

SENATE BILL REPORT

2SHB 2704

As Reported By Senate Committee On:
Education, February 27, 2004

Title: An act relating to alternative learning experience programs.

Brief Description: Providing standards for alternative learning experience programs.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Talcott, Haigh, Tom, Kenney, Anderson, Nixon, Carrell, Boldt, Kirby, Benson, Hunter, Jarrett, Priest, Skinner, Upthegrove, Shabro, Miloscia, Quall, Buck, Ruderman, Moeller, Rockefeller and Kagi).

Brief History:

Committee Activity: Education: 2/20/04, 2/27/04 [DPA].

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended.

Signed by Senators Johnson, Chair; Finkbeiner, Vice Chair; Carlson, Eide, McAuliffe, Pflug, Rasmussen and Schmidt.

Staff: Susan Mielke (786-7422)

Background: Since 1995, the rules of the Superintendent of Public Instruction (SPI) have permitted school districts to operate alternative learning experience programs. An alternative learning experience is an individualized course of study which may be conducted outside of the regular classroom and may be provided by the student's parent under supervision by school staff. These programs must meet certain criteria in order for the school district to receive general apportionment funding. The current rules provide that students who are home-based or attending a private school may not participate. However, there is a statute that provides that part-time public school students who also receive private school or home-based instruction must be able to participate in courses of study and ancillary services provided by school districts.

Beginning in 2000, SPI recommended new program rules to address the conflict between the rules and the statute and make additional changes. Since the proposed changes can affect school enrollments, the proposed change must be submitted to the legislative fiscal committees for their review and approval as is required by current law.

Summary of Amended Bill: It is the Legislature's intent that school programs in non-traditional environment are separate and distinct from independent home-based instruction. School districts are given statutory authorization to operate alternative learning experience programs. The programs are available for full-time and part-time public school students, including part-time students who are also receiving home-based or private school instruction. The districts may contract with other entities to provide the programs. The

programs may include significant participation by students, parents, and families in the design and implementation of the experience and may provide individualized courses of study for students. School districts receive funding prorated by the amount of the student's FTE enrollment for which the district is responsible. Additionally, the programs must meet the following requirements:

- Address diverse needs of students in nontraditional learning environments;
- Provide direct contact and supervision by certificated staff at least weekly (direct contact may include the use of telephone, e-mail, interactive computer or interactive video communication);
- Provide each student an individualized written student learning plan; and
- Provide annual assessment of the students' educational progress (although part-time students who are either receiving home-based or private school instruction are not required to take the Washington Assessment of Student Learning).

School districts must advise parents of the difference between home-based instruction and all forms of alternative education programs provided by the district.

SPI must adopt rules for the alternative learning experience programs.

Amended Bill Compared to Second Substitute Bill: A declaration is added that it is the intent of the Legislature that alternative learning experience programs in nontraditional environments are separate and distinct from independent home-based instruction. School districts must advise parents of the difference between home-based instruction and all forms of alternative education provided by the school district. It is clarified that school districts receive the portion of funding determined by the student's FTE enrollment for which the school district is responsible, whether that is full-time, or some portion of part-time.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is putting the authority for on-line learning programs into statute. We are trading seat-time requirements for other methods of contact, such as e-mail, etc. On-line resources levels the access for all students to information, whether the student has a disability, low socio-economic backgrounds, attend small schools or live in rural areas. The virtual high school programs, like that offered by the School for the Blind, could be a resource tool to reach students at other schools or at home. Additionally, this permits parents to have an active role in their child's education and provides flexibility on how to do that. We are pleased that homeschool students will be able to participate part-time but it is important to preserve the distinction between independent home schooling, which is autonomous, and these part-time alternative learning experiences, which operates under the supervision of the school district. An amendment to help clarify enrollment options would be helpful.

Testimony Against: We support parents' choice for their child's education but that is not what this bill does. These parent-partnership programs already exist. They are receiving full-time funding for these students with minimal time on site -- this bill will lower that to no time on site. The State Auditor's Office is conducting an investigation into the programs

because they are not following the current rules. The Legislature should wait to act on this bill until after the auditor completes the audit. It is important to have fiscal and quality control. This bill would give SPI authority to change the rules anytime they wanted, without legislative oversight. When SPI has changed the rules in the past, the number of these programs increased dramatically. This bill is marketed as helping at-risk students and authorizing on-line programs but it does much more. Homeschoolers who join these programs part-time need to know that they are risking some of their freedoms allowed under the home-based law. The bill needs to have a clarifying amendment explaining the difference between independent home-schooling and the public parent-partnership programs. This bill will have a tremendous fiscal impact. There is a very small percentage of homeschoolers who participate as part-time public students and that is not sufficient to cause us to support this bill.

Testified: PRO: Rep. Gigi Talcott, prime sponsor; Leslie St. Pierre, Digital Learning Commons; Dean Stenehjen, WSSB; Theresa Tate, WSSB teacher; Robb Peck, WSSB; Stephen Hudson, WSSB student; Mia Anderson, WHO; Janice Hedin, WHO; Lile Holland, WA Assoc. for Learning Alternatives; Jan Bleek, Federal Way Internet Academy; Martin Mueller, OSPI; CON: Scott Brannon, CHN; Dianna Brannan, CHN; Candice Childs, Family Academy.