

SENATE BILL REPORT

ESHB 1633

As Reported By Senate Committee On:
Early Learning, K-12 & Higher Education, April 1, 2005

Title: An act relating to digital learning programs.

Brief Description: Establishing procedural requirements for digital learning programs.

Sponsors: House Committee on Education (originally sponsored by Representatives Talcott, Hunter, Priest, Anderson, Tom, Haigh, Curtis, Buri, McDonald, Serben, Nixon, Quall, Cox, Schual-Berke, Rodne, Shabro, Hinkle, Alexander, Woods, Miloscia, Haler, Armstrong, Holmquist, Skinner and Clibborn).

Brief History: Passed House: 3/08/05, 98-0.

Committee Activity: Early Learning, K-12 & Higher Education: 3/31/05, 4/1/05 [DPA].

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report: Do pass as amended.

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair; Weinstein, Vice Chair; Schmidt, Ranking Minority Member; Benton, Berkey, Carrell, Delvin, Eide, Kohl-Welles, Mulliken, Pflug, Rasmussen, Rockefeller, Schoesler and Shin.

Staff: Ingrid Mungia (786-7423)

Background: Under current Washington rules, an alternative learning experience (ALE) is an individualized course of study that is primarily distinguished by off-campus instruction, that can be claimed by school districts as a course of study for full basic funding. The intent of this type of program is to give school district flexibility to serve a diverse student population, including students considered to be "at risk," non-traditional or self-directed learners, distant learners, and students who receive some of their instruction at home. Currently, there is no requirement for school districts to separately report to the Office of Superintendent of Public Instruction (OSPI) on the number or type of ALE programs they operate, or the number of students enrolled.

ALE programs are a creation of administrative rule rather than statute. The rules are considered fiscal rules and were promulgated by the OSPI as part of a series of rules on how to apportion state Basic Education funding. Statute requires that any revision to the current definition cannot take effect until approved by the House and the Senate fiscal committees. OSPI sought approval for its proposed rule changes in 2002, but the request was not acted upon.

A particular type of ALE is a program that focuses on online or digital curriculum. Digital or online learning programs can encompass a broad range of educational activities. Digital learning includes instruction and content delivered via various digital technologies, such as online or CD-ROM, or general learning experiences that involve the use of computers. The

term on-line learning is more specific in that it generally refers to instruction and content that is delivered primarily via the internet. Schools that focus on this type of education may be referred to by such terms as internet, online, virtual, or cyber schools.

Summary of Amended Bill: School districts may offer digital learning programs for full-time and part-time students. The districts will periodically review written policies for the programs, formally approve programs that rely on digital curriculum, receive an annual report from staff on the programs, and institute reliable methods to verify that the student is doing his or her own work. The districts will also grant credit to students who demonstrate that they have learned the course material, complete course evaluation requirements adopted by the Superintendent of Public Instruction (SPI), report annually on their digital programs to the SPI, and periodically complete a self-evaluation process to assess the impact of the programs on student learning and achievement.

Digital learning courses must provide each student with direct personal contact with certificated staff. Contact may occur through the telephone, e-mail, instant massaging, and interactive computer or video communication. The students will also receive a description of course objectives, information on the ways the courses meet the district's learning goals, and an assessment of student progress, at least annually. Full-time students will take all required state and district assessments. Part-time students who are home-schooled or enrolled in private schools are not required to take the Washington Assessment of Student Learning (WASL).

School districts that provide digital courses to home-schooled students, before enrolling the students, will provide the student's parents with a description of any differences between home-based instruction and the option selected by the student. The parents must sign documentation demonstrating their understanding of these differences. The documentation must be retained by the district and be available for audit.

The SPI will adopt rules for digital programs. Funding will be based on the learning activities specified in the digital course objectives, including the estimated average weekly hours spent by each student in a digital program.

Amended Bill Compared to Original Bill: Included language for classroom staffing ratios as currently established in law. Course syllabi and other additional information can be used to meet the requirements for student learning plans. Student's documented weekly hours of learning activity can be an estimated weekly average of learning activity as long as a student is found to be making satisfactory progress through monthly evaluations. OSPI will address how students are assessed who live outside the area, where they take the test and which schools will report the student's results. Clarifies that schools offering digital or online learning programs are state funded public schools and state funded public school programs. Parents or guardians of home school students taking on-line learning classes are provided a description of the difference between home-based education and the enrollment option selected by the student. The parents or guardians must sign documentation stating their understanding of the difference.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: OSPI supports both the senate and house bill. Want to get this to the Governor as quick as possible because school districts will be making hiring decision in May and OSPI needs to make rules available so programs can be up and running in the fall. WEA can support the house bill, but they would rather support the senate bill because it defines digital and online learning and requires direct personal contact between staff and students and compliance with current programs and student-teacher ratios.

Testimony Against: None

Who Testified: Greg Williamson, OSPI; Gary King, WEA.