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SENATE BILL 5142

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Stevens, Hargrove, Nelson, Shin, Pflug, Sheldon, King, and Roach

Read first time 01/17/11. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to alternative learning experiences; amending RCW  
2 28A.320.092; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that alternative  
5 learning experiences are individual courses for public school students  
6 that are detailed in a written student learning plan supervised and  
7 monitored by a certificated public school teacher but primarily occur  
8 away from the regular public school classroom setting. The legislature  
9 further finds that although alternative learning experiences are  
10 similar to home-based instruction in that both are characterized by  
11 learning that occurs away from school, alternative learning experiences  
12 are not home-based instruction. The legislature further finds that  
13 home-based students may enroll part-time in public school classes and  
14 programs, including alternative learning experiences. The legislature  
15 further finds that if a student is enrolled full-time in alternative  
16 learning experiences, the student is not a home-based student, even if  
17 all the instruction is provided by a parent.

1       **Sec. 2.** RCW 28A.320.092 and 2009 c 190 s 1 are each amended to  
2 read as follows:

3       (1) School districts are prohibited from advertising, marketing,  
4 and otherwise providing unsolicited information about learning programs  
5 offered by the school district, including but not limited to digital  
6 learning programs, part-time enrollment opportunities, and other  
7 alternative learning programs, to students and their parents who have  
8 filed a declaration of intent to cause a child to receive home-based  
9 instruction under RCW 28A.200.010. School districts may respond to  
10 requests for information that are initiated by a parent. This section  
11 does not apply to general mailings or newsletters sent by the school  
12 district to all households in the district.

13       (2) School districts are prohibited from advertising or marketing  
14 full-time enrollment in an alternative learning experience as being a  
15 home-based instruction program. Any student who is enrolled as a full-  
16 time student in alternative learning experiences is a full-time public  
17 school student. Any student who is enrolled as a part-time student in  
18 alternative learning experiences is a part-time public school student  
19 for the actual hours in which he or she is participating in the  
20 program. A school district that enrolls a student full-time in an  
21 alternative learning experience must provide the parent or guardian of  
22 the student, before the student's enrollment, with a description of the  
23 difference between home-based instruction pursuant to chapter 28A.200  
24 RCW and full-time enrollment in alternative learning experiences.

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