
Education Committee

SSB 5142

Brief Description: Regarding alternative learning programs.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Stevens, Hargrove, Nelson, Shin, Pflug, Sheldon, King and Roach).

Brief Summary of Substitute Bill

- Prohibits school districts from advertising or marketing full-time enrollment in alternative learning experiences (ALE) as being a home-based instruction program.
- Requires school districts that offer ALE courses to:
 - provide parents or guardians with a description of the differences between home-based instruction and the enrollment option under consideration prior to their student's enrollment in that option; and
 - obtain signed documentation from the parent or guardian signifying an understanding of the differences.

Hearing Date: 3/11/11

Staff: Cece Clynch (786-7195).

Background:

Alternative Learning Experiences (ALE) Programs in General.

Alternative Learning Experiences programs are primarily distinguished by off-campus instruction. School districts may claim these students for full Basic Education funding. The intent of this type of programming is to give school districts flexibility to serve a diverse student population, including those considered to be "at-risk", non-traditional learners, and others.

Parent/Partner ALE Programs in Particular.

Parent/Partner ALE programs are a sub-type of ALE program that provide varying types and levels of educational and instructional assistance to families who wish to provide some of their children's education in the home. Parents typically provide a major portion of the student's

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instruction, while school district personnel are responsible for such things as developing the student's learning plan, monitoring progress and assessing performance. In all cases, school personnel retain ultimate supervisory responsibility for the entire instruction program, including the portion provided in the home.

According to the Office of the Superintendent of Public Instruction, in 2010 ALE programs self-reported by type as follows:

- 89 parent partner;
- 21 online parent partner;
- 46 digital or online; and
- 96 contract based learning.

Home-Based Instruction.

Planning and supervision in home-based instruction, as codified in the school code, falls under the authority of the parent, not the school district. Home-based students may enroll part-time in public school classes and programs, including ALE.

Advertising and Marketing of School District Programs.

Pursuant to law adopted in 2009, school districts are prohibited from advertising, marketing, and otherwise providing unsolicited information about learning programs offered by the school district, including but not limited to digital learning programs, part-time enrollment opportunities, and other alternative learning programs, to students and their parents who have filed a declaration of intent to cause a child to receive home-based instruction. General mailings or newsletters to all households in the district are allowed.

Summary of Bill:

School districts are prohibited from advertising or marketing full-time enrollment in an ALE as being a home-based instruction program. Specific provision is made that:

- any student who is enrolled as a full-time student in ALE is a full-time public school student; and
- any student who is enrolled as a part-time student in ALE is a part-time public school student for the actual hours in which he or she is participating in the ALE program.

School districts that provide one or more ALE courses to a student must provide the parent or guardian with a description of any difference between home-based instruction as described in the school code and the ALE enrollment option selected by the student. The district must obtain, from the parent or guardian, signed documentation attesting to an understanding of the differences. This must be done prior to enrollment and the writing must be retained by the district and made available for audit.

Appropriation: None.

Fiscal Note: Not requested.

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