

Know Your Rights!

Navigating the Distance/Distributed Learning Agreement Form

So, you've been asked to initially develop an (asynchronous) online version of an existing course or of a new course intended to be offered exclusively online or to extensively revise a course that has previously been offered in an (asynchronous) online format and are now faced with navigating the Distance/Distributed Learning Agreement (D/DLA) form....

Regardless of how you fill out the D/DLA form:

- You are entitled to compensation in the form of workload equivalency for the initial development or extensive revision of a distance education course (see TT CBA, Article XXI, Section 4.C, p. 89). Distance education course development that occurs outside of the normal academic year should be compensated at a rate equivalent to the appropriate per credit summer/intersession teaching rate.
- If this is your first time developing a distance education course, you are entitled to appropriate professional development and technical support assistance. Even if this isn't your first time, you are still entitled to ongoing technical support. (See TT CBA, Article XXI, Section 5.B, p. 90).

Determining the appropriate "type" to select on the D/DLA form:

The first question you need to ask is:

Do I want to allow the University to assign the course I develop to other instructors?

- **If the answer to that question is 'no', you should select **Type I (Independent Faculty Effort)**.**
- **If the answer to that question is 'yes', your next question is:**
Am I willing to sell some or all of my intellectual property (IP) ownership of the materials I develop for the course to the University for **additional compensation** (i.e. compensation over and above the workload equivalence or analogous summer/intersession pay for the development/extensive revision of the course)?
 - **If the answer to this question is 'no', you should select **Type III (Compilation)**.** In this case, you will also want to negotiate with the University the percentage of any net proceeds you will earn in the rare instance in which the University decides to license or sell the compilation.

- You should select either **Type II (Joint Effort)** only if you are willing to sell part of your IP or **Type IV (University-Sponsored Effort)** only if you are willing to sell all your IP to the University. Keep in mind that this sort of IP is generally worth tens of thousands of dollars and that the University is unlikely to be willing to offer to pay you what your IP is worth.

Before you select any “type” other than Type I (Independent Faculty Effort) on the D/DLA form, we highly recommend that you contact KSUFA (330-673-9118; office@ksufa.org) to discuss the matter.