

HOUSE BILL REPORT

SSB 5828

As Reported by House Committee On:
Education

Title: An act relating to digital or online learning.

Brief Description: Regarding digital or online learning.

Sponsors: Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Eide, McAuliffe and Kohl-Welles).

Brief History:

Committee Activity:

Education: 3/17/05, 3/30/05 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Describes programmatic and funding requirements for courses offered through digital technology to students who are taking the courses outside the schoolroom walls.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 11 members: Representatives Quall, Chair; P. Sullivan, Vice Chair; Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis, Haigh, Hunter, McDermott, Santos, Shabro and Tom.

Staff: Susan Morrissey (786-7111).

Background:

A number of school districts offer students the option of taking online or digital courses. Some of the courses are available to students who live in different districts or are enrolled in the school district only for the purpose of taking the online courses.

Under current law, school districts may offer alternative learning programs for students who have 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, spend at least part of their time on the school site, and have a learning plan. During an audit of the Federal Way Internet Academy, the state auditor found that the digital courses offered by the Academy should be operated under the rules for alternative learning programs. However, the auditor also found that the district was not in compliance with some of those

rules. As a result, the district faced a potential loss of funding for its internet courses. The Legislature adopted a budget proviso that permits these types of programs to continue operating until June 30, 2005. It also directed the Joint Legislative Audit and Review Committee (JLARC) to study alternative learning programs, including digital programs, and make recommendations on their operation and funding.

The JLARC reviewed digital or online courses during the first phase of its study. The JLARC found that 38 alternative learning programs, enrolling over 1,700 students, rely substantially on internet-based curriculum. Some of the programs offer classes to students who either live in different school districts, or are home-schooled for some or all of their education. The two largest programs found were those operated by the Federal Way and Evergreen School Districts. Other school district programs used electronically-mediated curriculum or courseware programs such as NovaNet or Plato.

The JLARC recommended that the Superintendent of Public Instruction (SPI) revise its rules for digital programs to waive the requirements for face-to-face contact, permit course syllabi to be used as part of a student's learning plan, and base a student full-time equivalency (FTE) on the estimated weekly hours of learning identified in a student's learning plan. The JLARC also recommended that alternative learning programs include self-evaluation components and be approved by school boards. In addition, it recommended that school districts report to the SPI on their programs annually. Finally, the JLARC suggested that either the SPI amend its rules to adopt its recommendations, or that the Legislature adopt the changes in law. By law, the SPI needs the approval of the legislative fiscal committees before it may adopt rules that change the basic education formula, so any rules that change the definition of a FTE must have the approval of the fiscal committees.

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, document the school districts where students reside 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 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. The contact will occur at least weekly until the student successfully completes the course requirements. 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 are aligned to the state standards, and an assessment of their 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. No student may be counted as more than one FTE.

Amended Bill Compared to Substitute Bill:

Removes a requirement that certified instructional staff supervise, monitor, assess and evaluate the programs, that the courses comply with classroom staffing ratios, that each student have a learning plan, and that the weekly hours by each student in the program be documented. Also removed is an accreditation requirement for schools whose primary purpose is to provide digital or online learning. Adds requirements for verification of student work, formal school board approval of digital programs, annual reports to school boards from digital learning staff, and the completion of any program evaluation requirement of the SPI and of a periodic self-evaluation process.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: (In support) Digital learning provides a valuable educational option for many students, including students who are home-schooled. This legislation clarifies the rules digital learning programs will follow. It allows part-time students to take on-line courses through digital programs, a boon to students who need specialized courses that are not available in their communities. It also allows home-schooled students to take courses while retaining their home-schooled status. It is fiscally responsible since it restricts students to a maximum of one FTE. Finally, it will solve a compliance problem faced by school districts like Federal Way.

(With concerns on substitute) The legislation should clarify the language that requires districts to explain the differences between these programs and home-schooling laws to parents and students before the student enrolls in a digital program.

Testimony Against: None.

Persons Testifying: (In support) Senator Eide, prime sponsor; Greg Williamson, Office of the Superintendent of Public Instruction; Mark Davidson, Federal Way Public Schools; Gary King, Washington Education Association; and Janice Hedin and Jill Bell, Washington Homeschool Organization.

(With concerns on substitute) DiAnna Brannan, Christian Homeschool Network.

Persons Signed In To Testify But Not Testifying: None.