2). She believed that there was a direct relationship between the cost of tuition and student retention. Similarly, another interviewee described how she had to work full-time in alternate years to earn enough money to attend school full-time and concentrate on her courses (Subject 2007, Campus 2). In short, the interviewee stated, “It’s a tough set of circumstances” (Subject 2004, Campus 2).

Changing student demographics. The literature review defined the population of incoming students into two broad categories: traditional and non-traditional. The traditional students consist of the so-called “digital natives” and “millennials,” the population of technology-savvy students that enter higher education directly after graduating from high school (Palfrey & Gasser, 2008). An interviewee believed the

Millennial group she belonged to from the surrounding neighborhood do “not place a high value on education. They are more worried about survival. . . . You just have to deal with that first. You have to pay rent, take care of the basics” (Subject 2007, Campus 2). However, the interviewee’s mother instilled in her the values of pursuing higher education and the belief that, “Education can change people, change communities, change everything” (Subject 2007, Campus 2). She was completing her Bachelor’s degree in education and hoped to be placed in a district near Campus 2, where she was from (Subject 2007, Campus 2).

In contrast, the non-traditional students have been generally older, with a family and work experience (Ubell, 2005). An interviewee from the workforce development programs described the CTE students as follows:

Many of our CTE students, unlike our traditional liberal arts students who plan on transferring to [the University or to another University four-year institution], our CTE students are older, probably married and supporting a family. They have many other commitments. (Subject 2006, Campus 2)

However, the Campus 2 interviewees suggested that the category of non-traditional students was much more diverse than initially assumed, especially when their educational goals were taken into consideration. An interviewee noted,

We have students who will complete the program and transfer to [the University]. We also have students who want to learn enough skills to enter the workforce after completion. And we have students who want to take only one or two courses. (Subject 2005, Campus 2)

Additionally, the students' socio-economic status crosses the spectrum. Many of the non-traditional students work part-time and a few were single parents (Subject 2005, Campus 2). As mentioned above, many of the working students, especially those juggling multiple jobs, leave school for economic reasons (Subject 2004, Campus 2). An interviewee described how she had to persevere in a family that did not place a high value on education as she pursued her liberal arts degree (Subject 2007, Campus 2). Her family's socio-economic status forced family members to focus on survival instead of pursuing higher education (Subject 2007, Campus 2).

Veterans represented the newest segment of the student body. An interviewee explained, "We have the largest population of veterans in the community college system. My experience with them has been positive. They add a different flavor to the classroom. They are responsible and respectful. It's 'yes ma'am, no ma'am.' They get the work done on time" (Subject 2004, Campus 2). A second interviewee described efforts by Campus 2 to secure grants to help these veterans find jobs (Subject 2005, Campus 2). Although there was recent media coverage about veteran-friendly corporations, many of those businesses might not have a presence in the State (Subject 2005, Campus 2).

Changing perception of students. During the course of my interviews, I detected a shared service-oriented sentiment in how the faculty and staff perceived their relationship with their students. In comparison, an interviewee stated when he attended college [in the 1970s], advising was poor and students were on their own (Subject 2006, Campus 2). Today, students cannot register for a course unless they completed mandatory academic advising. The interviewee explained:

. . . success requires two elements: retention and completion. Getting our students on their path leads to retention, they will stick with it, and retention leads to completion. Completion leads to employment . . . These programs can change lives in just a few months. (Subject 2006, Campus 2)

The interviewee added how Campus 2 served students by providing pathways to higher-level credentials. He stated,

You start-off earning an Associate's degree, but in a few years, there may be a desire to pursue a Bachelor's degree to get a promotion or other form of advancement. There may be the opportunity to leverage that Associates in medical records processing into a Bachelor's in business administration. . . . [Moreover] we are part of a system that is becoming more coordinated and cohesive. With [University West] growing, we have better articulation with them for our students than we have with [the flagship campus]. It's all about servicing your students. (Subject 2006, Campus 2)

Finally, another interviewee shared his perception about students. What he described seemed much more personal in terms of developing a relationship with his students:

I just don't think of my students as inputs and outputs. Maybe that is why I am in art. First, I want my students to enjoy the experience. I hope the introductory experience encourages them to pursue art . . . help them find an interest or outlet that lets them express themselves and to learn something about themselves. (Subject 2001, Campus 2)

A number of factors may be contributing to such a shared "customer-service" approach to higher education. Above, an interviewee described how the assessment and

accountability requirements place emphasis on transfer and employment rates, thus making retention and completion significant considerations. Another factor might involve competition from private institutions that draw from the same student populations. The private institutions offered intensive programs that prepared students for particular industries, as well as job placement support (Subject 2006, Campus 2). The way the community colleges have been able to compete was through lower tuition, free parking, career advice, and academic coaching, especially where the student required remedial help (Subject 2006, Campus 2).

Summary

Research question one. The first research question asked, “What do faculty and administrators perceive as the objectives and driving forces of distance education opportunities at each institution?” The responses from my interviewees expressed a shared sentiment that embodied the traditional values of the public good regime (Slaughter & Rhoades, 2004). Particularly evident was a sense of faculty and staff commitment to student achievement and success. At the outset, one of the interviewees offered a general proposition that connected education with the economy:

Learning should come first in this country. The country is better off when more of its citizens are educated. The focus should be on learning. More education means more knowledge, which means more innovations, and more goods and services that benefit the economy. (Student 2002, Campus 2)

Sharing this attitude was a second interviewee who stated, “We hope that many of our students are adequately prepared when they enter the real world environment. We want them to be competent and competitive” (Subject 2003, Campus 2). A third interviewee

added, “these [workforce development and CTE] programs can change lives in just a few months” by instilling the skills and values desired by employers (Subject 2006, Campus 2). In helping students achieve their goals, two other interviewees noted that many of their distance education students, especially the non-traditional students, worked during the week (Subjects 2001 and 2004, Campus 2). Consequently, they both attempted to make themselves available over the weekend when most students worked on their courses (Subject 2001, Campus 2). Perhaps one interviewee summarized this sentiment of service best when she stated, “We are all colleagues here working to create the best learning environment possible” (Subject 2004, Campus 2). It seemed that the general attitude shared by the interviewees reflected positively of the public good regime.

With this preface, Table 6.2 outlines my findings in response to Research Question one by first identifying the objectives and forces, both positive (+) and apparently neutral (=), that influence distance education opportunities at Campus 2. Arguably, since the University’s collective bargaining agreement and executive policies have taken an affirmative stance toward distance education, the separate campuses cannot act a negative or contrary manner. However, in response my first research question, one of the factors noted by the interviewees was the faculty role in addressing a diverse student population that included traditional, non-traditional, veterans, and international students (Subjects 2004 and 2005, Campus 2). Furthermore, based on the size of the region served by Campus 2, faculty members teach students from across the socio-economic spectrum. An interviewee from the surrounding community stated how in high school, higher education was not a priority because the focus was on “survival” (Subject 2007, Campus 2). However, for those high school graduates that pursued higher

education, they referred to Campus 2 as “Last Chance College,” meaning that it was one of the few options available to them (Subject 2007, Campus 2). Equally diverse were the students’ goals, which ranged from a liberal arts degree and transfer to a four-year institution to other students who sought entry into the workforce for the first time or were retaining for employment opportunities in the new economy. Still other students may need only one or two courses to learn the skills required for a new job or promotion (Subject 2005, Campus 2).

Table 6.2. Research question one.

	Faculty	Administration
RQ 1: “What do faculty and administrators perceive as the objectives and driving forces of distance education opportunities at each institution?”	(+) Meet diverse student populations and needs	(=) Shared governance
	(+) Meet dramatic enrollment demand	(=) Lack of faculty commitment to DE
	(+) Learning Center to support faculty in DE	(=) No DE component in strategic plan
		(=) No institutional policies supporting faculty commitment to DE
Note: (+) refers to positive effect, (=) refers to a neutral effect.		

The Great Recession of 2008 perhaps best tested the limits of Campus 2’s public good ideals when faced with the dramatic increases in enrollment. Already experiencing declining government support and rising operating costs, one way that Campus 2 responded was by creating more distance education opportunities. Although enrollment has recently been on a slight decline (“[University] system enrollment,” 2013), the University’s Vice President of Academic Planning and Policy specifically acknowledged how increasing the number of online and hybrid courses contributed to solving the enrollment demands at all levels within the University system in the post-recession period (Nakaso, 2010, August 25). Perhaps Campus 2’s long history with distance education

enabled the institution to respond more quickly and with additional opportunities than other community colleges.

In meet the record enrollment, the Learning Center's design and development team acquired new skills, technologies, and strategies to extend distance education opportunities into other areas of instruction. As one interviewee noted, the Learning Center developed templates and hybrid courses that could be implemented quickly to meet fluctuating enrollment demands (Subject 2002, Campus 2). Additionally, the Learning Center's support and training gave faculty the confidence to develop entire online programs that met specific student needs (Subject 2005, Campus 2). An interviewee offered other examples where distance education was deployed to geographically distant areas, supplements hands-on training, and aids in fulfilling certification and licensing requirements (Subjects 2003 and 2005, Campus 2).

In contrast, Campus 2 administrators have arguably taken a neutral stance towards distance education. As noted above, the administration "tabled" the distance education component proposed for the Campus 2's strategic plans (Subject 2003, Campus 2). This action, suggested by a number of interviewees, was a reflection of the shared governance structure at Campus 2 (Subjects 2002, 2003, 2004, and 2005, Campus 2). Under closer examination, shared governance may not be a force at all, but a form of institutionalized equilibrium that has maintained a campus status quo (Heck, 2004). For example, the interviewees claimed that the Campus 2 administration has not provided firm directives regarding the distance education, which in turn has contributed to a lack of commitment on the part of faculty to teach online courses (Subjects 2002 and 2003, Campus 2). Arguably, the administration's inaction might be interpreted as allowing

faculty members to decide for themselves whether they wish to participate in distance education activities. In this way, administrators do not have to expend scarce resources (e.g., promotion, tenure, compensation, and so forth) as incentives for faculty to invest the time to develop courses for online delivery including the time to learn the skills required to be an effective online instructor (Subjects 2002, 2004, and 2005, Campus 2). As noted above, both system-level policies (i.e., collective bargaining agreement and executive policies) and campus-level policies (i.e., strategic plans and so forth) did not appear to provide sufficient impetus to break the equilibrium. Nor did private sector, revenue-generating opportunities shift the momentum in support of distance education. Consequently, much of the effort in promoting distance education, developing template and hybrid courses, establishing partnerships with other community colleges, and offering design and development services to the private sector, remained modest endeavors at the grassroots level (Subjects 2002 and 2003, Campus 2).

Research question two. The second research question asked, “What types of organizational changes associated with distance education support either a public good regime or an academic capitalist regime as advanced in academic capitalist theory?” Table 6.3 describes the organizational changes that support either a public good regime or academic capitalist regime. The evidence suggested that the most significant system-level organizational change contributing to the adoption and expansion of distance education opportunities has been integration of WebCT and Sakai as course management tools.

Table 6.3 Research question two.

	Public Good Regime	Academic Capitalist Regime

RQ 2: What types of organizational changes associated with distance education support either a public good regime or an academic capitalist regime as advanced in academic capitalist theory?"	(+) Adoption of WebCT and Sakai	(=) No policies for institutional copyright ownership
	(+) Establishing the Learning Center for faculty support	(+) Networks and partnerships within the community
		(+) Shifts in academy practices

Note: (+) refers to a positive effect; (=) refers to a neutral effect.

Arguably, WebCT was a major step forward in terms of technology integration in traditional instruction, by offering online communication and interactive tools. In turn, these tools made distance education both accessible and economically feasible. Instead of faculty spending time to master the HTML coding language for creating individual websites, they could now focus on pedagogy and instructional content (Subject 2002, Campus 2). All of these steps primarily served the public good regime by enabling Campus 2 to offer a convenient means of quality instruction to meet diverse student needs.

The next major organizational change was the shift from WebCT to Sakai. While the decision to use WebCT in a course was largely an individual choice, Campus 2 planned for the transition to the present course management system by establishing the Learning Center to support faculty through training and workshops (Subject 2001, Campus 2003). Notably, the Campus 2 staffed the Learning Center with first-generation educational professionals specifically schooled in educational technologies and instructional design principles. A visible example of that leadership was Campus 2's copyright policy. The copyright policy, available on the Campus 2 website, was perhaps the first and only comprehensive copyright policy designed to guide faculty and students in the appropriate use of copyrighted materials in online environments (Subject 2003,

Campus 2). Based on a cursory review, the Campus 2 copyright policy appeared to satisfy major requirements of the TEACH Act and the HEOA. Again, these efforts seemed to lean in favor of the public good regime.

From an academic capitalism regime perspective, the Learning Center also seemed poised to engage in revenue-generating activities. However, the lack of institutional policies to guide distance education, including having the distance education component deferred from the Campus 2 strategic plan, has left the Learning Center at an impasse in term of its abilities to pursue new activities and opportunities. As mentioned above, the absence of firm directive from the administration resulted in a lack of commitment from faculty to engage in distance education. Consequently, under the academic capitalist framework, the policies seem unsettled with respect to the scope and direction of distance education at Campus 2.

Under the network prong of academic capitalism theory, Campus 2 entered into a number of partnerships that could benefit from distance education. An interviewee described how distance education could serve as a mechanism for union members and employees to keep current with periodic certification, licensing, and continuing education requirements (Subject 2006, Campus 2). The wide selection of workforce development and CTE courses that placed Campus 2 graduates in the community would make eLearning partnerships a possibility (Subject 2006, Campus 2). The limitation, again, was whether such relationships fit within Campus 2's mission (i.e., policy framework) (Subject 2006, Campus 2).

The third prong of academic capitalism theory involved shifts in academy practices (Slaughter & Rhoades, 2004). Evidence of these shifts might be found in the

distance education opportunities that have already integrated into the liberal arts programs, workforce development, and CTE programs. The former described shifts from traditional, face-to-face instruction to include various forms of distance education activities. The latter noted shifts in supplementing hands-on training with resources delivered to students through the course management system in a technology supported course. Additionally, approximately half of the distance education opportunities offered at Campus 2 served students from around the state, implying a shift towards greater cooperation among the community colleges (e.g., credit transfer). The Learning Center also contributed to the shift by developing online courses for other community colleges under a revenue sharing arrangement (Subject 2003, Campus 2). Arguably, a major shift to true revenue-generating activities with private sector partnerships has yet to be formally established.

Research question three. My third research question asked, “To what extent has the adoption of distance education as an instructional medium on campus produced changes in opportunity and outcomes for students, faculty and administration?” Again, Table 6.4 helped to organize my findings in response to this research question.

Table 6.4. Research question three.

	Students	Faculty	Administration
RQ 3: To what extent has the adoption of distance education as an instructional medium on campus produced changes in opportunity and outcomes for students, faculty and administration?	Pursue education while meeting other commitments Remain on track to graduate on time	Learn new technology skills	Ability to meet fluctuations in enrollment

Beginning with the Great Recession of 2008, students turned to higher education and drove enrollment to record levels within the University system. Among the

community colleges, there were traditional students who decided to wait for the economy to improve before entering the workforce as well as displaced non-traditional students seeking retraining for new employment opportunities (“Headcount Enrollment,” 2014). With many of the community colleges operating near capacity, distance education plays a vital role in allowing many traditional and non-traditional students to pursue their educational goals (Nakaso, 2010, August 25). Currently, the demand for distance education, and higher education overall, declined with the general improvement in the economy (Kalani, 2013, September 10). Still, faculty members noted that many of their students, mostly non-traditional, needed to balance multiple commitments (Subjects 2004, 2005 and 2007, Campus 2). In the new normal of the post-recession environment, distance education provided a quality option that enabled these students to pursue their educational goals at their convenience and while also saving them the time and expense associated with commuting to campus (Subjects 2001 and 2003, Campus 2). As mentioned above, distance education activities supported courses in the liberal arts programs, workforce development, and CTE programs, as well as other courses where it reinforced hands-on training by making additional instructional materials available to students (Subjects 2003, Campus 2).

A number of interviewees also shared their perspective that Campus 2’s distance education activities served the broader interests of the University system. An interviewee noted that slightly half of the students enrolled in distance education courses were from Campus 2, the other half were comprised of students from around the State (Subject 2003, Campus 2). This ability for distance education to serve a broad range of students was one of the major objectives of the DL Committee. Distance education opportunities

permitted students to enroll in an online course at another community college when their home campus either closed or eliminated the desired course. By enrolling in a course at Campus 2, these students would not have to wait until the next semester, therefore keeping themselves on track to graduate on time. This practice, loosely described as “swirling,” has also supported the “reverse credit transfer” strategy, the “55 by 25” initiative adopted in 2013, and the “15 to Finish” campaign (Initiatives, 2010-2015). These initiatives encouraged retention and completion. Maintaining graduation rates as a measure of student success and achievement, although a controversial subject among the faculty (Subjects 2004 and 2005, Campus 2), worked to the benefit of faculty and administrators, particularly where federal funding was involved (Subject 2006, Campus 2).

From the faculty’s perspective, distance education seemed to have an appeal on an individual level. An interviewee took on distance education in part because it represented a personal challenge and an extension of his interest in technology (Subject 2001, Campus 2). He liked the idea that students living at the boundaries of Campus 2’s traditional geographical area could take one of his classes through distance education (Subject 2001, Campus 2). Moreover, like his students, teaching distance education courses meant he did not have to drive to campus each school day. Another interviewee described her confidence in being able to develop an entire online retail management program that addressed specific student needs (Subject 2005, Campus 2). Participating in distance education also raised the faculty member’s profile in terms of future promotion (Subject 2001, Campus 2). However, interviewees also shared that teaching online left them feeling connected “24/7” (Subject 2005, Campus 2).

Finally, from the administration's standpoint, although distance education could increase enrollment to generate more tuition revenue, the addition of more online courses has been primarily based on semester-by-semester fluctuations in enrollment (Subject 2002, Campus 2). Therefore, Campus 2's distance education opportunities do not appear to be part of an overall revenue-generating strategy (Subject 2002, Campus 2) as observed at other colleges and universities (Slaughter & Rhoades, 2004). Likewise, hiring adjuncts and lecturers to teach online courses remained a function of necessity, not merely as a cost-savings mechanism (Subjects 2002 and 2003, Campus 2).

Research question four. Finally, my fourth research question asked, "Which of the economic activities associated with distance education offered at the respective community college campuses may be classified into one or more of the economic activities categorized by Gais and Wright (2012)?" At the outset, the evidence suggested that distance education was not associated with any economic activity at Campus 2. Although networks and partnerships, including shifts in academy practices, were present, the absence of clearly articulated policies in support of distance education challenged the presence and influence of the academic capitalist regime. As discussed above, distance education appeared to operate at a grassroots level and used by the administration to address fluctuations in student enrollment (Subjects 2002 and 2003, Campus 2). Consequently, as shown in Table 6.5, distance education appeared to have only a limited role in the five economic categories identified by Gais and Wright (2012). My discussion on each category follows.

Table 6.5. Research question four.

	Developer of Human Capital	Economic Unit	Innovation in Research & Development	Business Assistance	Community Vitality

RQ 4: Which of the economic activities associated with distance education offered at the respective community college campuses may be classified into one or more of the economic activities categorized by Gais and Wright (2012)?	Supports liberal arts, workforce development, and CTE programs	DE reduces student footprint on campus	Learning Center has templates, hybrid courses, strategies, and services subject to institutional copyrights.	Keep abreast of community workforce needs	Outside the scope of DE
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First, distance education has perhaps the greatest link to the economic category associated with Campus 2's role as a developer of human capital. As one interviewee described above, distance education opportunities already support the liberal arts, as well as workforce development and CTE programs by making required courses from the humanities available online (Subject 2006, Campus 2). Furthermore, online access to additional instructional content reinforced the programs that rely on hands-on-training (Subject 2003, Campus 2). Distance education also has a potential role in helping unions and employers keep their employees current with certification, licensing, and continuing education requirements (Subject 2006, Campus 2). Where there was a demand, Campus 2 would consider incorporating distance education into its courses and programs (Subject 2006, Campus 2).

Conversely, distance education did not have any apparent role in the remaining four economic categories described by Gais and Wright (2012). In terms of Campus 2's role as an economic unit, arguably distance education served to reduce the student footprint on campus. However, other permanent and transitory factors appeared to exercise greater influence on whether Campus 2 functioned as an economic unit. First, the Campus 2 site was originally designed as a standalone campus surrounded largely by

agricultural activities on three sides and the ocean on the fourth. The physical separation and distance from the surrounding communities tended to lead most stakeholders to commute by personal or public transportation. Further, without sidewalks and traffic lights, both ingress and egress were not pedestrian friendly. Second, due to the traffic congestion associated with the nearby roadway and rail transit projects, two interviewees noted that they would rather remain campus until they leave for home (Subjects 2001 2002, Campus 2). Third, the same interviewees also shared their preference to shop, dine, and acquire services in their own communities instead of in the communities surrounding Campus 2 because of the daily traffic congestion to and from the campus (Subject 2001, Campus 2). Fourth, another piece of evidence that appeared to reduce Campus 2's impact as an economic unit was the noticeable absence of advertisements in the campus newspaper directed at students. This finding suggested that businesses in the surrounding area did not seek student patronage (Subject 2001, Campus 2). Furthermore, while Campus 2 was a major employer in the area decades ago, many large, retail operations conduct business within a one-mile radius. Driving through the surrounding neighborhoods, one could easily observe big-box retailers, shopping centers, industrial activities, and military installations that could represent economic units. Note that these economic units were not necessarily competing with Campus 2. However, Campus 2 has been an important consumer of services and goods and a site of periodic construction activities, (e.g., an allocation of \$8 million for theater renovation (Teague, 2014)) that has helped the overall economy of the region.

In the area of innovation and research, Campus 2 has never engaged in the types of activities that would generally lead to patentable goods and services (Subject 2001,

Campus 2). However, Campus 2 led distance education design, development, and delivery within the community college system. Innovation and research in this area contributed to development of template-based, hybrid courses, custom course design, and faculty training and certification programs (Subjects 2002 and 2003, Campus 2). The assets that flow from these activities could receive copyright protection.

Likewise, Campus 2's leadership has led other community colleges and private sector interests to pursue Campus 2's design and development services in creating custom instructional content. Although the services rendered to non-University partners might represent revenue-generating activities (Subject 2003, Campus 2), there was little or no evidence that demonstrated the influence of the academic capitalist regime on distance education activities at Campus 2. There appeared to be three forces at the policy level that contributed to this finding. First, as noted above, there were no University-system level or campus-level policies that incorporated the incentives for institutional copyright ownership contained in the federal copyright law. Second, the shared governance structure at Campus 2 has contributed to the lack of faculty commitment to engage in distance education activities. Third, the distance education component of the Campus 2 strategic plan was "tabled" by the administration (Subject 2003, Campus 2).

Consequently, despite the presence of community networks and partnership, as well as the ability to meet shifts in academy practices (i.e., the ability to adapt to various instructional needs and environments), distance education appeared to be in a state of equilibrium that only required minor adjustments in response to occasional fluctuations in enrollment (Heck, 2004; Subject 2002, Campus 2).

Next, Campus 2 served as an important source of business assistance in the community. Again, none of the forms of business assistance relied on distance education. However, the various forms of business assistance Campus 2 offered may only peripherally benefit distance education. For example, an interviewee noted that by offering business assistance in the form of membership and participation in community-based professional and business organizations, faculty kept apprised of the community needs so they could prepare their students for the workforce (Subject 2004, Campus 2). Another interviewee expressed how he remained alert to potential partners that could result in new employment opportunities for students, such as expanding a satellite campus in a distant, underserved area and developing new programs to match the growth in the region (Subject 2006, Campus 2). Although distance education has not been an active component of Campus 2's business assistance activities, the instructional medium benefited indirectly from the feedback on the skills needed in the community.

Finally, Campus 2 served as an important source of community vitality. The campus hosts a number of activities that draw people from around the community. Foremost was the Farmers' Market held on the weekends, which provides vendors a venue for their fresh fruits and vegetables (Subject 2004 and 2005, Campus 2). The event also permitted various entrepreneurs to market their goods, clothing, and crafts. The Campus 2 theater was another important site for plays, dance, and musical events that included visiting as well as student performers that draw an audience from the community (Subject 2007, Campus 2). Finally, events such as "Geek Week," were well attended by community members interested in all aspects of technology (Subjects 2004 and 2005, Campus 2). Although these activities were popular events, they presumably

fell outside the scope of the distance education activities intended to support the credit and workforce development programs.

One activity that has distance education possibilities included courses associated with lifelong learning. An interviewee described well-attended courses from this category such as salsa dancing and ceramics (Subject 2006, Campus 2). Although both examples involved face-to-face and hands-on instructions, Campus 2 could deliver other lifelong learning courses through distance education. However, the interviewee added, “it’s not a money maker for us. We can get \$6,500 for an automotive course versus \$15 from a ceramics course. We are also competing with other segments of the community that can do a better job than we can” (Subject 2006, Campus 2). The comment reflected an academic capitalism perspective where institutional decision-making involved economic factors such as course demand and the amount of revenue generated from different categories of courses. Given the current economic environment and emphasis on graduation and employment rates, offering lifelong learning through distance education may not represent the highest and best use of Campus 2’s human and technological resources.

Chapter 7: Cross Case Analysis

This chapter presents the cross case analysis of the two research sites, draws several conclusions, and offers some suggestions for further research. These campuses represented the maximum range of responses from institutions that occupied leadership positions in the area of distance education within the community college system. I organized the analysis following the three prongs of the academic capitalism framework used throughout the study (Slaughter & Rhoades, 2004) and focused on actual or potential revenue-generating activities represented by each prong.

Policies

In addressing the first prong of academic capitalism theory, my study attempted to identify policies that supported distance education activities, including mechanisms for institutional ownership or control of distance education assets. As described in Chapter 5, the Bayh-Dole Act (1980) provided a statutory basis for research institutions to obtain the patent rights to faculty-generated intellectual property derived from federally funded research (Slaughter & Rhoades, 2004). The research institutions marketed these patent rights through interstitial organizations and networks that connected the institution to governmental and private sector interests (Boettiger & Bennett, 2005-2006). Likewise, the copyright law, as amended, provided incentives for institutions of higher education to secure the ownership or control of faculty-generated intellectual property represented by distance education assets and services. Once secured, distance education courses and services had the potential to serve as an income-generating asset that the institution could license through partnerships with other institutions, or translated and marketed in foreign countries. Significantly, because of distance education's digital format, the institution could remix and repurpose the underlying source materials to meet new learning

objectives (McGee & Diaz, 2005).

A review of policies, appearing in Table 7.1, began with those at the University system level, which included the executive policies and collective bargaining agreements. The findings suggested that the executive policies were supportive of distance education but did not specifically address institutional ownership issues. In contrast, the faculty collective bargaining agreement contained a broad provision that preserved faculty ownership rights to their intellectual property. Consequently, faculty choosing to work alone in a charter approach retained ownership of the distance education courses and programs they developed. In contrast, the APT collective bargaining agreement contained a work for hire provision that permitted the institution to retain ownership of the intellectual property contributed by design professionals working in a team approach to distance education development. As system-level policies, the terms of the respective collective bargaining agreements would apply to each category of campus employees at the community college level.

Table 7.1 Analysis of policies at the research sites (note: DE = Distance Education).

Policies	Campus 1	Campus 2
• Faculty collective bargaining agreement	Faculty ownership	Faculty ownership
• APT collective bargaining agreement	Work for hire	Work for hire
• University executive policies	Supports DE	Supports DE
• Campus policies (Administrative Directives)	None	None
• Campus copyright policy	None	Yes, but no institutional ownership
• Campus strategic plan	Yes, DE as an instructional option	Yes, but no DE component

My review next turned to campus-level policy instruments unique to both institutions. One of the first observations made was the absence of an institutional level

directive governing distance education activities at either campus. Faculty and staff from Campus 2, in particular, pointed to the shared governance structure, which arguably had the effect of maintaining the status quo regarding faculty participation in distance education. The findings suggested that individual faculty members decided for themselves as to whether they would teach online based on intrinsic rewards and opportunities (Rockwell et al., 1999).

I next examined the strategic plans for each campus, particularly for any principles guiding the direction and scope of distance education activities. For Campus 1, the Technology Plan (2013) was the most recent and comprehensive statement that included distance education. The interesting point about the Technology Plan was its support for technology across the entire breadth of instructional opportunities in promoting an “Ecology of Learning.” In other words, the Technology Plan (2013) did not single-out distance education, but focused on technology as a resource in support of traditional face-to-face, hybrid, online, and interactive television. This approach suggested a framework for steering technology resources to specific instructional media based on actual or anticipated demand, such as offering more online courses to meet higher enrollment goals. Furthermore, the Technology Plan (2013) also addressed the policy requirements under the HEOA (2008). In contrast, Campus 2’s administrators decided to “table” the distance education component of the institution’s strategic plan. When considered in light of the shared governance structure, the results were not encouraging on the subject of faculty commitment in participating in distance education. In turn, the lack of faculty commitment seemed to restrict Campus 2 personnel’s ability to develop additional online opportunities in support of credit, non-credit, and workforce

development programs. Other initiatives, such as use of templates to create more online opportunities and establishing development partnerships with other community colleges and private sector interests, operated on a grassroots level.

The search for campus-level policies next turned to internal policies. Campus 1 did not have an optional campus copyright policy under the TEACH Act (2002), that would permit faculty to use expanded categories of copyrighted materials in distance education. As noted above, the TEACH Act copyright policy was made optional and did not negatively affect Campus 1's overall distance education efforts. Such a policy might be helpful, however, especially since most faculty members worked alone in developing online courses and may need guidance of the intricacies of the copyright law. Campus 2, on the other hand, had the most robust copyright policy that served to guide faculty and staff in deciding whether the use of copyrighted materials operated within the fair use exception or whether permission from the owner was required. Although the copyright policy addressed the TEACH Act (2002) requirements for distance education, the contents appeared instructive for all faculty members. In particular, the copyright policy served as an instructional tool in Campus 2's efforts to train and certify faculty members interested in developing and teaching online courses. The copyright policy, however, did not provide conditions for institutional ownership of distance education assets.

A finding common to both Campus 1 and Campus 2 was that faculty participation in distance education was primarily on an individual basis. Under this situation, the faculty collective bargaining agreement clearly granted faculty ownership to their intellectual property, unless another contractual arrangement was in place. Given the proprietary attitude held by faculty members over their online courses, the staff from both

campuses described the difficulty for the institution to develop common, template-based courses that the campus could apply uniformly across sections and taught by new instructors. Consequently, without clear ownership or control over a marketable asset, it seemed unlikely that the managerial and networking capacity of the academic capitalist regime would arise at either campus in connection with policy environment.

During the course of the study, however, separate events outside the policy arena at each of the research sites created the potential for revenue-generating activities. In 2014, the NSF awarded Campus 1 a \$5 million grant to develop an online engineering program. Assuming the federal award followed the pattern under the Bayh-Dole Act, Campus 1 might be able to secure the copyrights to the curriculum. Ownership rights, in turn, would permit Campus 1 to license the curriculum not only to other community colleges, but to an international market as well. The managerial oversight tied to the design and development of the online curriculum, assessing instructional content and quality, subsequent translation work, and marketing and licensing to foreign countries, could provide incentives for the academic capitalist regime to ascend, even in a limited capacity. The anticipated success of the NSF grant might also give rise to other grant opportunities in the future.

Likewise, the Campus 2 design and development team provided distance education design and development services for other community colleges as well as to meet private sector needs. Services in both categories operate at a “grassroots” level, but could evolve into a formal revenue-generating activity. However, the scale of offering such services appeared to operate at a grassroots effort that did not require extensive marketing and managerial oversight. Another area identified with revenue-generating

potential was in serving the needs of employers and unions in keeping workers up to date with continuing education and in meeting periodic certification and licensing requirements. As noted above, the literature reported that in the new economy, the functional life of a technical degree was less than five years (Folkers, 2005). Arguably, the periodic training tied to maintaining a competitive workforce might contribute to Adkins' (2012) prediction that private sector eLearning could grow into a \$27.2 billion market by 2016.

In summary, the University policies reviewed contained provisions that protected the faculty's interest in securing the intellectual property rights to their own works. However, the policies lacked the incentives from the federal copyright law or adopted other mechanisms to obtain institutional ownership of distance education assets, except the work for hire provision in the APT collective bargaining agreement. Arguably, while having served as an important instructional need for over a decade, decision-makers have not yet recognized distance education's potential as a revenue-generating source. Again, without institutional assets or incentives to create institutional assets, the marketing and managerial capacity associated with the academic capitalism would unlikely arise.

Networks and Partnerships

Under academic capitalism theory, networks served to connect colleges and universities to private sector and governmental interests that promoted entrepreneurial opportunities (Slaughter & Rhoades, 2004). The formal and informal networks and partnerships identified from my review of the respective campuses appear in Table 7.2. I examined these relationships specifically for revenue-generating activities (RGA) associated with distance education.

Table 7.2 Distance education in networks and partnerships.

Networks and Partnerships	Campus 1	Campus 2
• Advisory committees	No RGA	No RGA
• Professional associations	No RGA	No RGA
• Community partnerships	No RGA	No RGA
• International program	Yes RGA	No RGA
• Community colleges partnerships	Unknown	Potential RGA
• Workforce and CTE programs	Unknown	Potential RGA

One of the widespread networks observed at each campus were the advisory boards organized around credit, workforce development, and CTE programs (Slaughter & Rhoades, 2004). For example, Campus 1's award winning Culinary Arts program had perhaps the most prominent advisory board made up of community leaders from across the food service industry. The success and prestige of the program led to the \$150 million proposal for the new Culinary Institute of the Pacific. Likewise, another administrator described how Campus 2 assembled an advisory board that collaborated in establishing its agricultural program. Primarily, the advisory boards assisted the respective campuses in maintaining curricula relevance.

A second form of networking that Campus 2 engaged in involved faculty members and counselors joining professional and business associations within the surrounding community. Networking in this environment helped Campus 2 to keep its business curriculum relevant and to ensure that their students graduated with marketable skills. In comparison, Campus 1 did not have faculty membership in the professional and business association representing any of communities nearest the campus.

A third form of networking focused on creating community partnerships. As

noted in Chapter 6, one of the Campus 2 administrators described the informal partnerships that led to a satellite campus in a rural area of the district. Continued cultivation of these “relationships” with community partners has enabled Campus 2 to move to a larger space by summer 2015 that would offer credit and non-credit courses. In the same vein, Campus 2 tracked the emerging technologies and industries that moved into the district and again pursued relationships where there were potential employment opportunities for people living in the area. Recent programs that resulted from this form of community networking included the agricultural program, medical information services, energy production, and the rail transit project.

Campus 1’s International Program presented another form of networking that extended into the Asia and Pacific regions. As noted above, the Chancellor participated in extensive travel throughout Asia as well as having served as host to college and university officials from India, Sri Lanka, and the Philippines (“India officials,” 2013, June 22; “Presidents from Philippines,” 2013, May 19). As reported above, Campus 1 had the fourth largest enrollment of international students, which accounted for \$6 million or 35 percent of Campus 1’s tuition revenue (Kerr, 2013, September 3). However, the International Program did not have a strong distance education component, since most international students preferred face-to-face interaction.

Finally, Campus 2 reported the closest example of what might constitute a revenue-generating activity that involved distance education. While primarily responsible for faculty training and support, the Learning Center also provided design and development services to other community colleges. Using its templates for online courses, Campus 2 recently developed an online nursing certification program for another

community college. In return for the services rendered, Campus 2 benefitted under a revenue sharing arrangement. Campus 2 also appeared capable by skill, experience, and technological capacity to take advantage of the potential eLearning market that might arise from Campus 2's widespread network of workforce development and CTE programs. For example, a private sector entity approached the Learning Center to design, develop, and deliver an online training program for its employees to meet new regulatory requirements. Designing online courses that could meet licensing, certification, and continuing education requirements offered through the non-credit program could represent another revenue-generating opportunity. However, active marketing of Campus 2's distance education design and development services might need to await further shifts in administrative policies.

Collectively, the advisory boards, professional associations, and community partnerships reflected efforts to connect primarily with private sector interests to create employment opportunities for students. The motivations underlying each of these networks seemed to fit well with the service aspect of the public good regime and the need for a skilled workforce demanded by the academic capitalist regime. In each of these cases, however, distance education was not a significant consideration as to whether or not to proceed with a particular program or as a means of generating revenues. Instead, faculty and staff placed distance education in a supporting role within the respective programs. Only Campus 2's design and development services appeared to provide the greatest potential for revenue-generating activities in the future.

Shifts in Academy Practices

Distance education activities have been fixtures at both Campus 1 and Campus 2 for over 20 years. During this period, there have been a number of shifts in academy practices, listed in Table 7.3, shared by both research sites regarding how distance education has been perceived and accepted. The first shift occurred after the Internet became publicly accessible. Early adopters among the faculty that recognized the potential for distance education worked alone in developing their own web-based courses using HTML. Many of these faculty members appreciated the challenge or the intrinsic rewards associated with technology (e.g., Rockwell et al., 1999).

Table 7.3 Shifts in academy practices.

Academy Practices	Campus 1	Campus 2
• HTML-based to Course Management System	Yes	Yes
• No Faculty Support to Faculty Support	Yes	Yes
• DE to meet record student enrollment	Yes	Yes
• Charter Approach to Team Approach	No	No
• Faculty Ownership to Institutional Ownership	No	No
• Support from the Administration	No	No

The second shift followed in the late 1990s when the University adopted WebCT as a universal course management system (CMS) that provided various communication and interactive tools to supplement instruction. More faculty members joined the ranks of online instructors since the CMS allowed them to focus on instructional content instead of mastering HTML. However, there still was limited faculty support for learning the intricacies of WebCT. This changed once the University migrated to its current CMS in approximately 2008. The administration at both campuses established Learning Center

led by perhaps the first generation of educational technologists and instructional designers that worked with Internet-based technologies. Their function was to support faculty in incorporating technology in all formats of instruction. Despite the growing acceptance of distance education and the addition of design and development professionals to assist in creating online instruction, faculty continued to work alone in developing their online courses. Perhaps also contributing to the faculty's solo or charter approach was the growing support from publishers that included online materials that supplemented their textbooks.

Also occurring in 2008 was the Great Recession that had a worldwide economic impact. Many adult learners displaced by the recession returned to the community colleges to learn marketable skills in the new economy. A year later, Callahan (2003) predicted that the largest enrollment of Millennials or Digital Natives would enter higher education. The combination of traditional and non-traditional students entering the community colleges at roughly the same time contributed to record student enrollment over the next few years. Throughout this period, distance education served a significant role in meeting the demands from growing enrollment at all levels within the University system (Nakaso, 2010, August 25). Arguably, these events helped usher in another shift in academy practices where campus stakeholders accepted distance education as another quality instructional option (see e.g., [Campus 1] Technology Plan, 2013).

Moreover, faculty and staff at both campuses viewed the demand in distance education as an opportunity to take the next step in creating consistent, quality controlled courses to improve the learning environment that would benefit both students and instructors. Arguably, such a shift required a coordinated effort represented by a team

approach to developing distance education assets. From an academic capitalism framework, the team approach permitted institutional ownership and control over the distance education assets. However, faculty members remained steadfast in choosing to work alone in developing their online courses and, therefore, have maintained ownership over their course materials under the faculty collective bargaining agreement. The proprietary attitude among faculty members made it difficult to incorporate the best elements from each instructor in developing a common course that could be taught in multiple sections by adjuncts or lecturers. Another factor that has contributed to maintaining the status quo has been the absence of direction from the administration, particularly noted at Campus 2, to encourage faculty commitment to distance education. While template-based courses have been available, elevating the instructional content and delivery of the course required a committed faculty member who would “oversee” the course. In terms of instructional design principles, this meant teaching the course, assessing student-learning outcomes, making revisions, and testing the course the following semester. Based on interviewee responses, faculty members were primarily concerned with whether the instructor would be compensated or receive other incentives to commit to distance learning in this manner. As one interviewee noted, the faculty collective bargaining agreement has not clearly addressed these issues.

Limitations

The major limitation of the study was in how closely the two research sites were aligned. As part of the same system of higher education, they arose from same constitutional provision and legislative enactments, and guided by the same board of regents, executive policies, and union agreements. Both institutions provided a

combination of credit, non-credit, workforce development and CTE programs that benefited a largely resident student population. Furthermore, based on my online and personal review approximately half of my interviewees earned at least an undergraduate degree from the University system's flagship campus. Of these individuals, three earned graduate degrees in educational technology after the University system adopted WebCT and participated on the Community College Distance Learning Committee established to develop common policies and standards for credit transfer. Finally, the same social, economic, and budgetary forces that also arose roughly in 2008 contributed to distance education's acceptance as a quality instructional option at each campus. As a result, both campuses shared very similar ambitions and obstacles in expanding distance education opportunities.

A second limitation was my inability to interview more Campus 1 subjects. Faculty and students were accessible, but administrators and staff either did not respond to my emails or responded with a degree of annoyance after my repeated attempts to contact them. By 2013, the media investigated a number of events at Campus 1. Foremost were the Chancellor's absence from the campus, workplace complaints, and the resignation of the entire human resources department. The media also criticized Campus 1 for delinquencies in paying adjuncts and lecturers teaching non-credit courses and vendors who provided goods and services to the Culinary Arts program. In late 2014, one of the subjects I interviewed earlier in the year decided to withdraw from my study. When I attempted to locate additional interviewees, a senior Campus 1 administrator advised me of a possible investigation related to a federally funded distance education

project. I can only speculate on this event and how it might have affected the technology staff's willingness to be interviewed at this time.

A third limitation of the study involved my choice of data collection methods for examining patterns of student spending in assessing each campus's economic impact on the surrounding community. Relying primarily on interviews limited the number of present and former students from whom I could collect data for my study. Since my sample only included three students, it would be difficult to generalize my findings to a larger, diverse student population. A survey instrument might be more appropriate in capturing the behaviors and preferences of students living near the respective campuses versus those that commute in attempting to identify spending patterns.

Suggestions for Further Research

The policies, networks, and shifts in academy practices were generally supportive of distance education activities at both campuses. However, recent opportunities at each campus might encourage distance education to move in the direction of a revenue-generating activity. These opportunities included the \$5 million grant from the NSF to Campus 1 in 2014 to develop an online pre-engineering curriculum and Campus 2's possible revenue sharing arrangement with other community colleges under the terms of the grant. In an environment reflecting declining State support and fluctuating student enrollment, administrators might view these examples as alternative revenue streams worthy of further pursuit. Since these opportunities emerged towards the conclusion of my study, a future study might consider tracking these events to determine whether they result in institutionally owned marketable assets or services that in turn, encouraged a

secondary set of policies, networks, and academy shifts associated with the academic capitalist regime.

Another area, one that inspired my study in the first instance, was institutional compliance under the HEOA, reauthorized in 2008. As noted in Chapter 6, Campus 2 has a copyright policy that addressed compliance issues under the TEACH Act. However, the HEOA imposed a number of policy requirements on distance education that necessarily incorporated elements of the Copyright Act (1976), as amended by the DMCA (1998) and TEACH Act (2002). Likewise, in Chapter 5, the Campus 1 Technology Plan (2013) described the significance of the HEOA in distance education. A future study might examine whether the respective research sites adopt specific policies that satisfied the copyright law and HEOA requirements as evidence of one regime or the other.

Conclusion

Academic capitalism theory provided a useful, three-pronged analytical framework for identifying the mechanisms that created institutional ownership in faculty-generated intellectual property and the market-like behaviors among major research institutions (Slaughter & Rhoades, 2004). Likewise, my study examined the policies, networks, and shifts in academy practices associated with distance education activities at two community colleges noted for their leadership role in this area. Since both campuses were part of the same system of higher education, they shared the same system-level policies and organizational structures. However, each campus possessed a degree of autonomy that permitted them to emphasize areas of specialization within the liberal arts programs as well as with the workforce development and CTE programs. Throughout, distance education played a supporting role by extending educational opportunities for

students, not only from the communities surrounding each community college, but also for students throughout the State.

The findings from the case study suggested that the internal and external forces that converged in the 2008 timeframe contributed to distance education's acceptance as a quality instructional option. As noted above, these forces included adoption of WebCT and later transition to the present course management system, which included technical support to encourage more faculty to participate in distance education (Johnsrud et al., 2005). Also in this period was the Community Colleges DL Committee's efforts that helped usher in a common framework for permitting credit transfer between the community colleges. Perhaps the most compelling was the Great Recession in 2008, which contributed to record enrollment of traditional and non-traditional students seeking the opportunities offered by higher education. For its role in helping to meet the enrollment demands at all levels of instruction, distance education established a permanent place for itself within the University system.

Most recently, the increased distance education capacity created opportunities for administrators to revisit existing policies, networks, and shifts in academic practices in light of a number of academic initiatives. These initiative included the "15 to Finish" campaign (Initiatives, 2010-2015), the practice of "swirling" (Nakaso, 2010, September 24), the "reverse credit transfer" strategy ("Community colleges get [University] support", 2009, December 28), and the "55 by 25" initiative adopted in 2013 (Matsushima, 2013, March 19). Together, these initiatives helped students remain on track for graduation, in part, through distance education course offerings.

In summary, the multiple case study revealed a number of findings that supported the broad predictions offered by Slaughter and Rhodes (2004) in response to the various contextual forces found at each campus. The findings are organized in Table 7.4. First, using the terminology of academic capitalism, my study found evidence of market and market-like behavior. These behaviors were observed in connection with the International Program at Campus 1. Here, the Chancellor visited a number of Pacific and Asian countries, as well as hosted dignitaries from India and Dubai in an effort to promote the International program. As noted above, international students attending Campus 1 generated \$6 million in tuition revenues, accounting for 35 percent of the total tuition revenues. I did not observe the same level of marketing with respect to programs offered at Campus 2. The role of distance education in the International Program might be minimal since most international students prefer face-to-face interaction.

Table 7.4. Academic capitalism characteristics.

	Campus 1	Campus 2
Market and market-like behaviors	<ul style="list-style-type: none"> • International Program 	
Revenue-generating activities	<ul style="list-style-type: none"> • Franchise operations, kiosks, vending machines • Facilities rental • Distance education 	<ul style="list-style-type: none"> • Franchise operations, kiosks, vending machines • Facilities rental • Distance education
Entrepreneurial activities	<ul style="list-style-type: none"> • NSF grant 	<ul style="list-style-type: none"> • Design and development services

My study also revealed evidence of revenue-generating activities at both campuses. These activities included a fast-food franchise operation, beverage kiosks, and vending machines. These activities were apparently passive in nature since revenue-generation were based on rental and percentage rental payments. Other activities in this

category included rental payments for use of campus facilities for the Farmers Market, church activities, job fairs, and small business fairs. I placed distance education activities in the category of revenue-generating activity. Despite a decline in enrollment over the past three years, distance education remained a popular option for many students. In particular, approximately half of Campus 2's distance education students came from other community college campuses. Although distance education met the category of revenue-generating activities, faculty continued to view distance education as a means of serving more students by extending the geographical reach of the campus.

Finally, academic capitalism theory suggested that institutional ownership of marketable assets would be a prerequisite to true entrepreneurial activities. However, the primary obstacle at both campuses was the faculty's preference to work alone in creating online courses and supporting instructional materials. Consequently, under the faculty collective bargaining agreement, faculty would retain all ownership rights to these assets, unless another contractual arrangement was in place. Campus 2 was also specific about the role that shared governance had in impeding various distance education initiatives that might support the evolution towards entrepreneurial activities. As noted above, the existing policies, networks, and academy practices appeared to maintain the status quo at Campus 2. However, the NSF grant awarded to Campus 1 to develop an online pre-engineering curriculum might lead to institutionally owned or controlled distance education assets that might lead to entrepreneurial activities through marketing and licensing to local and foreign institutions. Additionally, the services provided by the Campus 2 design and development team in creating online curriculum for other community colleges appeared entrepreneurial in nature. In turn, Campus 2 has benefited

from the revenues generated through a tuition sharing arrangement. However, the design and development team's ability to expand its services to a wider market has been limited by the shared governance structure that hindered more faculty commitment in the area of distance education. Both of these examples seemed to reflect activities that arise independently from existing policies, networks, and academy practices. Instead, they created their own circuit of knowledge that could be led in the direction of the public good regime or provide the foundation for the academic capitalist regime. As noted above, a future study might track and assess how these activities evolve in favor of one regime or the other, or somehow manage to maximize the advantages of both regimes.

Appendix A. Interview Consent Form

University of Hawai'i

Consent to Participate in Research Project:

*The Role of Distance Education in Re-Shaping Higher Education:
An Academic Capitalism Perspective*

My name is Jason Yoshida. I am a doctoral student in the Educational Policy Studies Program offered through the College of Education at the University of Hawai'i at Manoa. As part of my preparation in educational policy, I am conducting research on the policies, market forces, and academy practices that influenced post-secondary institutions in Hawaii to adopt distance education as an alternative instructional medium. I am requesting your help in examining these processes because of your role in making distance education available at your institution.

Project Description - Activities and Time Commitment: If you are willing to participate in the study, the interview will last approximately one hour. With your permission, I will record the interview using a digital audio-recorder. I am recording the interview so I can prepare a transcript – a written record of what we talked about during the interview – and analyze the information from the interview. You may decline to be recorded as part of the interview process.

Benefits and Risks: I believe there are no direct benefits to you in participating in my research project. However, the results of this project might help me and other researchers learn more about how distance education has shaped education in the present and what distance education might for the future of education. I believe there is little or no risk to you in participating in this project. If you are uncomfortable answering any of the interview questions, we will skip the question, or take a break, or stop the interview, or you may withdraw from the project altogether.

Confidentiality and Privacy: During this research project, only I will have access to the data. All the data collected from the interviews will be stored in a secure location. Only the University of Hawai'i Human Studies Program can legally access the data and research records. After I transcribe the interviews, I will erase the audio-recordings. Your name or personally identifying information will not be reported in the interview

transcripts or in any of my research results. Instead, I will use a pseudonym for your name or a code number to ensure you anonymity.

Voluntary Participation: Participation in this research project is voluntary. You can choose freely to participate or not to participate. In addition, at any point during this project, you can withdraw your permission.

Questions: If you have any questions about this project, please contact me at via phone (808) ***-**** or by e-mail (***@hawaii.edu). If you have any questions about your rights as a research participant you can contact the University of Hawai‘i, Human Studies Program, by phone at (808) 956-5007 or by e-mail at uhirb@hawaii.edu.

Please keep the prior portion of this consent form for your records.

If you agree to participate in this project, please sign the following signature portion of this consent form and return it to Jason M. Yoshida.

Tear or cut here

Signature(s) for Consent:

I agree to participate in the research project entitled, “*The Role of Distance Education in Re-Shaping Higher Education: An Academic Capitalism Perspective*,” I understand that I can change my mind about participating in this project at any time by notifying the researcher.

Your Name (Print):

Your Signature:

Date: _____

I consent to being audio-taped: _____ (yes or no)

Appendix B. Interview Outline

The Role of Distance Education in Re-Shaping Higher Education: An Academic Capitalism Perspective Demographic Information

1. Please describe your educational background
2. How long working in higher education?
3. Describe positions held (duties and responsibilities)?
4. Describe current position (duties and responsibilities)?
5. Are you tenured?
6. Describe your involvement or participation in distance education.

Institutional Information

7. What was your institution's credit enrollment (unduplicated headcount) last year?
8. What was your institution's noncredit enrollment (unduplicated headcount) last year?
9. What percentage of your faculty is full-time tenured or tenure track?
10. Are the full time faculty covered by a collective bargaining agreement?
11. Does the collective bargaining agreement have provisions addressing copyright ownership and faculty intellectual property rights?
12. How would describe your institution's student body?
 - a. Primarily on track to transfer to a four-year institution
 - b. Primarily vocational
 - c. Primarily non-credit
 - d. Other - please explain _____
13. What percentage of your institution's student body is composed of:

_____ Traditional (incoming freshmen)

_____ Non-Traditional (returning student, already employed)
14. What percentage of your institution's student body is compose of:

_____ Traditional, in-state students (recent HS graduates)

_____ Non-Traditional, in-state students (working, returning students)

_____ Out-of-state students

_____ International students

15. What are the marketing strategies used to attract students to your institution from each population:
 - a. In-state
 - b. Out-of-state
 - c. Traditional
 - d. Non-traditional
16. Does your institution provide dormitory facilities?
17. Which institutions do you perceive as competitors to your institution?
18. Are there any articulation agreements?
19. What are the outstanding or notable programs offered by your institution?

Academic Capitalism (for purposes of this study, academic capitalism refers to organizational changes or attitudes and perceptions of an institutional focus on revenue-generating activities/initiatives)

20. Can you describe your allocation of state funding over the past 10 years?
21. Do you anticipate next year's state allocations to your institution to increase, decrease, or remain the same?
22. Do you know whether student tuition and fees have increased, decreased or remained the same over the past 10 years?
23. Has the cost to operate your institution increased, decreased, or remained the same of the past 10 years?
24. What percentage of your institution's annual operating budget is covered by the state's allocation?

Interstitial Organizations and Networks

25. Excluding tuition and fees, does your institution engage in any revenue-generating activities (see Slaughter & Rhoades, 2004), such as:
 - a. Technical services to business/industry
 - b. Training programs for business/industry
 - c. Partnerships/Joint Ventures with business/industry
 - d. Profit sharing with food/beverage, bookstore, and other vendors
 - e. Distance education (for credit)
 - f. Distance education (non-credit or per contract)

- g. Lease/rent college facilities and/or equipment
 - h. Other – please specify _____
26. Excluding tuition and fees, which activity generates the most revenue for your institution?
 27. Does your institution have revenue projections for each revenue-generating activity at your institution?
 28. What percentage of revenues does distance education courses (credit and non-credit) contribute to your institution's annual operating budget?
 29. What kinds of organizations or networks operate between your institution and business/industry?
 - a. Can you identify specific institutional personnel and business/industry personnel?

Distance Education Background

30. When was distance education initiated at your institution?
31. What types of distance education formats are presently offered at your institution?
32. Which distance education format is most frequently used for credit courses?
33. Which distance education format is most frequently used for non-credit course?
34. Who were the proponents of distance education at your institution?
35. Who were the opponents of distance education at your institution?
36. What were the factors these individuals considered in adopting distance education at your campus?
 - a. Meet student needs
 - b. Meet shortfalls in budget
 - c. Appear innovative
 - d. Create new markets
 - e. Follow trends in higher education
 - f. Other
37. How was the decision to implement distance education made?
 - a. Administration decision
 - b. Faculty decision
 - c. Shared governance

38. What factors do you feel affect distance education initiatives today?
39. How many courses and programs are offered through distance education?
40. How many non-credit course programs offered through distance education?
41. How many of those students were enrolled in at least one course offered through distance education?
42. In your opinion, if you looked at distance education initiatives on a continuum between meeting student needs on the one hand and increasing student enrollment (i.e., generate income), where along this continuum would distance education fall?
43. In terms of fulfilling student needs, do you believe your institution's distance education initiatives to be:
☐ Very Successful ☐ Moderately Successful ☐ Minimally Successful
☐ Not Very Successful
44. In terms of income generating activity, do you believe your institution's distance education initiatives to be:
☐ Very Successful ☐ Moderately Successful ☐ Minimally Successful
☐ Not Very Successful
45. How are courses and instructional materials developed for distance education:
 - a. Faculty-generated (solo effort)
 - b. Team generated (collaborative effort)
46. What percentage of distance education courses at your institution are:
☐ Faculty-generated ☐ Team generated
47. If team generated, describe the team members:
 - a. Project Manager
 - b. Instructional designer
 - c. Content expert
 - d. Graphic designer
 - e. Media specialist (e.g., audio, video, animation)
 - f. Programmer
 - g. Copyright officer
 - h. Usability expert

- i. IT specialist
- 48. What is the status of the team members listed above?
 - a. Administration
 - b. Faculty
 - c. Staff/Professionals
- 49. Are the team members employed subject to a “work for hire” provision
- 50. What is your perception of distance education?

_____To increase enrollment _____To meet increasing enrollment
- 51. Do you consider distance education as a revenue-generating activity?

Policy Issues

- 52. Did your campus adopt policies to implement distance education?
- 53. Were any policies adopted to permit implementation of distance education at your campus?
- 54. When were these policies adopted?
- 55. Can you describe these policies?
- 56. Are these policies available for public review?
- 57. Do these policies address use of copyrighted materials in distance education?
- 58. Do these policies address copyright ownership issues?
- 59. Do these policies address ownership of faculty-generated intellectual property?
- 60. Do these policies address copyright ownership of the distance education course and related materials?
- 61. Do these policies addressing hiring faculty for distance education?

Academy Practices

- 62. Describe your role with respect to distance education?
 - a. Have you taught courses through distance education?
 - b. Did you create your own course materials?
- 63. When first contemplated, how was distance education perceived by:
 - a. Faculty
 - b. Administration
- 64. Was there any faculty resistance to distance education?
- 65. How did the administration overcome faculty resistance?

- _____Promotion _____Tenure _____Reduce workload
66. Excluding faculty input, what is the percentage of institutional resources provided in support of each distance education initiative?
_____ Interactive TV _____ Cable TV _____ Synchronous _____Asynchronous
67. What percentage of distance education courses are taught by:
_____Full-time faculty _____Part-time faculty
68. In your opinion, is the use of part-time faculty in distance education a cost-cutting measure?
69. Does your institution engage in any efforts to market distance education products or services outside the institution?
70. Who makes the decision?

Appendix C. Organization and Analysis of Data

Figure C1. Level 1 Coding.

ID	Transcript Information	Level 1
1005	<p>Q. Did you feel that KCC prepared you well for transfer to Manoa?</p> <p>A. Yes. KCC did a good job. I guess I am what you call a non-traditional student. The community college is an excellent pathway for people who don't have a strong academic background.</p>	Academic background
1002	<p>Q. Does that format curtail academic freedom?</p> <p>A. The type of program I am proposing would be based on an 80 percent rigid curriculum and 20 percent open to options and choices. In that segment, the (lecturer) would the freedom to do what they want, bring in recent articles, bring in things from the news, and so on. Any decisions would necessarily be restricted by the budget. To do this model, the faculty would need time to develop the course. That means that there is one less faculty member available to teach a course. Where is the money coming from to pay that faculty member? The reality is that we are relying on grants to pay for the new technology (in the learning lab). Developing the educational materials is not coming from anywhere, it has to be developed. I faculty members is assigned the task, then it becomes a workload or teaching equivalency issue. There is a lot of room for interpretation under the collective bargaining agreement. Without support, the job will not get done or will get done poorly. We don't have an master agreement as to how to do it, no signposts, or direction.</p>	Academic Freedom
1004	<p>Q. Are these students the so-called digital natives that have been recently entering higher education?</p> <p>A. * * * Now there is more accountability on community colleges. This is causing a great deal of frustration on the part of faculty. They find the new accountability model too threatening. And people who are not educators are the ones moving higher education into assessment. These are outside forces coming into the evaluation process; faculty evaluation.</p>	Accountability
1003	<p>Q. What role does governance have in supporting the humanities?</p> <p>A. * * * In the humanities, we have less priority than other programs. If we wanted to introduce an experimental course, not only do we have to justify the course, we also have to give up one of our regular courses in exchange. Instead of growing our programs to meet new interests and demands, we are kept at a steady state. Yet there is a lot of money going to the sciences from the National Science Foundation. But then, the science department seeks those</p>	Accountability

Appendix C. Organization and Analysis of Data

Figure C 2. Level 2 Coding.

ID	Transcript Information	Level 1	Level 2
1004	<p>Q. Can you describe your duties as the DMCA officer?</p> <p>A. I receive complaints from third-parties, outside of the UH system, regarding illegal use of our network system that results in copyright violations. Basically, it might involve students, staff, or faculty involved in downloading copyrighted materials . . . like music or movies. This was quite common five, ten years ago, when dial-up connections were still common. The UH system had a high-speed, I think it was a T1 connection , so what would takes minutes or hours at home would take less than a minute using the campus network.</p>	Duties as DMCA officer	Compliance
1004	<p>Q. Just to finish off this area, does KCC have a copyright policy regarding the use of copyrighted materials in distance education?</p> <p>A. I believe we had a copyright policy, but it was a general policy that related to classroom instruction.</p>	General policy related to classroom instruction	Compliance
1004	<p>Q. Okay, last one. Have you heard about the Higher Education Act? It was originally passed in 1965 as part of Lyndon Johnson's vision of the "Great Society" and was reauthorized periodically; basically being refunded to provide financial aid to disadvantaged students. The last time the HEA was reauthorized was in 2008. This version included provisions governing distance education.</p> <p>A. I am familiar with the Higher Education Act, both personally and professionally. I attended school through grants and federal aid under the Higher Education Act. I am also aware of how the Higher Education Act works in higher education, but I am not an expert on it.</p>	Higher Education Act	Compliance
1004	<p>Q. What about the provisions related to distance education. Are you familiar with any of those provisions from the Higher Education Act?</p> <p>A. No, I can't say specifically.</p>	Higher Education Act	Compliance
1004	<p>Q. Can we switch gears and talk about some of the US Copyright Laws? Are you familiar with the copyright laws related to distance education?</p> <p>A. I am somewhat familiar with the copyright laws, but I am by no means an expert.</p>	Not an expert	Compliance

Appendix C. Organization and Analysis of Data

Figure C.3. Level 3 Coding.

ID	Transcript Information	Level 1	Level 2	Level 3
1004	<p>Q. When you say evening, what were the hours for these courses?</p> <p>A. The evening courses were offered at 6:15 to 7:30 pm and 7:30 to 8:30 pm. Something like that. These courses were well received by students, especially working students. Many of them came straight from work. I think teaching this group of students helped me be a better instructor to my regular, daytime students because of the questions they asked and about how the applications could be used for specific purposes. They were much more practical in their approach.</p>	Non-traditional	Evening courses	Course Schedules
1003	<p>Q. Do you see any major trends occurring on campus?</p> <p>A. We need to revisit the purpose of education. Education was meant to change society. We don't have to be satisfied with the status quo. We don't have to accept things as normal, we can change it. We need to train people to change the system instead of becoming a part of it. With the ongoing emphasis on CTE courses and programs, it seems the community college is returning to its original focus which was vocational training. We are going back to the trades. It's like the English model with the polytechniques and the colleges. When you were 13, they gave the GCSE (General Certificate of Secondary Education) exam. If you were smart, you went to college. If you weren't, you went to vocational school. * * *</p>	Original focus of CC	Greater emphasis on CTE programs	CTE Programs
1003	<p>Q. Do you see any major trends occurring on campus?</p> <p>A. * * * There is less and less time or room for a liberal education. When the economy dropped a few years back, enrollment in the CTE course went up, the humanities became less important. And if we students weren't enrolling in the humanities,</p>	Cut Humanities classes	Lesser emphasis on Humanities	CTE Programs

Appendix C. Organization and Analysis of Data

Figure C.4.Level 4 Coding.

ID	Transcript Information	Level 1	Level 2	Level 3	Level 4
	that we don't have enough space for students. One of the things we have done is to offer concentrated, thee course programs in customer service that leads to a certificate. The feedback was that these courses provided a positive experience.				
1002	Q. How do you think the University is doing as a whole? A. * * * We can extend the reach of education in a good way to the neighbor islands. We can build online communities and extend the reach of education in a good way.	Extend reach	DE advantages	Distance Education	Academy Shifts
1002	Q. How do you think the University is doing as a whole? A. * * * Book publishers are moving in that direction too. They support their textbooks with online materials and other forms of course assistance.	Industry Support	DE advantages	Distance Education	Academy Shifts
1002	Q. What do you think about <u>standardized courses</u> in distance education and use of lecturers to cut costs? A. We have fewer full time faculty members now for a variety of reasons. The idea is that full-time faculty can work on developing <u>standardized courses for delivery through distance education</u> . The full time faculty could teach the course initially to work out the kinks. They are the ones most familiar with the subject. After that, <u>lecturers can teach the course</u> . I like this model because you would have a standardized format across the program. Since assessment is a big thing now, we can be more assured that students acquire the skill sets out of the program. <u>Grades are beginning to be replaced by skills and learning assessments are a big thing.</u>	Template Lecturers Assessment	DE Advantages	Distance Education	Academy Shifts

Appendix C. Organization and Analysis of Data

Figure C.5. Level 1 Indexing Using Microsoft Word.

Addressing problems	Faculty Commitment	Measuring Success
Administrative	Faculty Community Service	MOOCs
Leaderships/Directives	Faculty Control	No Support
Advisory Boards (2)	Faculty Fear of Technology	Non-Credit Courses
Alumni Association	Faculty Independence	Non-Traditional Students
Assessment (Measuring Success)	Faculty Ownership	Non-Traditional Students (1-2 courses)
Assessment Requirements	Faculty Support	Non-Traditional Students (Baby-Boomers, Lifelong Learners)
Automotive	Faculty to Learn New Skills	Non-Traditional Students (Employed, Ambitious)
Board of Regents	Faculty Workload	Non-Traditional Students (Job Loss, CTE Retraining)
Bookkeeping	Faculty/Student rentals	Obama Policies
Capitalistic model	Farmers Market (2)	Olelo Community TV
Career Fair	Fast Food Franchise	Ongoing Relationships
Charter approach	Forum for Free Speech	Online Courses
Clean Industry	Grants Not Solution	Online Programs
Closed culture	Grants to support programs	Online Resources
CMS (WebCT and Laulima)	Grassroots Effort	Perception as Clients
Coffee Carts	Health Fair	Positive Attitude
Collective Bargaining Agreement	Hiring Policies	Prior Entrepreneurial Experience
Community Defined	Humanities	Professional & Business Associations
Competition	Hybrid Courses	Prospectives
Compliance	Impact of Unions	Raising Tuition
Computer Workshops	In-class	Real Property Taxes
Connected 24/7	Increase	Restaurant (2)
Corporate eLearning	Increased Enrollment	Salary Reduction (2) Services
Cost Cutting	Individual Graduates	Sharing Knowledge (vs) Shopping
Cost Savings	Institutional Budget	Small Business Fair
Culinary Arts	Institutional Effectiveness	Social Class
DE Challenges	Institutional Incentives	Source of Higher Education (2)
DE Courses	Institutional Ownership	Strategic Planning
DE Development services	Institutional Relationship	Student Abilities
DE Enriches Lives	Instructional Quality (2)	Student Activities
DE Funding (For Development)	Instructor Teaching Experience	Student Behavior
DE Importance	International Programs	Student Demographics
DE Ownership	International Students	Student Goals (2)
DE Tools	Internet	Student Types
Decline	Internet Delivery	
Degrees/Certificates	Internships	
Entrepreneurial	Job Fair	
Entrepreneurial Activity	Lecturer Commitment	
Extend Reach (2)	Lecturer DE Teaching Experience	
Facilities Rental Fees	Lecturers	
Faculty Attitude	Lecturers No Experience in DE	
	Library	

Teach Critical Thinking
Team Approach
Template Course (4)
Tenure Requirements
Theater, Dance, Music,
Arts
Traditional Students (CTE
Programs)
Traditional Students
(Liberal Arts/Transfer)
Transfer to Non-UH
Transfer to UH
Tuition (Raising)
Tuition (Uses)
UHCC DE Objectives
Unit Mastery
Vending Machines
Veterans
VITA free tax preparation
Workforce Development

Appendix C. Organization and Analysis of Data

Figure C 6. Level 1 and Level 2 Coding Using Microsoft Word.

0005	<p>Q. Last question. There has been a lot of discussions related to MOOCs lately, do either of you have any opinion about incorporating MOOCs into your traditional or distance education courses?</p> <p>A. Right. Let's say you reviewed 20 hours of MOOCs on a particular subject. How do you assess your learning? How do you assess SLOs (student learning outcomes) to validate what you learned? Let's say you designed a course around a set of MOOCs with defined SLOs, I think you would need curriculum approval, that that would take at least two years. Also, how would an accrediting agency view an institution that based its courses on MOOCs? How would an accrediting agency determine whether the assessing organization is qualified to make an assessment of learning based on the use of MOOCs as the instructional medium? You need proof.</p>	MOOCs	Accreditation
0004	<p>Q. There has been a lot of discussions related to MOOCs lately, do either of you have any opinion about incorporating MOOCs into your traditional or distance education courses?</p> <p>A. I recently learned about MOOCs in one of the workshops I attended. I think it's alright to supplement an existing course with MOOCs, but I don't think you can build an entire course on MOOCs.</p> <p>And it's not just MOOCs, but the whole of higher education. There is this overwhelming emphasis on assessment, not just in Hawaii, but nationwide. These assessment requirements only came about in the last 10 years, the need to show evidence of learning. You talked about forces influencing higher education; I would add this assessment agenda, tying assessment to a rigid formula that does not reflect student learning or student needs.</p>	MOOCs	Accreditation
0003	<p>Q. Do you have any opinion about unit mastery courses?</p> <p>A. I don't like unit master. You want to have interaction and feedback to make it a quality course. There are also accreditation issues. There is a law that distinguishes between correspondence courses and online courses. An interactive element is required for a truly authentic learning environment.</p>	Unit Mastery	Accreditation
0005	<p>Q. What about advisory boards? Do you have advisory boards?</p> <p>A. Yes. All our academic programs require us to have an advisory board. Again, these boards are made up of members from the community knowledgeable about specific disciplines and what is going on in the industry. We meet to discuss the needs of the community and how the community college can meet those needs.</p>	Advisory Boards	BA Off Campus

Appendix D. Representation of Data Analysis

Table D.1. Coding analysis of interview data.

Level 4 Codes	Level 3 Codes	Level 2 Codes	Level 1 Codes
Policies			
	Capitalistic Mentality		
		Marketing	
			Competition DE Ownership DE Funding (for Development) Entrepreneurial Activity International Programs International Students Instructor Teaching Experience Measuring Success Non-Credit Courses Prior Entrepreneurial Experience Sharing Knowledge (vs) Student Goals Student Types
		Revenue Generating Activities	
			Corporate eLearning DE Development Services Facilities Rental Fees Institutional Relationship Student activities Tuition (Uses) Tuition (Raising)
	Federal Copyright Policies		
		Institutional Policies	
			Craft Approach Compliance Faculty Control Faculty Ownership Institutional Ownership

Level 4 Codes	Level 3 Codes	Level 2 Codes	Level 1 Codes
			Team Approach
		Cost-cutting	Lecturers Template Courses
	Governance	Accreditation	DE Courses MOOCs
		Enrollment	Increase Extend Reach Non-Traditional Students
		Federal Grants	Assessment Requirements Grants Not Solution Grants to Support Programs Obama Policies
		Institutional Culture	Addressing Problems Capitalistic Model Closed Culture Institutional Incentives
		Shared Governance	Administrative Leaderships/Directives Board of Regents DE Challenges DE Importance Faculty Commitment Faculty Independence Faculty to Learn New Skills Faculty Workload Hiring Policies Grassroots Effort Salary Reduction Strategic Planning Tenure Requirements

Level 4 Codes	Level 3 Codes	Level 2 Codes	Level 1 Codes
			UHCC DE Objectives
		State Funding	Decline Institutional Budget Raising Tuition Salary Reduction
		Unions	Collective Bargaining Agreement Impact of Unions
Interstitial Organizations and Networks	Economic Units	On Campus	Coffee Carts Fast Food Franchise Restaurant Student Behavior Vending Machines
		Off Campus	Faculty/Student Rentals Shopping Services
	Source of Business Assistance	On Campus	Career Fair Computer Workshops Farmers Market Job Fair In-class Small Business Fair VITA free tax preparation
		Off Campus	Advisory Boards Alumni Association

Level 4 Codes	Level 3 Codes	Level 2 Codes	Level 1 Codes
			APCPBA Professional & Business Associations DE Enriches Lives Faculty Community Service Individual Graduates Internships
	Source of Community Vitality		
		On Campus	
			Community Defined Farmers Market Health Fair Forum for Free Speech Library Olelo Community TV Restaurant Source of Higher Education Theater, Dance, Music, Arts
		Off Campus	
			Clean Industry Source of Higher Education Real Property Taxes
Shifts in Academy Practices	Developers of Human Capital	Student Types	
			Perception as Clients Student Demographics Traditional Students (Liberal Arts/Transfer) Traditional Students (CTE Programs) Non-Traditional Students (Only Need One or Two Courses) Non-Traditional Students (Job Loss, Retraining in CTE)

Level 4 Codes	Level 3 Codes	Level 2 Codes	Level 1 Codes
			Non-Traditional Students (Employed, Seeking Advancement)
			Non-Traditional Students (Baby-Boomer - Lifelong Learners)
			Veterans
		Defining Success	Achieving Student Goals Degrees/Certificates
		Liberal Arts Program	Transfer to UH Transfer to Non-UH
		CTE Courses	Advisory Boards Automotive Bookkeeping Culinary Arts Ongoing Relationships Humanities Prospective Workforce Development
		Certification Programs	Entrepreneurial
		Grant Assessment	Assessment (Measuring Success)
	Distance Education	Course Formats	Hybrid Courses Institutional Effectiveness Instructional Quality Internet Delivery Online Courses Online Programs

Level 4 Codes	Level 3 Codes	Level 2 Codes	Level 1 Codes
			Teach Critical Thinking Unit Mastery
		DE Advantages	Increased Enrollment Extend Reach DE Tools Positive Attitude Template Course
		DE Disadvantages	Faculty Attitude Connected 24/7 Lecturers No Experience in DE No Support Student Abilities Template Course
	Faculty Roles	Using Lecturers	Cost Cutting Cost Savings Lecturer Commitment Lecturer DE Teaching Experience Template Courses Instructional Quality Social Class
		Technology	Faculty Fear of Technology CMS (WebCT and Sakai) Online Resources Internet Student Goals Faculty Support

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