
Education Committee

HB 1423

Brief Description: Providing for a single set of laws and procedures governing online learning.

Sponsors: Representatives Haigh, Fagan, Seaquist, Magendanz and Hargrove.

Brief Summary of Bill

- Removes online learning programs from the definition of an Alternative Learning Experience (ALE) program.
- Makes laws currently applicable to ALE programs continue to apply to online learning programs, but codifies them under an online learning chapter.
- Modifies procedures for online learning programs to monitor student progress.
- Changes requirements for districts to release students to another school district, and for nonresident districts to accept students, when the purpose of the interdistrict transfer is to enroll in online learning programs.

Hearing Date: 2/14/13

Staff: Barbara McLain (786-7383).

Background:

Alternative Learning Experience Programs. Alternative Learning Experience (ALE) programs provide a way for students to be enrolled in public education without being required to meet the in-class seat-time requirements for regular instruction. There are three primary types of ALE programs identified in statute: online learning programs; parent partnership programs that include significant participation by parents in the design and implementation of the student's learning; and contract-based learning.

Educational progress of students enrolled in ALE programs is monitored through an individualized student learning plan (SLP). Rules adopted by the Office of the Superintendent of Public Instruction (OSPI) specify the content of an SLP, which must include direct personal

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.

contact with a teacher at least once a week; estimated hours per week of learning activities by the student; and monthly progress evaluations to assure that students are making satisfactory progress.

Certain practices are prohibited for ALE programs, such as providing compensation or stipends directly to parents, providing an incentive for district staff to enroll nonresident students, and purchasing curricular activities for ALE students unless substantially similar activities are available for regularly enrolled students.

Online Learning Programs. Most of the requirements regarding ALE programs are in administrative rules adopted by the OSPI. However, online learning programs were first authorized in 2005 through legislation, so some of the requirements as they pertain to online programs appear in statute. In addition, legislation enacted in 2009 requires online learning programs offered to students from multiple school districts, either directly by a school district or under contract, to be approved by the OSPI. Beginning in the 2013-14 school year, all online learning programs must be approved by the OSPI.

School Choice. State law "strongly encourages" school districts to honor requests by students to enroll in another school district. Nonresident school districts may reject a transfer application based on student disciplinary history or financial hardship on the district.

According to the OSPI, 10,275 students, representing 8,433 full-time equivalent (FTE) enrollments, enrolled in online ALE programs in the 2011-12 school year. Nearly 74 percent of the FTE enrollments in online ALE programs are nonresident students enrolling in another district.

In recent years, laws pertaining to minimum staff to student ratios and school district eligibility for federal forest funds or state matching funds for school construction have been amended to exclude nonresident students enrolled in ALE programs because those students usually do not have a physical presence in the district.

Summary of Bill:

Alternative Learning Experience Programs. Online courses and online school programs are removed from the statutory definition of an ALE program. Laws that prohibit certain practices for ALE programs continue to apply to online courses and online school programs, but the laws are copied into the RCW chapter dealing with online learning. A law that contains additional requirements only for online learning programs is also moved to the online learning chapter. Laws that exclude nonresident students enrolled in ALE programs for certain purposes also continue to apply to online learning programs.

Online Learning Programs. The definition of an online school program includes courses that are "facilitated" rather than "taught" by a teacher. The OSPI may not specify a minimum duration for the weekly personal contact in an online learning program. Monthly progress evaluations for students are conducted as follows:

- For students making satisfactory progress, the evaluation is based only on the student's performance on the learning plan.

- For students not making satisfactory progress, evaluation must also include a documented conference based on personal contact about what action or performance by the student is needed, plus at least one additional specified action in an intervention plan.

Online learning programs may seek a waiver from the OSPI to administer the state assessments for grades three through eight on alternate days or an alternate schedule within the established testing period. The request may be denied if the proposal does not maintain adequate test security or would reduce the reliability of results by providing an inequitable advantage for some students.

School Choice. A resident district must release a student wishing to enroll in another school district if the purpose is to enroll in an online learning program. Resident districts may not refuse to enter interlocal agreements with nonresident districts to enable students to enroll part-time in online learning. The OSPI must develop a standard form to be used by all districts when releasing students to enroll in online learning programs.

Once a student has been accepted by a nonresident district to enroll in online learning, the student may remain enrolled there without having to re-apply, as long as the nonresident district continues to accept them. A nonresident district may deny the transfer of a student who has repeatedly failed to comply with requirements for participation in an online learning program.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

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