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SENATE BILL 5378

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State of Washington

61st Legislature

2009 Regular Session

By Senator Eide

Read first time 01/21/09. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to digital learning program accreditation; and  
2 amending RCW 28A.150.262.

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

4 **Sec. 1.** RCW 28A.150.262 and 2005 c 356 s 2 are each amended to  
5 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 programs.  
9 "Digital programs" means electronically delivered learning that occurs  
10 primarily away from the classroom. The superintendent of public  
11 instruction has the authority to adopt rules to implement the revised  
12 definition beginning with the 2005-2007 biennium for school districts  
13 claiming state funding for the programs. The rules shall include but  
14 not be limited to the following:

15 (1) Defining a full-time equivalent student under RCW 28A.150.260  
16 or part-time student under RCW 28A.150.350 based upon the district's  
17 estimated average weekly hours of learning activity as identified in  
18 the student's learning plan, as long as the student is found, through  
19 monthly evaluation, to be making satisfactory progress; the rules shall

1 require districts providing programs under this section to nonresident  
2 students to establish procedures that address, at a minimum, the  
3 coordination of student counting for state funding so that no student  
4 is counted for more than one full-time equivalent in the aggregate;

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

10 (3) Requiring each school district offering or contracting to offer  
11 a digital program to report annually to the superintendent of public  
12 instruction on the types of programs and course offerings, and number  
13 of students participating;

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

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

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

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

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

30 (9) Requiring, for each student receiving instruction in a digital  
31 program, a learning plan that includes a description of course  
32 objectives and information on the requirements a student must meet to  
33 successfully complete the program or courses. The rules shall allow  
34 course syllabi and other additional information to be used to meet the  
35 requirement for a learning plan;

36 (10) Requiring that the district assess the educational progress of  
37 enrolled students at least annually, using, for full-time students, the  
38 state assessment for the student's grade level and using any other

1 annual assessments required by the school district. Part-time students  
2 shall also be assessed at least annually. However, part-time students  
3 who are either receiving home-based instruction under chapter 28A.200  
4 RCW or who are enrolled in an approved private school under chapter  
5 28A.195 RCW are not required to participate in the assessments required  
6 under chapter 28A.655 RCW. The rules shall address how students who  
7 reside outside the geographic service area of the school district are  
8 to be assessed;

9 (11) Requiring that each student enrolled in the program have  
10 direct personal contact with certificated instructional staff at least  
11 weekly until the student completes the course objectives or the  
12 requirements in the learning plan. Direct personal contact is for the  
13 purposes of instruction, review of assignments, testing, evaluation of  
14 student progress, or other learning activities. Direct personal  
15 contact may include the use of telephone, e-mail, instant messaging,  
16 interactive video communication, or other means of digital  
17 communication;

18 (12) Requiring state-funded public schools or public school  
19 programs whose primary purpose is to provide digital learning programs  
20 to receive accreditation through the (~~state accreditation program or~~  
21 ~~through the regional accreditation program~~) northwest association of  
22 accredited schools, a national accreditation program, or an  
23 accreditation program listed by the office of the superintendent of  
24 public instruction with the endorsement of the Washington coalition for  
25 online learning;

26 (13) Requiring state-funded public schools or public school  
27 programs whose primary purpose is to provide digital learning to  
28 provide information to students and parents on whether or not the  
29 courses or programs: Cover one or more of the school district's  
30 learning goals or of the state's essential academic learning  
31 requirements or whether they permit the student to meet one or more of  
32 the state's or district's graduation requirements; and

33 (14) Requiring that a school district that provides one or more  
34 digital courses to a student provide the parent or guardian of the  
35 student, prior to the student's enrollment, with a description of any  
36 difference between home-based education as described in chapter 28A.200  
37 RCW and the enrollment option selected by the student. The parent or

1 guardian shall sign documentation attesting to his or her understanding  
2 of the difference and the documentation shall be retained by the  
3 district and made available for audit.

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