
SENATE BILL 5828

State of Washington

59th Legislature

2005 Regular Session

By Senators Eide, McAuliffe and Kohl-Welles

Read first time 02/08/2005. Referred to Committee on Early Learning, K-12 & Higher Education.

1 AN ACT Relating to digital or online learning; and adding a new
2 section to chapter 28A.150 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

6 Under RCW 28A.150.260, the superintendent of public instruction
7 shall revise the definition of a full-time equivalent student to
8 include students who receive instruction through digital or online
9 programs. Digital or online programs mean electronically delivered
10 learning that occurs primarily away from the classroom. The
11 superintendent of public instruction has the authority to adopt rules
12 to implement the revised definition beginning with the 2005-2007
13 biennium. The rules shall include but not be limited to the following:

14 (1) Defining a full-time equivalent student under RCW 28A.150.260
15 or part-time student under RCW 28A.150.350 based upon the district's
16 estimated average weekly hours under subsection (7) of this section.
17 The rules shall require districts providing programs under this section
18 to nonresident students to obtain a release under RCW 28A.225.225 or
19 enter into an interdistrict agreement with the resident district, which

1 agreement addresses at a minimum the coordination of student counting
2 for state funding so that no student is counted for more than one full-
3 time equivalent in the aggregate;

4 (2) Requiring the board of directors of a school district offering
5 a digital or online program to adopt and annually review written
6 policies for each program and program provider;

7 (3) Requiring each school district offering a digital or online
8 program to report annually to the superintendent of public instruction
9 on the types of programs and course offerings, and number of students
10 participating;

11 (4) Requiring documentation of the district of the student's
12 physical residence and requiring that supervision, monitoring,
13 assessment, and evaluation of the digital or online program be provided
14 by certificated instructional staff;

15 (5) Requiring compliance with the program hour offerings and
16 student-teacher ratios under this chapter and requiring documentation
17 of that compliance;

18 (6) Requiring a learning plan for each student receiving
19 instruction in a digital or online program. The rules may allow course
20 syllabi and other additional information to be used to meet the
21 requirement for a learning plan;

22 (7) Requiring the school district to document the estimated average
23 weekly hours spent by each individual student participating in a
24 digital or online program;

25 (8) Requiring that the district assess the educational progress of
26 enrolled students at least annually, using, for full-time students, the
27 state assessment for the student's grade level and using any other
28 annual assessments required by the school district. Part-time students
29 shall also be assessed at least annually. However, part-time students
30 who are either receiving home-based instruction under chapter 28A.200
31 RCW or who are enrolled in an approved private school under chapter
32 28A.195 RCW are not required to participate in the assessments required
33 under chapter 28A.655 RCW;

34 (9) Requiring that each student enrolled in the program have direct
35 personal contact with certificated instructional staff at least weekly.
36 Direct personal contact is for the purposes of instruction, review of
37 assignments, 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 video communication, or other
3 means of digital communication;

4 (10) Requiring all public schools whose primary purpose is to
5 provide digital or online learning programs to receive accreditation
6 through the state accreditation program or through the regional
7 accreditation program; and

8 (11) Requiring all public schools whose primary purpose is to
9 provide digital or online learning to offer only courses aligned with
10 the state essential academic learning requirements.

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