

SSB 5410 - H COMM AMD  
By Committee on Education

NOT ADOPTED 04/16/2009

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 28A.150.262 and 2005 c 356 s 2 are each amended to  
4 read as follows:

5 Under RCW 28A.150.260, the superintendent of public instruction  
6 shall revise the definition of a full-time equivalent student to  
7 include students who receive instruction through digital programs.  
8 "Digital programs" means electronically delivered learning that occurs  
9 primarily away from the classroom. The superintendent of public  
10 instruction has the authority to adopt rules to implement the revised  
11 definition beginning with the 2005-2007 biennium for school districts  
12 claiming state funding for the programs. The rules shall include but  
13 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 of learning activity as identified in  
17 the student's learning plan, as long as the student is found, through  
18 monthly evaluation, to be making satisfactory progress; the rules shall  
19 require districts providing programs under this section to nonresident  
20 students to establish procedures that address, at a minimum, the  
21 coordination of student counting for state funding so that no student  
22 is counted for more than one full-time equivalent in the aggregate;

23 (2) Requiring the board of directors of a school district offering,  
24 or contracting under RCW 28A.150.305 to offer, a digital program to  
25 adopt and annually review written policies for each program and program  
26 provider and to receive an annual report on its digital learning  
27 programs from its staff;

28 (3) Requiring each school district offering or contracting to offer  
29 a digital program to report annually to the superintendent of public

1 instruction on the types of programs and course offerings, and number  
2 of students participating;

3 (4) Requiring completion of a program self-evaluation;

4 (5) Requiring documentation of the district of the student's  
5 physical residence;

6 (6) Requiring that supervision, monitoring, assessment, and  
7 evaluation of the digital program be provided by certificated  
8 instructional staff;

9 (7) Requiring each school district offering courses or programs to  
10 identify the ratio of certificated instructional staff to full-time  
11 equivalent students enrolled in such courses or programs, and to  
12 include a description of their ratio as part of the reports required  
13 under subsections (2) and (3) of this section;

14 (8) Requiring reliable methods to verify a student is doing his or  
15 her own work; the methods may include proctored examinations or  
16 projects, including the use of web cams or other technologies.  
17 "Proctored" means directly monitored by an adult authorized by the  
18 school district;

19 (9) Requiring, for each student receiving instruction in a digital  
20 program, a learning plan that includes a description of course  
21 objectives and information on the requirements a student must meet to  
22 successfully complete the program or courses. The rules shall allow  
23 course syllabi and other additional information to be used to meet the  
24 requirement for a learning plan;

25 (10) 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. The rules shall address how students who  
34 reside outside the geographic service area of the school district are  
35 to be assessed;

36 (11) Requiring that each student enrolled in the program have  
37 direct personal contact with certificated instructional staff at least  
38 weekly until the student completes the course objectives or the

1 requirements in the learning plan. Direct personal contact is for the  
2 purposes of instruction, review of assignments, testing, evaluation of  
3 student progress, or other learning activities. Direct personal  
4 contact may include the use of telephone, e-mail, instant messaging,  
5 interactive video communication, or other means of digital  
6 communication;

7 (12) Requiring state-funded public schools or public school  
8 programs whose primary purpose is to provide digital learning programs  
9 to receive accreditation through the (~~state accreditation program or~~  
10 ~~through the regional accreditation program~~) northwest association of  
11 accredited schools, or another national, regional, or state  
12 accreditation program listed by the office of the superintendent of  
13 public instruction after consultation with the Washington coalition for  
14 online learning;

15 (13) Requiring state-funded public schools or public school  
16 programs whose primary purpose is to provide digital learning to  
17 provide information to students and parents on whether or not the  
18 courses or programs: Cover one or more of the school district's  
19 learning goals or of the state's essential academic learning  
20 requirements or whether they permit the student to meet one or more of  
21 the state's or district's graduation requirements; and

22 (14) Requiring that a school district that provides one or more  
23 digital courses to a student provide the parent or guardian of the  
24 student, prior to the student's enrollment, with a description of any  
25 difference between home-based education as described in chapter 28A.200  
26 RCW and the enrollment option selected by the student. The parent or  
27 guardian shall sign documentation attesting to his or her understanding  
28 of the difference and the documentation shall be retained by the  
29 district and made available for audit.

30 NEW SECTION. **Sec. 2.** The office of the superintendent of public  
31 instruction shall conduct a review of online courses and programs  
32 offered to students during the 2008-09 school year to create a baseline  
33 of information about part-time, full-time, and interdistrict student  
34 enrollment; how courses and programs are offered and overseen; contract  
35 terms and funding arrangements; the fiscal impact on school district  
36 levy bases and levy equalization from interdistrict student enrollment;  
37 student-to-teacher ratios; course and program completion and success

1 rates; student retention and dropout rates; and how issues such as  
2 student assessment, special education, and teacher certification are  
3 addressed. The office of the superintendent of public instruction  
4 shall submit a report to the education committees of the legislature by  
5 December 1, 2009."

6 Correct the title.

EFFECT: Strikes all provisions of the underlying bill and replaces them with:

1. Requires digital programs that are eligible to be claimed for state basic education funding if students are enrolled in them to be accredited by the Northwest Association of Accredited Schools or another national, regional, or state accreditation program listed by SPI after consultation with the Washington Coalition for Online Learning.

2. Directs SPI to conduct a review of online courses and programs offered in 2008-09 to create baseline information about student enrollment; how programs are offered; contract terms and funding; fiscal impact on levy bases and levy equalization from interdistrict enrollment; staffing ratios; course completion and success rates; dropout and retention; and how issues such as assessment, special education, and teacher certification are addressed. Requires a report by December 1, 2009.

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