

# HOUSE BILL REPORT

## HB 2704

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### As Reported by House Committee On:

Education  
Appropriations

**Title:** An act relating to alternative learning experience programs.

**Brief Description:** Providing standards for alternative learning experience programs.

**Sponsors:** Representatives Talcott, Haigh, Tom, Kenney, Anderson, Nixon, Carrell, Boldt, Kirby, Benson, Hunter, Jarrett, Priest, Skinner, Uptegrove, Shabro, Miloscia, Quall, Buck, Ruderman, Moeller, Rockefeller and Kagi.

### Brief History:

#### Committee Activity:

Education: 1/26/04, 1/28/04 [DPS];

Appropriations: 2/3/04, 2/9/04 [DP2S(w/o sub ED)].

#### Brief Summary of Second Substitute Bill

- Describes the type of student plans, staff contact and assessments that must be included in alternative learning experience programs funded with state moneys.
- Permits the enrollment of part-time students, direct parental involvement, and individualized instruction in the programs.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Quall, Chair; McDermott, Vice Chair; Talcott, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Anderson, Cox, Haigh, Hunter, McMahan and Rockefeller.

**Staff:** Susan Morrissey (786-7111).

### Background:

Under current law, school districts may provide directly or through contract for alternative learning programs. The programs generally serve students with learning needs that can best be met outside a traditional classroom setting. Under the rules currently in

place for these programs, participants must be enrolled in the programs full-time and must spend at least part of their time on the school site.

Beginning in 2000, the Superintendent of Public Instruction recommended a new set of program rules. The rules would permit part-time enrollments and would allow contact to include indirect contact through the use of instant messaging, telephone calls, and other telecommunication linkages. Since the rule change can affect school enrollments, the agency has submitted it to the legislative fiscal committees for their review and approval as is required by current law. The law requires the superintendent to submit recommended basic education formula changes to the Legislature for its approval, amendment or rejection.

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### **Summary of Substitute Bill:**

School districts may contract for or directly provide alternative learning experience programs for eligible full-time and part-time students. The programs must fulfill the following requirements:

- Address the needs of students for learning in a nontraditional environment.
- Be supervised by certificated staff.
- Provide each student with direct personal contact. The contact may be provided in various ways, including interaction through a telephone, interactive computer or interactive video.
- Through contact, provide each student with instruction, testing, assignment review, and evaluation.
- Annually assess each full-time student, using all required state and district assessments.
- Exempt part-time home-schooled students and private-school students from the requirement to take the Washington Assessment of Student Learning.
- Provide each student with an individualized written student learning plan.

The programs may:

- Include significant parental participation in the design and implementation of a student's learning plan.
- Include individualized courses of study.

### **Substitute Bill Compared to Original Bill:**

The superintendent will adopt program rules, e-mail is one of the types of permissible direct contact, school districts must adopt and periodically review policies for the programs, students in the programs must have individual learning plans, and the language was moved from a section of current law and placed in its own new section.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 26, 2004.

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

**Testimony For:** Alternative learning programs have proven to be successful in meeting the educational needs of students who do not have access or do not respond to a traditional classroom setting. Among the types of students who benefit are children who are in the hospital or incarcerated. This legislation will help clarify the types of technology that may be used to communicate with students and will allow part-time students to participate in the programs. It allows distance learning to be incorporated into the programs, helping programs such as the Federal Way Internet Academy clarify its role in the public schools. Permitting part-time student enrollment will allow home-schooled students to participate in the programs while retaining their home-school status.

**Testimony Against:** Children who are home-schooled are not at risk. The state auditor is in the process of auditing parent partnership programs and no legislation should pass until that audit is complete. The Legislature should be concerned about the fiscal impact of the legislation.

**Persons Testifying:** (In support) Representative Talcott, prime sponsor; Representative Haigh, co-sponsor; John Cohen, Steilacoom Historical School District; Lile Holland, Washington Association for Learning Alternatives; Alton McDonald, National Action Network; Wes Pruit, Workforce Training and Education Coordinating Board; and Sally McLean, Federal Way Public Schools.

(In support with concerns) Greg Williamson, Office of the Superintendent of Public Instruction; and Martin Mueller, Office of the Superintendent of Public Instruction.

(Opposed) DiAnna Brannan, Christian Homeschool Network.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 27 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Sehlin, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Alexander, Anderson, Boldt, Buck, Chandler, Clements, Cody, Conway, Cox, Dunshee, Grant, Hunter, Kagi, Kenney, Kessler, Linville, McDonald, McIntire, Miloscia, Ruderman, Schual-Berke, Sump and Talcott.

**Staff:** Denise Graham (786-7137).

**Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:**

The second substitute bill allows the use of a description of course objectives, rather than an individualized learning plan, for a student enrolled in an on-line learning program.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Second Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** This bill clarifies staffing requirements for alternative learning experience programs. It is an opportunity to replace mandatory seat time model with one-to-one contact using emails, telephones, etc. It will make it easier for students to get comprehensive on-line learning programs. The bill will not result in changes to the weekly hours required for a full-time-equivalent student. It makes necessary changes to allow for part-time enrollment in alternative learning programs. Home-based students will be able to enroll part-time and maintain their home-based status. Net effect on funding will be negligible: Current full-time alternative learning students who are former home-based students will become part-time, and some home-based will become part-time in the alternative learning program.

**Testimony Against:** None.

**Persons Testifying:** (In support) Representative Talcott, prime sponsor; Michele Rudnick, Digital Learning Commons; and Martin Mueller, Office of the Superintendent of Public Instruction.

**Persons Signed In To Testify But Not Testifying:** None.