

SSB 5828 - H COMM AMD
By Committee on Education

ADOPTED 04/12/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.150
4 RCW to read as follows:

5 (1) The legislature finds that digital learning courses and
6 programs can provide students with opportunities to study subjects that
7 may not otherwise be available within the students' schools, school
8 districts, or communities. These courses can also meet the
9 instructional needs of students who have scheduling conflicts, students
10 who learn best from technology-based instructional methods, and
11 students who have a need to enroll in schools on a part-time basis.
12 Digital learning courses can also meet the needs of students and
13 families seeking nontraditional learning environments. The legislature
14 further finds that the state rules used by school districts to support
15 some digital learning courses were adopted before these types of
16 courses were created, so the rules are not well-suited to the delivery
17 of online instruction. As a result, at least one school district has
18 received an audit exception for the way the district operated and
19 accounted for its digital learning courses. It is the intent of the
20 legislature to clarify the requirements for digital learning courses
21 and to give school districts and the auditors a common set of
22 guidelines for their delivery and funding.

23 (2) The board of directors of a school district may operate digital
24 learning programs for eligible full-time students, or eligible part-
25 time students who meet the provisions of RCW 28A.150.350. The board of
26 directors may also provide such programs through contract to the extent
27 permitted under RCW 28A.150.305. The board of directors of a school
28 district claiming state funding for digital learning programs shall:

29 (a) Adopt and periodically review written policies for such
30 programs;

- 1 (b) Formally approve programs that rely primarily on digital
2 curriculum;
- 3 (c) Require that individual courses offered primarily through
4 digital curriculum be approved by a designated school district
5 official;
- 6 (d) Receive an annual report on its digital learning programs from
7 its staff. The report should include, at a minimum, information
8 included in guidelines provided by the superintendent of public
9 instruction;
- 10 (e) Institute reliable methods to verify a student is doing his or
11 her own work. The methods may include proctored examinations or
12 projects, including the use of web cams or other technologies.
13 "Proctored" means directly monitored by an adult authorized by the
14 school district;
- 15 (f) Grant credit to a student who successfully demonstrates,
16 through examination, project completion, or other performance-based
17 methods instead of counting contact hours, that the student has
18 successfully completed a course;
- 19 (g) Complete any program evaluation requirement adopted by the
20 superintendent of public instruction under subsection (5)(d) of this
21 section;
- 22 (h) Report annually to the superintendent of public instruction on
23 the number of its digital learning programs and courses, the number of
24 students enrolled in the programs or courses, and a documented report
25 of the district of the students' physical residence;
- 26 (i) Define a full-time equivalent student under RCW 28A.150.260 and
27 a part-time student under RCW 28A.150.350 based upon the district's
28 estimated average weekly hours; and
- 29 (j) Periodically complete a self-evaluation component designed to
30 objectively measure the effectiveness of the programs, including the
31 impact of the courses on student learning and achievement.
- 32 (3) Digital learning courses must provide each student with:
- 33 (a) Direct personal contact with certificated staff designated by
34 either the school district or by the contractor with the approval of
35 the school district. The direct personal contact shall occur each week
36 until the student successfully completes the course requirements.
37 Direct personal contact is for the purposes of instruction, assignment
38 review, testing, evaluation of student progress, or other learning

1 activities. Direct personal contact may include the use of telephone,
2 e-mail, instant messaging, interactive computer, or interactive video
3 communication;

4 (b) A description of course objectives monitored by certificated
5 staff, including information on the requirements a student must meet to
6 successfully complete the programs or courses;

7 (c) Information on the ways the courses or programs are aligned to
8 the state's grade level expectations that are assessed on the
9 Washington assessment of student learning and, for high school courses,
10 whether and how the courses meet state and district graduation
11 requirements; and

12 (d) An assessment of each student's progress at least annually
13 using, for full-time students, the state assessment for the student's
14 grade level and any other annual assessment required by the school
15 district. Part-time students shall also be assessed at least annually.
16 Part-time students who are either receiving home-based instruction
17 under chapter 28A.200 RCW or who are enrolled in an approved private
18 school under chapter 28A.195 RCW are not required to participate in the
19 state assessments required under chapter 28A.655 RCW.

20 (4) A school district that provides one or more digital courses to
21 a student shall provide the parent or guardian of the student, prior to
22 the student's enrollment, with a description of any difference between
23 home-based education under chapter 28A.200 RCW and the enrollment
24 option selected by the student. The parent or guardian shall sign
25 documentation attesting to his or her understanding of the difference
26 and the documentation shall be retained by the district and made
27 available for audit.

28 (5) The office of the superintendent of public instruction shall
29 adopt rules for the implementation of this section, including program
30 implementation standards and enrollment documentation and reporting as
31 follows:

32 (a) Each school district shall receive apportionment generated in
33 accordance with this chapter based upon the student full-time
34 equivalent enrollment reported for this program but no student is
35 counted in one year for more than one full-time equivalent in the
36 aggregate;

37 (b) For funding purposes, enrollment shall be determined based upon

1 the learning activities specified in the digital course objectives,
2 including the estimated average weekly hours spent by each individual
3 student participating in a digital program; and
4 (c) Enrollment of part-time students shall be subject to the
5 provisions of RCW 28A.150.350, and shall generate the pro rata share of
6 full-time funding."

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