

HOUSE BILL REPORT

SHB 2852

As Passed House:
February 12, 2010

Title: An act relating to college-level online learning by high school students.

Brief Description: Concerning college-level online learning by high school students.

Sponsors: House Committee on Education (originally sponsored by Representatives Parker, Wallace and Schmick).

Brief History:

Committee Activity:

Education: 1/26/10, 2/2/10 [DPS];
Education Appropriations: 2/4/10 [DPS(ED)].

Floor Activity:

Passed House: 2/12/10, 97-0.

Brief Summary of Substitute Bill

- Excludes public and private accredited in-state institutions of higher education from laws that regulate providers of online learning in K-12 schools, as long as the online courses generate both high school and college credit.
- Authorizes school districts to claim basic education funding for students enrolled in high school and college credit-bearing courses offered by these types of higher education institutions.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Quall, Chair; Maxwell, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Dammeier, Fagan, Hunt, Johnson, Liias, Orwall, Probst, Santos and Sullivan.

Staff: Barbara McLain (786-7383).

HOUSE COMMITTEE ON EDUCATION APPROPRIATIONS

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Haigh, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Anderson, Carlyle, Haler, Hunter, Kagi, Maxwell, Nealey, Quall, Rolfes and Wallace.

Staff: Ben Rarick (786-7349).

Background:

Legislation enacted in 2009 established new state regulation of online learning in K-12 schools.

Approval of Providers.

The Office of Superintendent of Public Instruction (OSPI) must establish criteria and a process for approving "multi-district online providers." The first round of approval decisions must occur by April 2010. One of the criteria established in statute is that a provider must require all teachers to be certified under Washington laws.

A multi-district online provider is defined as:

- a private or non-profit organization that enters into a contract with a school district to provide online courses or programs to K-12 students from more than one school district;
- a private or nonprofit organization that enters into contracts with multiple school districts to provide online courses or programs to K-12 students from those districts; or
- a school district that provides online courses or programs to students who reside outside the school district, but only if more than 10 percent of students in the online program are from other districts.

Other school district online programs, including those operated by multiple school districts or Education Service Districts (ESDs) through an inter-district agreement, are not included in this definition and do not require approval.

Public colleges and universities that contract with a school district to offer online courses or programs do not meet the definition of multi-district online provider. However, private colleges and universities would be considered private or non-profit organizations, and to the extent they contract with school districts to provide online courses or programs to K-12 students in the manner described in law, they would be subject to approval as and would have to meet the criteria for a multi-district online provider.

Use of Basic Education Funding for Online Courses.

The 2009 legislation requires that, beginning with the 2011-12 school year, school districts can only claim basic education funding for students enrolled in online courses or programs if the provider is one of the following:

- an approved multi-district online provider, as defined;

- a school district providing the courses only to its own students or to students from multiple districts where fewer than 10 percent are from outside the district; or
- a program offered by multiple districts or an ESD through an inter-district agreement.

Under these provisions, a school district could not use or claim basic education funding for a student enrolled in a public or private college online course. These entities do not fall within the list of allowable providers for this purpose unless they are approved as a multi-district online provider. Laws that provide for funding of students enrolled in college courses through Running Start, which may be offered online, are separate and not affected by these provisions.

Summary of Substitute Bill:

The following entities are excluded from the definition of a multi-district online provider, but only if the online course or program they provide generates both high school and college credits:

- in-state public institutions of higher education; and
- in-state private institutions of higher education that are accredited by an accrediting association recognized by the Higher Education Coordinating Board.

Beginning in 2011-12, school districts are authorized to claim basic education funding for students enrolled in high school and college credit-bearing courses offered by one of these types of higher education institutions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Education):

(In support) There are some unintended consequences to the legislation passed last year regarding online learning. This bill removes barriers for students to access college courses. It is particularly important for students in rural areas to have this online access.

(In support with concerns) This is supported to the extent it creates an exemption for our public and in-state colleges and universities. But there could be a mismatch in accreditation requirements and standards when it comes to out-of-state institutions. They should be included in the legislation passed last year. The provisions of the bill should apply to courses that offer both high school credit and college credit.

(Opposed) None.

Staff Summary of Public Testimony (Education Appropriations):

(In support) The Superintendent of Public Instruction supports this bill. The bill was improved in the education policy committee by incorporating amendments dealing with the exclusion of out-of-state providers, and clarifying the status of dual credit programs.

(Opposed) None.

Persons Testifying (Education): (In support) Representative Parker, prime sponsor.

(In support with concerns) Martin Mueller, Office of Superintendent of Public Instruction.

Persons Testifying (Education Appropriations): Bob Butts, Office of the Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying (Education): None.

Persons Signed In To Testify But Not Testifying (Education Appropriations): None.