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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION - STATEWIDE VIRTUAL EDUCATION

Introduced By: Representatives McNamara, Ferri, Azzinaro, Diaz, and Ruggiero

Date Introduced: January 17, 2012

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended
2 by adding thereto the following chapter:

3 CHAPTER 16.22.1

4 THE STATEWIDE VIRTUAL EDUCATION ACT

5 16-16.22.1-1. Short title. – This chapter shall be known as and may be cited as “The
6 Rhode Island statewide virtual education act.”

7 16-16.22.1-2. Legislative findings. – The legislature hereby finds and declares the
8 following:

9 (1) A well-educated population benefits Rhode Island, supports its communities,
10 enhances the standard of living for all of its citizens, increases its capacity for success, and lays
11 the foundation for shared prosperity.

12 (2) Students in Rhode Island’s public elementary, secondary, and postsecondary schools
13 and institutions should be able to take advantage of as many opportunities as possible to support
14 and extend their learning. Their learning opportunities should allow them to acquire the
15 knowledge and technology skills that will allow them to contribute to and participate in a digital
16 world.

17 (3) The number and type of virtual learning programs and courses have increased
18 considerably, and the prevalence of virtual learning continues to grow. Virtual learning utilizes
19 the power and scalability of technology to remove the constraints of traditional classroom

1 learning, which can allow Rhode Island’s students to access personalized learning at any time, in
2 any place, and in ways that complement and extend traditional school settings.

3 (4) Public schools, school districts, and postsecondary institutions in Rhode Island should
4 have the freedom to work with teachers, families, and students to create customizable learning
5 opportunities that incorporate technology and reflect effective practices.

6 (5) The freedom that comes from technologically-supported opportunities to learn must
7 be accompanied by a clear responsibility to ensure that such opportunities are of high quality,
8 consistent with state standards for teaching and instruction, fulfill high school graduation
9 requirements, reflect the principles of equity and access, and include accountability provisions
10 that assure citizens that any investment of public tax dollars is well spent.

11 (6) Rhode Island is one of a few states that has not established the kind of statewide
12 policies on virtual education that will create the optimal conditions for effective learning and
13 instruction.

14 (7) The general assembly therefore finds that it is in the best interests of the people of the
15 state of Rhode Island to enact the Rhode Island statewide virtual education act to create
16 comprehensive guidelines that will result in high quality, integrated virtual K-20 learning
17 experiences that will engage and challenge students through structured, sustained study.

18 **16-16-22.1-3. Purpose.** – The purposes of this chapter are to provide additional
19 opportunities to Rhode Island’s public school students for high quality virtual instruction; put into
20 place a series of guidelines that will ensure that high quality virtual instruction is offered
21 consistently throughout the state; and facilitate and promote public school districts’ effective
22 decision making for virtual program and course providers.

23 **16-16-22.1-4. Definitions.** -- When used in this chapter, the following terms shall have
24 the following meanings:

25 (1) “Board” means the Rhode Island board of regents for elementary and secondary
26 education.

27 (2) “Commissioner” means the Rhode Island commissioner for elementary and secondary
28 education.

29 (3) “Course” means a course of study consistent with subdivision 16-1-5(4) and that
30 meets the requirements of the basic education program.

31 (4) “School district” means local education agencies in Rhode Island operated by
32 municipalities and those entities established under sections 16-77.2-1, 16-77.3, and 16-77.4.

33 (5) “Virtual course” means a course in which:

34 (i) Instruction and content are delivered primarily through technology, including over the

- 1 Internet, via television, and through multi-media;
- 2 (ii) A student and teacher may be in physically different locations for a portion of the
3 student's instructional period;
- 4 (iii) Most instructional activities take place in a technology-supported environment;
- 5 (iv) The technology-supported instructional activities are integral to the students'
6 academic program;
- 7 (v) Extensive communication between a student and a teacher and among students is
8 emphasized; and
- 9 (vi) A student is not necessarily required to be located on the physical premises of a
10 public school.
- 11 (6) "Virtual course provider" means:
- 12 (i) A public school district or school in Rhode Island that provides virtual courses to:
- 13 (A) Students enrolled in that district or school; or
- 14 (B) Students enrolled in another school district or school;
- 15 (ii) An accredited public or private institution of higher education in Rhode Island or
16 another state that provides virtual courses or programs to students attending public schools in
17 Rhode Island;
- 18 (iii) A not-for-profit or for-profit organization whose mission focuses on offering virtual
19 courses or programs to students attending public schools in Rhode Island.
- 20 **16-16-22.1-5. Guidelines for virtual courses. --** (a) With the direction and approval of
21 the board of regents for elementary and secondary education, the commissioner for elementary
22 and secondary education shall develop and promulgate guidelines for Rhode Island school
23 districts that are using or intend to use virtual courses for K-12 students. The guidelines shall
24 include:
- 25 (1) Objective, standard criteria and procedures that ensure that virtual courses for K-12
26 students are aligned with state content standards, meet or exceed the requirements of the state's
27 basic education program, fulfill high school graduation requirements, and provide seamless
28 articulation with public higher education institutions in the state;
- 29 (2) Objective, standard criteria for school districts to use to select providers of virtual
30 courses, which may include local school districts, not-for-profit and for-profit postsecondary
31 institutions, and other organizations;
- 32 (3) Objective, standard criteria for school districts to use to compare the quality of
33 providers and of different versions of the same virtual course;
- 34 (4) Objective, standard criteria that ensure that teachers of virtual courses are certified;

1 (5) Objective, standard criteria that school districts can use to prioritize student
2 enrollment in virtual courses for core curricular areas, supplemental curricular areas, accelerated
3 learning opportunities, credit recovery, and other areas;

4 (6) Objective, standard criteria that school districts can use to determine student
5 eligibility to participate in virtual courses, in terms of student age, student residency, student
6 performance, limitations on the number of virtual courses that can be taken at once or
7 cumulatively, and other considerations;

8 (7) Objective, standard criteria that school districts can use to ensure access to virtual
9 courses for students with disabilities;

10 (8) Objective, standard procedures that school districts shall use to report and verify the
11 attendance and participation of a student enrolled in a virtual course;

12 (9) Standard accountability provisions that ensure that school districts assess students
13 enrolled in virtual courses on their progress and performance using grade-appropriate and
14 content-appropriate state assessments;

15 (10) Standard reporting provisions that ensure that school districts report the academic
16 progress and performance of students enrolled in virtual courses using grade-appropriate and
17 content-appropriate state assessments;

18 (11) Standard procedures for school districts to designate appropriate school district staff
19 to assume administrative responsibility for the virtual courses.

20 (12) Standard cost parameters and mechanisms that schools and school districts can use
21 to finance student participation in virtual courses.

22 (13) Standard procedures to address intellectual property rights and ownership in the case
23 where teachers in Rhode Island develop and offer their own virtual courses whose development
24 costs are covered through public funds.

25 (14) Any other requirements or limitations for virtual courses in Rhode Island.

26 **16-16-22.1-6. Diploma granting entity for virtual courses.** -- The commissioner shall
27 designate the diploma granting entity for high school students enrolled in virtual courses that
28 partially or wholly fulfill high school graduation requirements.

29 **16-16-22.1-7. Oversight, quality assurance, reporting, and evaluation of virtual**
30 **courses.** - (a) The commissioner shall identify procedures that the Rhode Island department of
31 elementary and secondary education will use to ensure oversight, assure quality, ensure the
32 collection and reporting of accurate cost data, and report student participation, progress, and
33 performance in virtual courses.

34 (b) The commissioner shall identify procedures that the Rhode Island department of

1 elementary and secondary education will use to evaluate the effectiveness of virtual courses on a
2 regular basis.

3 **16-16-22.2-8. Standard contract for virtual courses. --The commissioner shall develop**
4 **a standard contract form for public school districts to use with organizations that produce and**
5 **offer virtual courses.**

6 The purposes of the standard contract are:

7 (1) To ensure that public school districts rely on consistent, comprehensive, educationally
8 focused, and publicly accountable information for their procurement of virtual courses for
9 students; and

10 (2) To ensure that school districts will include monitoring and evaluation of the
11 effectiveness of the virtual courses and programs as a condition of their decision making.

12 **16-16-22.2-9. Cooperation with public institutions of higher education. - In**
13 **partnership with the commissioner of higher education, the commissioner of elementary and**
14 **secondary education shall develop guidelines for a K-20 venture and shared platform that would**
15 **allow seamless access to high quality virtual courses by public elementary, secondary, and**
16 **postsecondary students.**

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION - STATEWIDE VIRTUAL EDUCATION

- 1 This act would establish the Rhode Island statewide virtual education act, to promote the
- 2 use of and quality of virtual courses as part of public education in Rhode Island.
- 3 This act would take effect upon passage.

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