

SENATE BILL REPORT

SB 6320

As of January 28, 2026

Title: An act relating to alternative learning experiences.

Brief Description: Concerning alternative learning experiences.

Sponsors: Senators Hansen, Cortes, Hasegawa and Nobles.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/28/26.

Brief Summary of Bill

- Restricts the definition of online provider and multidistrict online provider to public and nonprofit organizations.
- Prohibits the Office of the Superintendent of Public Instruction (OSPI) from approving a private or for-profit organization as an online provider or multidistrict online provider and directs OSPI to rescind the approval of any such providers by August 1, 2026.
- Revises the definition of student enrollment for the purpose of awarding local effort assistance funding to exclude the full-time equivalent student enrollment for students attending remote or online alternative learning experience programs.
- Creates a process through which districts may petition for the restoration of local effort assistance funding for students in online and remote alternative learning experiences on a per-student basis.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Elena Becker (786-7493)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: Alternative Learning Experiences. The Alternative Learning Experiences (ALE) program is a funding and instructional model for providing basic education where some or all of the coursework instruction takes place independent from the regular classroom setting or schedule. There are three ALE course types:

Online Course. If more than half of the course content is delivered electronically and more than half of the teaching is conducted from a remote location through an online system, the ALE course type is online. If a course meets the online criteria as well as the criteria for another course type, the Office of the Superintendent of Public Instruction (OSPI) guidance directs districts to designate the course as online. Not all online learning qualifies as ALE. An online course must still be independent from a regular classroom setting or schedule to be considered ALE.

Remote Course. If a course does not meet the definition of an online course, and has no in-person contact requirement, the ALE course type is remote. Each student must still have weekly contact with a certificated teacher, but that may be accomplished through other forms of direct personal contact such as telephone or email.

Site-Based Course. If a course includes a requirement for in-person instructional contact time, which takes place face-to-face in a classroom environment, the ALE course type is site-based.

Approval and Reporting for Alternative Learning Experiences. Prior to claiming state funding for ALE courses, the board of directors of a school district or charter school must adopt a policy authorizing each ALE program or program provider, and designating a school official responsible for oversight and annual reporting.

Online Programs and Providers. Online learning programs and online providers are separately approved and online ALE programs must have both approvals. An online school program is a school program that offers a sequential set of online courses or grade-level course work that may be taken in a manner that could provide a full-time basic education program if so desired by the student. Students may enroll in the program as part-time or full-time students and the online school program may be integrated into the regular school day or delivered independently from a regular classroom schedule.

An online provider is any provider of an online course or program, multidistrict online providers, all school district online learning programs, and all regional online learning programs. OSPI rule provides additional definitions:

- single district provider is a school district online provider that is not a multidistrict online provider or an affiliate provider;
- affiliate provider is a school district that provides online courses offered by one or more approved online providers and that does not modify the content or instruction of the approved provider's offerings;
- multidistrict online provider is a private or nonprofit organization that contracts with

- one or more school districts to provide online courses to students from multiple districts; and
- online course provider is an online provider that offers individual online courses that are not part of an online school program.

To be approved, online providers must provide assurances to OSPI that the provider is accredited by an OSPI-designated body, that each course and program offered is aligned with at least 80 percent of the applicable state standards, and that all instruction delivered to Washington State students is delivered by Washington State certificated teachers. Multidistrict online providers must submit additional information.

Online providers are initially approved for a period of four consecutive school years. Online providers that have been approved must annually provide OSPI information about their overall instructional program, the content of individual online courses and online school programs, teacher information and qualifications, and other information as required by OSPI.

Alternative Learning Experiences Funding. ALE is funded based on the Running Start non-vocational rate, which is the statewide average rate for students in grades 9-12.

Student full-time equivalency (FTE) for ALE is based on the estimated weekly hours of learning in the written student learning plan. In order for a student to be claimed for 1.0 ALE FTE, the written student learning plan must show that a student is engaged in learning activities to complete their learning goals and performance objectives for at least 27.75 hours per week. The total monthly enrollment claim for a student may not exceed 1.0 FTE. If a student takes both ALE and non-ALE courses, the reported FTE for that student is split between ALE FTE and non-ALE FTE. If the combined FTE exceeds 1.0, the district must determine which FTE to claim first.

Local Effort Assistance. Under the Local Effort Assistance (LEA) Program, also known as levy equalization, the state provides additional funding to school districts at a disadvantage in raising enrichment levies due to low property values.

LEA is provided to any school district that does not generate an enrichment levy of at least \$1,550 per student when levying at a rate of \$1.50 per \$1,000 of assessed value. An eligible school district's maximum LEA is the difference between the district's per pupil levy amount, based on a rate of \$1.50 per \$1,000 of assessed value, and \$1,550 per pupil, multiplied by the district's average annual full-time equivalent enrollment (AAFTE). Districts eligible for LEA that levy below a \$1.50 per \$1,000 rate receive LEA in proportion to their actual levy collection. The 2025-27 omnibus appropriations act provides an additional inflation enhancement for LEA, increasing the per-student threshold by \$150 in the 2026 calendar year and \$250 in the 2027 calendar year.

Student enrollment used to calculate LEA is reduced for school districts that have more than

33 percent of AAFTE enrolled in ALE courses. The reduction is equal to the school district's FTE students enrolled in ALE courses, minus 33 percent of the AAFTE. To illustrate, if a school district has a total enrollment of 100 AAFTE students, and 50 of those students are enrolled in an ALE, then the total enrollment would be reduced to 83 students for purposes of LEA calculations.

Summary of Bill: Local Effort Assistance Funding. The definition of student enrollment for the purpose of awarding local effort assistance funding is revised to exclude the FTE student enrollment for students attending remote or online alternative learning experience programs. Districts may petition to have this funding restored on a per-student basis. OSPI may restore funding to districts under this section only for students who:

- reside within the boundaries of the petitioning district; and
- have provided the district with a written certification signed by a health care practitioner attesting that the student is unable to attend courses at a school building in their resident school district for reasons of immunosuppression, severe and chronic illness, severe injury, or severe bullying that has resulted in a documented medical condition.

OSPI is authorized to adopt rules to implement this policy.

Provision of Remote and Online Alternative Learning Experiences. The definition of multidistrict online provider is revised to exclude private organizations and provide that only public or nonprofit organizations may be considered a multidistrict online provider. The definition of online provider is revised to mean only public or nonprofit providers of an online course or program. The definition of remote course is revised to require that the remote course be provided by a public or nonprofit organization.

The superintendent of public instruction may not approve a private or for-profit entity as an online provider or multidistrict online provider. The superintendent of public instruction must rescind the approval of any private or for-profit online providers or multidistrict online providers no later than August 1, 2026. Private online providers are removed from the membership of the online learning advisory committee.

Appropriation: None.

Fiscal Note: Requested on January 27, 2026.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: The bill says that for-profit online providers are not eligible to receive state money if they are running a full-time remote school. We don't want to privatize public education and that's the same rule we have for charter schools.

Students need to be in school with teachers and peers. Although there are exceptions to this—medical fragility, severe disability, severe bullying—those are relatively rare. We do not have an obligation to provide a state-funded online remote education for students because their parents want to travel or because they don't want to be exposed to views that may not align with their own. The state spends roughly \$100 million a year on online school. Some, perhaps most, is going to for-profit companies.

CON: The LEA changes punish property-poor districts and risks driving them into binding conditions with a second cut to LEA in two years. This will eliminate core supports such as lower student teacher ratios, additional instructional and support staff, learning materials, field trips, and other essential activities. Limiting LEA only to those students with medical certification raises significant concerns, including for those who don't have access to healthcare. These cuts apply even to those districts who do not contact with outside providers and would result in staffing cuts, larger caseloads, or shut down our program.

We may be philosophically opposed to for-profits in public education, but as we dig into the realities of these schools it is more complex. Schools routinely contract with for-profit providers in other areas such as food services, technology, curriculum, and special education supports, but this bill singles out online schools and would shut down many online schools by August of this year.

Omak has a very large online learning program (WAVA) that is delivered by Omak educators in Washington even as they spend \$24 million annually on contracting with K12/Stride. WAVA has been very impactful for students of all kinds: students who were not on track to graduate in brick and mortar schools are now taking Running Start Classes, engaging in community service activities, and making honor roll. This bill would displace 4,800 students and 130 certificated Washington educators at WAVA, end Graduation Alliance's partnership with 49 districts through the Open Doors program, and impact 3200 students at the Quileute Valley School District's Insight School of Washington.

This bill implies a lack of oversight that simply doesn't exist: Washington already has OSPI-approved online providers, ALE rules, board-governed contracts, and state auditor reviews.

The committee should slow down. It feels like a slap in the face to have such a detrimental bill put forward last-minute. In 24 hours we rallied hundreds of testifiers and signers, including dozens of students who are still waiting to testify. Don't rush this through.

Persons Testifying: PRO: Senator Drew Hansen, Prime Sponsor.

CON: Michael Porter, Omak School District; Julie Salvi, Washington Education Association; Mandi Rehn, Valley School District; Scott Haeberle, Omak School District; Jeff Gombosky, Graduation Alliance; Diana Reaume, Quillayute Valley School District; Felicia Kern; Jim Kowalkowski, Rural Education Center; Matt Mallery, Mary M Knight

SD; Thomas Snead, Myself - parent of children who have benefited from remote education and learning; Mauricio Valdez Rios, Yes, student.

Persons Signed In To Testify But Not Testifying: CON: Richard Morrison; Lysie Hagen; Amber Boitano, amlea32@yahoo.com; Brittney Torrence; Grace McShane; Forrest Wendt; Amina SayedKunna; Kristine Stidham; Christopher Miller, Citizen of Omak; Rebecca Rybacki; Angela Smith; Charlotte Woods; Ilyannie Gonzalez, Washington Virtual Academies; Nikolas Petrosyan; Anna Bezirganyan; Sahar Alhassan, NA; Malek Hamaydeh; Anabel Gobeia, Online school parent; Crystal Gobeia; Jaimie Onigkeit.