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SENATE BILL 5603

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Tom, McAuliffe, Hobbs, Litzow, Eide, Schoesler, and Shin

Read first time 02/01/11. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to online learning; and amending RCW 28A.250.005,  
2 28A.250.030, 28A.250.050, and 28A.250.060.

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

4 **Sec. 1.** RCW 28A.250.005 and 2009 c 542 s 1 are each amended to  
5 read as follows:

6 (1) The legislature finds that online learning provides tremendous  
7 opportunities for students to access curriculum, courses, and a unique  
8 learning environment that might not otherwise be available. The  
9 legislature supports and encourages online learning opportunities.

10 (2) However, the legislature also finds that there is a need to  
11 assure quality in online learning, both for the programs and the  
12 administration of those programs. The legislature is the steward of  
13 public funds that support students enrolled in online learning and must  
14 ensure an appropriate accountability system at the state level.

15 (3) Therefore, the legislature intends to take a first step in  
16 improving oversight and quality assurance of online learning programs,  
17 and intends to examine possible additional steps that may need to be  
18 taken to improve financial accountability.

19 (4) The first step in improving quality assurance is to:

1 (a) Provide objective information to students, parents, and  
2 educators regarding available online learning opportunities, including  
3 program and course content, how to register for programs and courses,  
4 teacher qualifications, student-to-teacher ratios, prior course  
5 completion rates, and other evaluative information;

6 (b) Create an approval process for multidistrict online providers;

7 (c) Enhance statewide equity of student access to high quality  
8 online learning opportunities; and

9 (d) Require school district boards of directors to develop policies  
10 and procedures for student access to online learning opportunities.

11 (5) Further, the legislature finds that online learning provides  
12 the opportunity to offer quality education economically to students and  
13 provide students choices in their courses.

14 (6) The legislature also finds that when a K-12 student chooses to  
15 take approved online courses, a school district has no obligation to  
16 provide funding for the online courses nor recognize the grades on a  
17 student's transcript. Therefore, the legislature intends to require  
18 school districts to offer approved online courses, excluding similar  
19 courses otherwise offered by the resident school district, to students,  
20 for credit, coordinated through the office of online learning.

21 **Sec. 2.** RCW 28A.250.030 and 2009 c 542 s 4 are each amended to  
22 read as follows:

23 The superintendent of public instruction shall create an office of  
24 online learning. In the initial establishment of the office, the  
25 superintendent shall hire staff who have been employed by the digital  
26 learning commons to the extent such hiring is in accordance with state  
27 law and to the extent funds are available. The office shall:

28 (1) Develop and maintain a web site that provides objective  
29 information for students, parents, and educators regarding online  
30 learning opportunities offered by multidistrict online providers that  
31 have been approved in accordance with RCW 28A.250.020. The web site  
32 shall include information regarding the online course provider's  
33 overall instructional program, specific information regarding the  
34 content of individual online courses and online school programs, a  
35 direct link to each online course provider's web site, how to register  
36 for online learning programs and courses, teacher qualifications,  
37 student-to-teacher ratios, course completion rates, and other

1 evaluative and comparative information. The web site shall also  
2 provide information regarding the process and criteria for approving  
3 multidistrict online providers. To the greatest extent possible, the  
4 superintendent shall use the framework of the course offering component  
5 of the web site developed by the digital learning commons;

6 (2) Develop model agreements with approved multidistrict online  
7 providers that address standard contract terms and conditions that may  
8 apply to contracts between a school district and the approved provider.  
9 The purpose of the agreements is to provide a template to assist  
10 individual school districts, at the discretion of the district, in  
11 contracting with multidistrict online providers to offer the  
12 multidistrict online provider's courses and programs to students in the  
13 district. The agreements may address billing, fees, responsibilities  
14 of online course providers and school districts, and other issues;

15 (3) Develop a process whereby approved individual online courses  
16 are made available to all students statewide;

17 (4) Develop and implement a model contract between the office of  
18 online learning and approved online course providers;

19 (5) Develop and implement a process for reporting online course  
20 completion information and grades to school districts;

21 (6) Work in conjunction with the superintendent of public  
22 instruction to develop processes and procedures for reporting and  
23 funding online courses; and

24 ~~((3))~~ (7) In collaboration with the educational service  
25 districts:

26 (a) Provide technical assistance and support to school district  
27 personnel through the educational technology centers in the development  
28 and implementation of online learning programs in their districts; and

29 (b) To the extent funds are available, provide online learning  
30 tools for students, teachers, administrators, and other educators.

31 **Sec. 3.** RCW 28A.250.050 and 2009 c 542 s 6 are each amended to  
32 read as follows:

33 (1) By August 31, 2010, all school district boards of directors  
34 shall develop policies and procedures regarding student access to  
35 online courses and online learning programs. The policies and  
36 procedures shall include but not be limited to: Student eligibility  
37 criteria; the types of online courses available to students through the

1 school district; the methods districts will use to support student  
2 success, which may include a local advisor; when the school district  
3 will and will not pay course fees and other costs; the granting of high  
4 school credit; and a process for students and parents or guardians to  
5 formally acknowledge any course taken for which no credit is given.  
6 The policies and procedures shall take effect beginning with the 2010-  
7 11 school year. School districts shall submit their policies to the  
8 superintendent of public instruction by September 15, 2010. By  
9 December 1, 2010, the superintendent of public instruction shall  
10 summarize the school district policies regarding student access to  
11 online courses and submit a report to the legislature.

12 (2) School districts may not prevent students from taking  
13 individual approved online courses for credit, as specified in RCW  
14 28A.250.020, unless a similar course is offered by the resident school  
15 district or the course is for credit recovery purposes.

16 (3) School districts shall provide students with information  
17 regarding online courses that are available through the school  
18 district. The information shall include the types of information  
19 described in subsection (1) of this section.

20 ~~((+3))~~ (4) When developing local or regional online learning  
21 programs, school districts shall incorporate into the program design  
22 the approval criteria developed by the superintendent of public  
23 instruction under RCW 28A.250.020.

24 **Sec. 4.** RCW 28A.250.060 and 2009 c 542 s 7 are each amended to  
25 read as follows:

26 (1) Beginning with the 2011-12 school year, school districts may  
27 claim state basic education funding, to the extent otherwise allowed by  
28 state law, for students enrolled in online courses or programs only if  
29 the online courses or programs are:

30 (a) Offered by a multidistrict online provider approved under RCW  
31 28A.250.020 by the superintendent of public instruction;

32 (b) Offered by a school district online learning program if the  
33 program serves students who reside within the geographic boundaries of  
34 the school district, including school district programs in which fewer  
35 than ten percent of the program's students reside outside the school  
36 district's geographic boundaries; or

1 (c) Offered by a regional online learning program where courses are  
2 jointly developed and offered by two or more school districts or an  
3 educational service district through an interdistrict cooperative  
4 program agreement.

5 (2)(a) The office of the superintendent of public instruction shall  
6 allocate to the office of online learning an amount per each full-time  
7 equivalent at statewide uniform rates for basic education, less twenty  
8 percent. The office of the superintendent of public instruction shall  
9 separately calculate and allocate moneys appropriated for basic  
10 education under RCW 28A.150.260 for purposes of making such payments  
11 less fifteen percent, for approved online courses, excluding small high  
12 school enhancements. The superintendent of public instruction shall  
13 specify, by August 1, 2011, the process by which funds are allocated.

14 (b) The office of the superintendent of public instruction shall  
15 adopt rules to implement this subsection (2).

16 (3) Criteria shall be established by the superintendent of public  
17 instruction to allow online courses that have not been approved by the  
18 superintendent of public instruction to be eligible for state funding  
19 if the course is in a subject matter in which no courses have been  
20 approved and, if it is a high school course, the course meets  
21 Washington high school graduation requirements.

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