Washington State Online Learning Policies and Programs

2008 Interim Research Project

Senate Early Learning & K-12 Education Committee

Kelsey D. Burwell

July 31, 2008

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I. K-12 ONLINE LEARNING OVERVIEW AND GOVERNING LAWS

Over the past few years, school districts in Washington State and across the United States have seen an increase in the number of K-12 students taking online courses. Currently, Washington State has relatively few laws regulating online learning, leaving much deference to local school districts. The Legislature may want to consider whether providing opportunities for online learning should be left in the hands of individual districts or whether the State ought to take a more involved approach appointing funding for online courses, digital resources, student lap tops, and the like. This report outlines: current state and federal law related to online learning, online learning providers in Washington State, and various school districts' evaluation methods to form partnerships with online learning providers. In addition, this report discusses state comparative laws regarding online learning.

A. Online Learning Overview

Online learning programs are becoming more popular, especially for students in rural communities or for those who attend smaller schools and do not have the opportunity to take advanced or college credit classes. Also, students needing alternative learning methods to complete their high school diploma may benefit from online course offerings. Such students may include: students who have failed courses and could benefit from online credit retrieval options, incarcerated students, teenage mothers, students who need more credits in order to graduate on time, or any student who is unable to attend a brick and mortar school for health or other reasons. Online courses are not limited to high school students, but rather anyone from pre-Kindergarten to twelfth grade may be eligible to take online courses.[1]

B. Washington State Laws and Administrative Rules Governing Online Learning

Washington has a limited number of laws governing online learning programs. Overall, Washington education law dictates that technology integration is important to increasing students' chances of success in today's digital society.[2]

1. Online Learning Bills Passed in the 2008 Washington Legislative Session

Effective beginning June 12, 2008, 2SHB 3129 requires OSPI to add information on its website regarding opportunities for high school students to earn college credit through online learning courses.[3] "Examples of information to be compiled and placed on the website include links to purveyors of online learning programs, comparisons among various types of programs regarding costs of awarding of credit, advantages and disadvantages of online learning programs,

and other general assistance and guidance for students, teachers, and counselors in selecting and considering online learning programs."[4] Currently, OSPI is in the process of revising the educational technology section of the OSPI website.[5] The website additions will be added by the start of the 2008-09 school year, including an overview of the ability to earn college credit online while in high school, and links to and brief descriptions of: WashingtonOnline, University of Washington Extension, Digital Learning Commons, Running Start, Advanced Placement, and College-in-the-High School.[6] This bill also requires school districts and high schools to provide information to students and parents regarding online learning programs.[7] Though, not required by the bill, OSPI will send a memorandum on dual-credit options and online learning programs to the school districts at the beginning of the 2008-09 school year.[8]

During the most recent legislative session, $1.25 million dollars were appropriated for the Digital Learning Commons (DLC) for the 2009 Fiscal Year (FY).[9] Washington State does not have its own virtual school, but the State helps fund the DLC.[10] The DLC is a nonprofit organization that offers online courses and resources for students, educators, and parents in Washington State.[11] The DLC was established in 2003, and funded by: the Washington State Legislature, the Bill and Melinda Gates Foundation, the Paul G. Allen Family Foundation, and the William and Flora Hewlett Foundation.[12] The DLC does not award credit or diplomas, but credit for DLC online courses may be recognized by individual schools.[13] The DLC also provides resources for tutoring and other resources to supplement a student's education.[14]

2. Previously Enacted Washington Laws Related to Online Learning

a. Alternative Learning Experiences

Alternative Learning Experience (ALE) programs were created as an OSPI administrative rule,[15] and ALE programs are governed by the RCWs,[16] as well. ALEs include educational experiences by digital means or through online curricula.[17] Under the regulatory rule, ALE courses may award credit to students if certain requirements are met, including: creation of a written student plan, monthly progress reviews and weekly contact between students and school staff.[18] "School staff" is defined as, "Washington State certificated instructional staff of the school district or the contractor."[19] Students may receive credit for ALE and other "electronically-mediated courses."[20] Also, educators involved in core academic subjects through ALE programs must meet the NCLB's HQT standard.[21]

In 2005, OSPI was required to revise the definition of a full-time student to include students who receive instruction through digital programs.[22] The term "digital learning" or "digital programs" are broad terms that mean learning accomplished through electronic means, primarily away from the classroom.[23] (This includes information from CD-ROM disks or other programs not associated with the internet.[24]) Online learning refers to instruction only via the internet.[25] OSPI is also required to adopt rules to implement this revised definition, including requiring school districts to report to the state on an annual basis and regularly monitor and assess the progress of students enrolled in digital learning courses.[26]

Since 2005, all online programs have also been required to be accredited through a regional accreditation program.[27] While accreditation in Washington is voluntary and the State may only grant accreditation status to private schools,[28] public school programs that primarily provide alternative learning experiences through digital or online means need to be accredited through a state or regional accreditation program.[29] OSPI lists approved accreditation programs on its website.[30] Each school district offering online learning opportunities must send OSPI information about the online program's characteristics to show proper accreditation.[31] The state Board of Education's (SBE) authority to grant accreditation status was removed during the 2006 legislative session, and Educational Service Districts (ESDs) may no longer act as regional accrediting bodies.[32] Additionally, online schools are responsible for their students' completion and performance on state assessment tests.[33]

Student eligibility for digital programs is governed by RCW 28A.150.305, which allows school districts much discretion.[34] For students who struggle to perform well in the traditional school environment, placing them in digital learning programs must be a joint decision by the student's parent or legal guardian, the school district, and the alternative educational service provider.[35] The law specifically highlights that the school district's board of directors must require specific learning standards that must be achieved by a student who is academically failing and enrolls in a digital course.[36] Students may also take online courses in a school district that is outside their area of residence.[37] Transfer students make up 30% or more of enrollment in some online learning programs.[38]

b. Professional Educators Standards Board

PESB was created in 2000, primarily as an advisory board to advise the legislature and members of the executive branch in teacher certification policy issues.[39] PESB acquired

oversight duties in 2005,[40] to monitor teacher certification.[41] Specifically, the "teacher of record" must be endorsed in the subject they teach and Washington State certified.[42] This rule could be interpreted to include online instructors.[43] One exception is that instructors may teach in "alternative settings" (which is not defined in the rules but left to district discretion), without full certification as long as they have demonstrated competency and have initial, residency, endorsed continuing or professional certificates.[44] These levels of certification do not include teacher certificates from other states, but a non-Washington State certificate may apply toward Washington certification as long as other requirements are met.[45] Washington has limited certification reciprocity.[46]

Washington law is not specific regarding oversight of online learning programs and teacher certification. Districts are required to report annually teachers assigned to areas outside their endorsement to PESB.[47] Some online learning companies are private entities that contract with school districts, individual schools, or independently admit students to their program.[48] All of these scenarios may escape the district teacher certification reporting requirement, as the online learning company's instructors are not teachers directly employed (or known) by the district.[49] Thus, non-Washington State certified instructors may teach Washington public students unchecked.[50] Voluntary or self-reported teacher assignment data by districts may or may not include online teachers.[51]

c. Educational Technology Plan

Another state law requires OSPI to develop and implement an education technology plan with the input of educational stakeholders.[52] The Education Technology Support Center (ETSC) Program's primary goal is to integrate and promote technology in the classroom.[53] The technology plan "shall be developed to coordinate and expand the use of education technology in the common schools of the state."[54] The Educational Technology Advisory Committee (ETAC) was established to develop and implement the technology plan,[55] and state funds are distributed pursuant to the technology plan on a grant basis.[56] ETSC was established in 1994, and originally funded at $4.5 million per biennium.[57] For the 2007-09 biennium, the program was funded at $4 million.[58]

3. Rules Regulating Instruction Provided Under Contract in Washington

The State has delegated general authority to school districts to contract with education providers, subject to local collective bargaining agreements, and the applicable state and federal

laws.[59] This authority also allows school districts to enter into inter-district cooperative agreements.[60] For all contracts with providers that give basic education instruction to students as a "course of study,"[61] contractors must provide instruction free of sectarian or religious influence or control, the curriculum must be approved by the district, and the following documents and must be available for review by the school district: enrollment, hours of instruction, personnel data, and financial data.[62] In addition, if more than twenty-five Kindergarten to twelfth-grade students (and at least .0025% of the district's students) are enrolled in the contractor's course, then the district must annually report the number of the contractor's certificated instructors that are funded by the federal or state government to OSPI.[63]

C. Federal Laws Governing Online Learning

Congress has enacted some laws specifically regulating online learning. Most federal laws require compliance if a school or district is participating in a federally-funded education program. The federal No Child Left Behind Act (NCLB) applies to online learning environments, as well as to public brick and mortar schools.

1. No Child Left Behind Act and the "Highly Qualified Teacher" Requirement

Online teachers, in addition to brick-and-mortar classroom teachers, are subject to NCLB's "highly qualified teacher" (HQT) requirement. NCLB went into effect in January 2002, requiring all public teachers of core academic subjects to be "highly qualified" by the 2005-2006 school year.[64] Core academic subjects include: "English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography."[65] HQT for secondary education is defined as a teacher holding at least a bachelor's degree and obtaining full state certification or passing the state licensing exam.[66] For a limited time, teachers new to the profession (teaching for less than one year) could be considered "highly qualified" if they had at least a bachelor's degree, passed a state academic subject test, and demonstrated competency in the subjects they teach.[67] Washington State allowed for the High Objective Uniform State Standard Evaluation (HOUSSE) process to certify new teachers that do not meet the HQT standard, but this was phased out after the 2006-2007 school year.[68] Now all new hires must meet the HQT standards, unless another exception applies, such as a rural school district's inability to fill a teaching vacancy.[69] Elementary school teachers must hold at least a bachelor's degree and have demonstrated knowledge of basic elementary curriculum by passing a state test.[70]

Special Education teachers also must meet HQT national standards. Under the Individuals with Disabilities Education Improvement Act (IDEA) of 2004, special education teachers must hold at least a bachelor's degree and be licensed/state certified with a special education endorsement.[71] Special education teachers must also satisfy NCLB's HQT standard when teaching core academic subjects.[72]

To ensure that all teachers in the state satisfy the HQT standards, school districts are required to maintain records and annually report teacher qualifications to the federal department of education.[73] As noted by Washington State's OSPI, the HQT plan is a way for school districts to document and work toward strategies concerning recruiting, hiring, retaining, and reassigning teachers to ensure HQT requirements are met.[74] Additionally, parents must be notified at the start of each school year that they may request information on whether or not their students' teachers meet the HQT standards.[75] Furthermore, school districts must notify parents/legal guardians if their child has been taught by a teacher who does not meet HQT standards for four or more consecutive weeks.[76] (Washington State prohibits the sharing of public school employees' private information and résumés to the public,[77] but this disclosure exemption does not apply to the NCLB requirements because the certification information is gathered for accountability purposes and, therefore, does not violate a public teacher's right to privacy.[78])

NCLB aims to ensure that minority or disadvantaged students are not being taught at a higher rate by teachers who fail to meet basic certification qualifications.[79] This goal applies in the online arena, too, as HQT requirements must be met for all teachers instructing students that attend public schools.[80] In addition to the NCLB, other federal laws concern online learning and provide minimum requirements for states to meet.

2. Other Federal Laws Related to Online Learning

The Children's Internet Protection Act (CIPA) was enacted by Congress in 2000, to regulate internet access in schools and libraries that receive funding from the E-rate program.[81] The E-rate Program makes some technology more affordable for eligible schools and libraries.[82] In order to receive discounts or assistance to purchase computer equipment/technology programs, schools and libraries must install filters or other protective measures to ensure that students do not browse pornography or other internet sites harmful to minors.[83] Schools subject to CIPA must also adopt and enforce a policy to monitor student internet use.[84]

If federal funds are used toward online learning, extra requirements are imposed by the Americans with Disabilities Act[85] and the Rehabilitation Act.[86] Under these laws, no student may be prevented from participating in a federally-funded program due to a disability,[87] but the school district only needs to make a "reasonable" accommodation for disabled students.[88] Furthermore, if a student is effectually excluded from participation due to a disability, the school district's treatment of the child must be in bad faith or gross misjudgment.[89]

The federal Department of Education also requires school districts to annually report[90] on: the number of instructional computers in a school and classroom connectivity,[91] eighth grade students' technology literacy,[92] and technology integration in classrooms.[93] School districts will also be required to report on the technology proficiency of teachers, library/media specialists, and administrators, beginning with the 2009-10 school year.[94]

II. ONLINE LEARNING PROVIDERS IN WASHINGTON STATE

There are multiple companies and organizations that provide online learning resources and/or online courses. Washington Providers include both public and private entities, such as: Advanced Academics (partnering with Marysville School District), Digital Learning Commons, Everett's online high school, Evergreen Internet Academy (located in Vancouver), Federal Way's Internet Academy, Insight Schools (partnering with Quillayute Valley School District), K12 (partnering with Steilacoom and Monroe school districts), and Spokane's Virtual Learning.[95] These Washington-based, K-12 online learning providers are profiled, including identifying the provider's source of funding, what services/resources they offer and the cost of them, and when the entity was established, among other characteristics.

The course completion rate or drop-out is not included in the statistics on Washington providers. One issue with identifying the number of students who complete a course is how completion is defined.[96] Some states are considering creating a common definition of "completion rate" or "retention rate," which would be particularly useful for funding purposes, but currently the majority of providers self-define their completion rates.[97] Thus, some providers include students who fail a course as "completing" it, while other providers require achievement of a minimum grade to count toward the provider's completion rate.[98] While it varies from program to program, most providers exclude students who drop within the first few weeks of class.[99] Completion rates of profiled providers across the nation are contained in the

"Keeping Pace with k-12 Online Learning" report, published in November 2007. Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.

Disclaimer: The following information was gathered primarily from providers' websites, with some additional information from telephone calls or e-mails. This list of services offered by each provider is not necessarily exclusive, as possibly a provider may offer a service that is not included in this report simply because the service was not explicitly listed or easily identifiable on the providers' website. Additionally, the same information is documented in chart format as Appendix A.

A. Advanced Academics

- Type:
  - Private company
- Funding:
  - fees paid by state and local district public funding
- What services are offered:
  - virtual high school with online classes for credit/diplomas (diploma is actually issued by the school district)
  - full or part-time options
  - in Marysville, part-time option only available for students with less than five credits needed to graduate
  - other school districts partnering with Advanced Academics have the part-time option available at any time
  - online blog
  - teacher contact via instant messaging, e-mails, and telephone
  - 24-7 technical support
- Cost of services/resources:
  - courses are free to students
  - students need to provide internet access; laptop provided if needed
  - students may also need to buy supplemental materials for some courses
- Whether gives credit or diplomas:
  - Yes; offers high school credit and diplomas

- Whether the institution is accredited:
    - Yes; accredited by The Commission on International and Trans-Regional Accreditation (CITA) and the North Central Association (NCA).
- Teacher certification:
    - all instructors are Washington State certificated
- Established:
    - 2005
- Who can join:
    - schools or districts in all states
        - currently 29 states have contracted with Advanced Academics
    - the program is designed especially for struggling students or home-schooled students as an alternative method to graduate
    - In Washington these Advanced Academics programs are available:
        - currently the MOVE UP program for the Marysville School District is the only school district in Washington that partners with Advanced Academics to accept students statewide, offering diplomas from Marysville high schools
        - the Okanogan Regional Learning Academy offers a virtual school for students grades 7-12 in Okanogan County
        - Kent Virtual High School is available for grades 8-12 within the Kent School District
        - YakimaOnline! is an online school for grades 8-12 in Yakima Public Schools, which partners with Apex Learning and Advanced Academics
        - Twin Cities Virtual Academy serves grades 7-12 in the Chehalis and Centralia School Districts
- Websites:
    - http://www.advancedacademics.com/index.html;
    - http://www.iwanttograduate.com/ (Marysville School District/students across the state);
    - http://www.highschoolontheweb.com/okanogan/ (Okanogan County);
    - http://www.highschoolontheweb.com/yakima/ (Yakima Public Schools);

- http://www.highschoolontheweb.com/twincities/ (Chehalis, Centralia School Districts)

B. Achieve Online and Christa McAuliffe Academy (CMA)

- Type:
  - Public
  - CMA is the private school counterpart (also owned by Achieve Online), which serves Washington students and students worldwide
    - Students may enroll fulltime in the private school, or take electives for a fee to supplement their public education
- Funding:
  - Public funding (FTE dollars) (partnership with Kittitas School District) for the Achieve Online public school program
  - CMA is funded by student tuition and fees
- What services are offered:
  - virtual high school with online classes for credit/diplomas
    - no limit on the number of courses students may complete each semester
  - K-8 curriculum and online program
  - Advanced Placement & honors classes
  - Running Start & Tri Tech Skills Center
  - online mentors
  - credit retrieval and/or accelerated learning options
  - offline learning options
  - virtual library
  - tutoring
  - student clubs, student government
  - social events, including a graduation ceremony
- Cost of services/resources:
  - Free courses and supplemental materials
  - students must provide own internet access and computer hardware
  - CMA costs $325 per month for the online program

- Whether gives credit or diplomas:
    - Yes; offers high school credit and diplomas
- Whether the institution is accredited:
    - Not currently accredited
- Teacher certification:
    - All instructors for Achieve Online public school program are Washington-certificated, and all meet HQT standards
    - Online teachers for CMA are certificated in various states; all are HQTs
- Established:
    - 1985, CMA brick and mortar school established; online courses added later
    - January 24, 2007,[100] Achieve Online public school program established[101]
    - February 2008, CMA acquired by Achieve Online
- Who can join:
    - Students K-12
        - Achieve online: ages five to twenty-one
        - CMA: no age limit
- Website:
    - http://www.achieveonline.org/

C. Digital Learning Commons

- Type:
    - Non-profit organization
- Funding:
    - Washington State Legislature
    - Bill and Melinda Gates Foundation
    - Paul G. Allen Family Foundation
    - William and Flora Hewlett Foundation
    - schools buying services
- What services are offered:
    - digital library
    - digital tools
    - teacher resources

    - online courses (e.g. Advanced Placement credit, but the actual credit would be awarded by the schools since DLC is not a virtual school)
    - courses are offered by Apex Learning and Aventa Learning, as well as Virtual High School (VHS), Federal Way Internet Academy, Spokane Virtual Learning and University of Washington Extension
    - school support training on use of DLC resources
    - Tutor support via instant messaging, white boards, and e-mails
    - online communication with other students
- <u>Cost of services/resources:</u>
    - public schools may join for $6 per student and private schools for $8 per student
    - online courses are on average $255 per student per course
        - college credit courses cost more
    - Courses-Only Membership: schools and organizations pay $1 per student (up to $100); additional fees apply to each enrollment
- <u>Whether gives credit or diplomas:</u>
    - No
- <u>Whether DLC course-providers are accredited:</u>
    - Apex Learning is accredited by Northwest Association of Accredited Schools (NAAS)
    - Aventa Learning is accredited by NAAS and the Distance Education and Training Council (DETC), and it is approved by the National Collegiate Athletic Association (NCAA)
    - Federal Way Internet Academy: NAAS
    - Spokane Virtual Learning: NAAS
    - University of Washington Extension: courses carry the same accreditation as the University of Washington and its schools/departments
    - VHS: Middle States Association of Colleges and Schools (CSS-MS)
- <u>Teacher certification:</u>
    - All DLC course provider-employed instructors meet the NCLB "highly qualified teacher" standards and are state-certified by their home state

- Specifically, instructors from Spokane Virtual Learning and the Federal Way Internet Academy are all Washington State certificated
- Three providers partnering with the DLC have limited Washington State teacher certifications: Apex Learning, Aventa Learning, and Virtual High School[102]
- Certification statistics as of June 20, 2008:
  - Apex Learning has six Washington-certificated teachers (8-9% of all teaching staff), and five National Board Certified teachers
  - Aventa Learning has thirteen Washington-certificated teachers, and many teachers are National Board Certified (though, this is not an employment requirement)
  - three VHS instructors are Washington certificated (1%), and many instructors are National Board Certified
    - also, VHS teachers must pass a rigorous graduate training program to be a VHS online teacher

- Established:
  - 2003
- Who can join:
  - Entities within Washington State, including:
    - public schools or districts
    - private schools
    - nonprofit organizations
    - community programs
- Website:
  - http://www.learningcommons.org/
- E-mail:
  - dlcinfo@learningcommons.org

D. Everett's Online High School

- Type:
  - Public school that also partners with private companies (Apex Learning and Class.com) to offer more courses;

    - Everett's OnlineHS.net also partners with the University of Washington and Everett Community College to offer online college credit in the high school;
    - Everett also partners with the Central Kitsap School District
- Funding:
    - Mainly Everett School District public funding
    - also student fees
- What services are offered:
    - online high school courses for credit, including Advanced Placement and college courses
    - tutorials
    - summer school
    - guide to applying to college
    - part-time or full-time options
    - teacher contact via instant messaging, e-mails, and telephone
    - online communication with other students
    - WASL Prep Course
- Cost of services/resources:
    - courses are free, but each class beyond a six-period day is $200
    - courses are $300 each for students outside the district[103]
- Whether gives credit or diplomas:
    - Awards credit for any Everett high school, not diplomas
- Whether the institution is accredited:
    - Accreditation in Washington State is voluntary, and the State may only grant accreditation status to private schools[104]
- Teacher certification:
    - All are Washington State certificated and teach in the Everett School District
- Established:
    - 2002 online courses offered to students lacking credits; 2004 offered to all students
- Who can join:
    - Everett high school students, or for a fee, students outside the district

- Website:
    - http://online.everett.k12.wa.us/webapps/portal/frameset.jsp
- E-mail:
    - OnlineHS@EverettSD.org

E. Evergreen Internet Academy

- Type:
    - Public
- Funding:
    - Evergreen School District local and state public funding
    - fees from out-of-state residents
    - fees from Washington students also enrolled full-time elsewhere
- What services are offered:
    - high school classes for credit;
    - WASL prep for credit;
    - teacher contact via instant messaging, e-mails, and telephone;
    - homework helpline;
    - online communication with other students
- Cost of services/resources:
    - free for Washington State residents not enrolled full-time elsewhere;
    - out-of-state students or students enrolled full-time in another Washington school must pay tuition (cost: $300 per course per semester; $140 for students residing within the Evergreen School District)[105]
- Whether gives credit or diplomas:
    - Yes, awards
        - credit,
        - Evergreen School District diplomas, and
        - Washington State diplomas[106]
- Whether the institution is accredited:
    - Yes; accredited by the Commission on Trans-Regional Accreditation (CITA)
- Teacher certification:
    - All are Evergreen School District employees and Washington State certified

- Established:
    - 1999
- Who can join:
    - students in the Evergreen Public School District,
    - students from other districts, states, countries, and
    - home-schooled students;
    - Evergreen School District is open to discussing partnerships with other entities;
    - students must be in seventh grade or higher and under age twenty-one
- Website:
    - http://eia.egreen.wednet.edu/

F. Federal Way's Internet Academy

- Type:
    - Public
- Funding:
    - Federal Way School District local and state public funding;
    - student fees for extra courses
    - tuition from out-of-state residents
- What services are offered:
    - online courses for credit to K-12 students, including
        - summer school and
        - credit retrieval courses (re-do failed classes)
    - teacher contact via instant messaging, e-mails, and telephone
- Cost of services/resources:
    - courses are free unless they exceed the five-course, full-time maximum;
    - additional courses cost $345 per semester (.5 credit);
    - for out-of-state students, all courses cost $325 per semester[107]
- Whether gives credit or diplomas:
    - Awards credit, not diplomas
- Whether the institution is accredited:
    - Yes. The Academy is accredited by Northwest Association of Accredited Schools (NAAS).

- Teacher certification:
  - All teachers are Washington State certified
- Established:
  - 1998 (This was Washington's first online school.)
- Who can join:
  - The Academy accepts enrollment from K-12 students (ages 6-21) who are eligible for public schooling (i.e. not expelled).
  - Students outside the Federal Way School District are eligible for enrollment.
- Website:
  - http://www.iacademy.org/

G. Insight Schools

- Type:
  - Public
- Funding:
  - Quillayute Valley School District (QVSD) local and state public funding
- What services are offered:
  - Online public high school;
  - students residing within the QVSD may take classes part-time; all other students must enroll on a full-time basis per semester;
  - students may take up to seven courses per semester;
  - every full-time student is provided with a laptop, printer with initial ink and toner, and protection software/filters;
  - teacher contact via instant messaging, e-mails, telephone, and weekly, synchronous Virtual Classroom sessions;
  - Running Start;
  - books are provided for classes that require textbooks;
  - option to receive up to 12 college credits from either University of Phoenix or Pathways Program at Axia College;
  - Advanced Placement classes;
  - English as a Second Language;
  - Honors classes;

    - Career Prep classes;
    - social events
- Cost of services/resources:
    - toner/ink and paper for printer must be provided by student after initial toner/ink is provided;
    - courses are free to students residing within Washington State (14-20 yrs)
- Whether gives credit or diplomas:
    - Yes, awards credit and diplomas (diploma from QVSD),
    - Insight High School graduation ceremony
- Whether the institution is accredited:
    - Yes, Insight has a full, 6-year accreditation (last accredited in December 2007) by Northwest Association of Accredited Schools (NAAS).
- Teacher certification:
    - All teachers are Washington State certified for the Washington Insight school (through QVSD)
- Established:
    - 2006
- Who can join:
    - any high school student (ages 14-20 at enrollment) in Washington State;
    - for tuition fees, out-of-state residents may also participate in the online high school through Insight and its partnership with QVSD; [108]
    - Insight also has online schools in nine other states
- Website:
    - http://www.insightschools.net/index.asp;
    - http://www.go2ischool.net/;
    - http://www.insightwa.net

H. iQ Academy

- Type:
    - Public
- Funding:
    - fees paid by state and local district public funding

- What services are offered:
    - virtual high school with online classes for credit/diplomas
    - full or part-time options
    - student learning plans
    - Discussion boards with other students
    - teacher contact via instant messaging, e-mails, and telephone
    - 24-7 technical support
- Cost of services/resources:
    - courses are free to students
    - laptops are provided if needed
- Whether gives credit or diplomas:
    - Offers high school credit, and Washington State high school diplomas through the Evergreen School District
- Whether the institution is accredited:
    - Yes; by the Commission on Trans-Regional Accreditation (CITA)
- Teacher certification:
    - All instructors are Washington State certificated and meet HQT standards
- Established:
    - 2008
- Who can join:
    - Students, grades 7-12
- Website:
    - http://iqacademywa.net/index.php

I. K^{12}: Washington Virtual Academy

- Type:
    - Public
- Funding:
    - Washington State K-12 funding
- What services are offered:
    - courses to K-12 students (age 5 and older) (courses for credit grades 9-12);
    - part-time or full-time options;

    - advanced classes;
    - social events and field trips;
    - Individualized Learning Plan for each student to chart course for completing multiple grades;
    - teacher contact via instant messaging, e-mails, and telephone;
    - online clubs for students
    - Virtual School Program: sells curriculum (licenses) to schools
    - Management services to ensure state certifications standards are met
    - Supplemental class materials provided
- Cost of services/resources:
    - tuition and books are free;
    - students must provide their own computer, and, if needed, printer, paper, and ink
- Whether gives credit or diplomas:
    - Awards credit and diplomas
- Whether the institution is accredited:
    - Yes, accredited by the Commission on Trans-Regional Accreditation (CITA)
- Teacher certification:
    - All are Washington State certified and meet NCLB standards
- Established:
    - 2005
- Who can join:
    - any K-12 student who resides in Washington State;
    - K^{12} also partners with five other school districts in Washington State to offer virtual schools:
        - East Valley Spokane,
        - Kennewick,
        - San Juan Island,
        - South Kitsap, and
        - Walla Walla.
- Website:
    - http://www.k12.com/wava/ (statewide)

- http://www.evsd.org/ (East Valley, Spokane)
- www.ksd.org/mcp (Kennewick)
- http://www.sjisd.wednet.edu/fhgb/index.html (San Juan Island)
- www.skitsap.wednet.edu (South Kitsap)
- http://resources.wwps.org/homelink/ (Walla Walla)

J. Spokane's Virtual Learning

- Type:
  - Public
- Funding:
  - Public funding and
  - student fees
- What services are offered:
  - online courses for K-12 students;
  - credit retrieval for students who failed a class in the traditional classroom setting;
  - online and phone interaction with other students and instructors (not face-to-face);
  - summer school;
  - students may take as many classes as desired with parent and/or guidance counselor approval
- Cost of services/resources:
  - tuition is free if with the Spokane Public School District or if another Washington State district recognizes the credits;
  - otherwise, tuition is $350 per course, per semester,[109] and
  - $275 per course for out-of-district students for summer school[110] and
  - $185 per summer course for Spokane students
- Whether gives credit or diplomas:
  - Awards credit, not diplomas
  - (diplomas awarded through Spokane public high schools)
- Whether the institution is accredited:
  - Accreditation in Washington State is voluntary, and the State may only grant accreditation status to private schools[111]

- Teacher certification:
    - All are Washington State certified and
    - teach (or have taught) in Spokane high schools
- Established:
    - 2005
- Who can join:
    - students across Washington state;
    - classes are cheaper or free for students residing in Spokane Public School District
- Website:
    - http://www.spokaneschools.org/onlinelearning/

III. CURRENT USE OF ONLINE LEARNING RESOURCES IN WASHINGTON STATE

Before a school district can offer online or blended classroom instruction, multiple decisions must be made to prepare for the technology integration. This next section outlines the decision-making process of school districts, students/parents, and online providers.

A. Washington School Districts, Schools, and Students Accessing Online Courses

In addition to school districts that are partnering or contracting with Washington State providers, as noted above,[112] multiple districts are also allowing students to transfer credits from online schools based out of state. About 50% of Washington school districts have at least one student taking an online course for credit.[113] During the 2007-2008 school year, about 14,000 Washington K-12 students enrolled in online courses.[114]

B. How Do School Districts, Schools, and Students Decide Which Provider to Use?

In general, students and parents make all decisions whether or not the child will participate in online instruction.[115] For example, Spokane Virtual Learning students are never required to take an online course, but most students do to ameliorate a schedule conflict, which allows them take band, etc., despite it only being offered at the same time as a required course. In some cases, the school district or individual school will recommend that a student take an online course for credit recovery, but the student typically has the option to retake the failed course in the brick and mortar classroom or opt to take the online course. In Washington, enrolling a student who is struggling in the brick and mortar setting in an online course as an alternative, must be a joint decision by the student's parent or legal guardian, the school district

and the online learning provider.[116] Parents, students, and counselors may also access information regarding online courses from the OSPI website.[117]

Washington State school districts are accorded deference to decide which provider to contract with and how to run online programs (e.g. full-time, part-time, asynchronous or synchronous (classes meet online at the same time—e.g. videoconferences) online instruction, etc.). The only requirements placed on public schools are that all students take the state-mandated assessments and that teachers are certified to meet state and federal standards (NCLB).[118] The OSPI website lists various questions that are helpful for schools to consider when assessing online providers and curriculum.[119] These questions include: cost, accreditation, percentage of students successfully completing the course, degree of interactivity, whether the learner is involved in an online community, etc.[120] OSPI also lists links to other websites that have tools for assessing or evaluating online providers and courses.[121]

Yakima School District (YSD) used a four-prong evaluation process to reach its decision to partner with Advanced Academics and Apex Learning to provide an online virtual high school for grades 8-12 in the Yakima School District.[122] To find the online learning provider that would best suit the districts' needs, the Deputy Superintendent of the YSD: (1) asked for recommendations from other school districts who already partnered with online learning companies; (2) completed online activities after given access by the provider; (3) utilized standards in the technology community; and (4) considered other factors, including teacher certification, testing methods, whether the company offered 24/7 support for students, and supplemental services.[123]

Centralia School District (CSD) also surveyed multiple providers before deciding to partner with Advanced Academics. The following online education providers' attributes were assessed and compared: whether coursework and content alignment with Washington State standards; accreditation; Washington State certificated teachers; flexible billing (per pupil enrollment versus district size); and the cost per course. CSD also considered references from other districts. CSD decided to partner with Chehalis School District, the other largest district in the region, to avoid competing for students.[124] The online school only accepts students from smaller districts in the area by district request.[125]

Okanogan School District (OSD) researched multiple online learning providers and decided on Advanced Academics. The evaluation process consisted of interviewing several

vendors. Advanced Academics was chosen because their teachers are Washington State certificated and their classes align with Washington State standards.[126] OSD is well-pleased with their choice, and the district technology director noted that the only downside to partnering with this provider is that the district "makes very little profit per student FTE."[127]

Quillayute Valley School District (QVSD) actually was approached by the founders of Insight School of Washington (ISW), who were looking for a host school district.[128] QVSD was concurrently approached by another provider but ultimately decided to partner with ISW.[129] QVSD was recommended to ISW as a "technologically-minded school" due to its experience with the DLC, Washington Virtual Classroom, and Virtual High School.[130] QVSD did not have a specific process for evaluating ISW, but it ensured that ISW met state ALE requirements, the teachers were Washington certified, and that the program met all other requirements of brick and mortar schools, including WASL testing, special education, and documentation.[131] QVSD reviewed ISW's principles in depth, and the district was instrumental in creating ISW's student handbook.[132] The contract between ISW and QVSD also brought needed FTE dollars to the school district without the expense of adding physical facilities.[133]

East Valley Spokane School District (EVSSD) decided to partner with K^{12}: Washington Virtual Academy, after hearing about its success with the Steilacoom School District.[134] EVSSD first met with K^{12} curriculum providers and reviewed their courses before deciding to offer the same online curriculum to EVSSD students as similarly provided in the Steilacoom School District.[135]

C. How Do Providers Decide Which School Districts to Partner With?

Providers' partnership decisions vary, but online providers are mostly indiscriminate and allow any school district within the applicable region to access their resources for a set fee. For example, the Digital Learning Commons (DLC) grants membership to any individual school (public or private), school districts, non-profit organizations or community program located in Washington State that pays a flat fee per student.[136] (Only public and private schools, not non-profit organizations or community programs, may access courses.[137]) Basically, any bona fide school district that is willing to contract with an online learning company may form a partnership.

The DLC decides which resources to include in its online learning package offered to schools/organizations by first surveying many schools, educators, OSPI, and professional

organizations.[138] After searching for resource providers and/or receiving recommendations from schools and teachers, the DLC conducts a quality review against an established set of criteria and often conducts pilot tests.[139] To select online courses, the DLC uses a set of standards based on national studies, including North American Council for Online Learning (NACOL) and State Educational Technology Directors Association (SETDA) studies, as well as gathering information on the characteristics of successful online courses from conferences.[140] The DLC also considers the course provider's pass and completion rates, financial stability, and experience.[141] In the final decision-making stage, the DLC holds an "in-person review meeting" with the potential provider.[142]

Insight Schools decided to partner with Quillayute Valley School District (QVSD) to create Insight Schools of Washington (ISW), in part, because QVSD was already involved in digital learning and using technology in the classroom.[143] Insight Schools contacted various districts throughout the state and met with six district superintendents before deciding to partner with QVSD.[144] Insight Schools contracted with QVSD primarily because QVSD was open to Insight Schools' online learning model, the district was innovative, and a significant portion of the district's high school students had already participated in online learning.[145] Between November 2005 and January 2006, the school district completed a public process to approve its partnership with Insight Schools.[146]

As for students, online providers caution that online learning is not for everyone. Most online providers explain necessary qualities via a video or a personal assessment quiz on their website that students may take to see if they have the same qualities as individuals who are successful in online courses (e.g. self-motivated and has internet familiarity).[147] As a general rule, students must also be eligible for public education, i.e. not expelled, and fall within the necessary age range and/or grade level requirements.[148] Essentially, parents and students decide whether or not online courses are the right option for the students.

IV. SELF-PACED DIGITAL LEARNING IN WASHINGTON ALTERNATIVE HIGH SCHOOLS

In addition to the increased technology integration in public K-12 schools, many alternative high schools use computer-based instruction to allow students to work at their own pace or at an accelerated pace to graduate with their peers.

A. The NET: Alternatives for Education and Training

The NET is a high school drop-out prevention program that allows students in Spokane County who have a serious credit deficit to participate in credit retrieval options, including online instruction through the NovaNet Credit Retrieval Program.[149] The NET also offers WASL-specific instruction for students who need to retake the exam.[150] Other services provided by the NET include: high school re-entry programs (credits are typically waived as long as the students complete other assignments); career counseling, follow-up activities, parent/family nights, ACT-SAT preparation, job search education and co-enrollment in classes and workforce training programs (including food handler's permits), and employment opportunities.[151]

The NET was founded in November 2002. Students not enrolled in the NET (i.e. not signed up for credit retrieval options) who live in Spokane County, may take NovaNet online courses for a fee.[152] Students do not use supplemental materials, but everything needed for a NovaNet course is online.[153] The online classes are asynchronous, but students may meet one-on-one with a teacher at the Spokane Valley Partners' building for tutoring.[154] Students are allowed to work at their own pace, but every assignment for a specific course must be completed within the semester.[155] Although students may work at their own pace, the main purpose of the program is for students to work at an accelerated pace to graduate on time with their peers.[156] Most students in the program are sophomores through seniors, ages 16 or 17.[157] For the high school re-entry program, while students typically get to waive about 10 credits, students usually also need to register for a NovaNet class to make-up some class work while they are attending the local brick and mortar high school (or take online courses in the summer).[158]

B. Marysville Mountain View High School[159]

Marysville Mountain View High School does offer limited online courses.[160] Mountain View purchases some online courses through Advanced Academics, and the principal selects a few students to participate in these classes.[161] Mountain View also allows qualified students to purchase an online course through Brigham Young University High School or order online credit retrieval classes from Keystone Learning Center.[162] All of these online learning providers are accredited and the online credits the students receive transfer toward their Marysville School District high school degree.[163] Students are allowed to work at their own pace, whether accelerated or not, and the focus at Mountain View is personalization—ensuring each student has the necessary time and support to graduate high school.[164]

C. Henderson Bay Alternative High School

Located in Gig Harbor, Washington, Henderson Bay Alternative High School offers blended learning, but no online courses.[165] Students use classroom computers in connection with some brick and mortar classes (i.e. supplemental digital learning), but this is not in lieu of seat time.[166] The school's emphasis is on giving support and instruction to achieve individualized learning goals. Some mature students work at an accelerated pace to graduate with their peers.[167]

D. Sequoia High School

Sequoia High School (SHS) is an alternative high school located in Everett, Washington.[168] SHS students may take online courses through OnlineHS, which primarily serves students in the Everett school district.[169] The online courses allow students to work at their own pace, including accelerating through the course if needed to graduate on time.[170] SHS fulfills three main purposes by providing alternative learning options, including online learning: (1) maintain the ability to graduate on time, (2) provide a different environment for students with social phobias, anxiety or home-based needs, and (3) provide alternative options for students with scheduling conflicts.[171]

E. PROVE High School

Located in Lake Stevens, Washington, PROVE High School[172] offers students access to NovaNet primarily for credit retrieval purposes.[173] Typically, only credit retrieval courses are offered because the school does not have enough staff to offer non-credit retrieval courses. PROVE High School does have the ability to develop new courses through NovaNet if staffing/funding were not an obstacle. also has the ability to offer online courses through NovaNet that have not been taken by students prior, but the program is understaffed for development of such classes, so.[174] Students are allowed to work at their own pace to catch up to graduate with their peers or to take longer than four years to graduate in a non-rushed environment.[175]

V. OTHER STATES' POLICIES REGARDING ONLINE LEARNING

This section highlights examples of online learning policies, programs, and statewide schools in Florida, Michigan, Colorado, and Alabama. Florida's online school, in particular, has been a key model for other schools across the nation since its inception in 1997.[176] Florida was profiled because it is the first state to create a statewide online school and it has the greatest number of student registrations in the country.[177] The other states are profiled because of unique attributes

about their online learning programs or policies. Michigan recently passed legislation that requires all high school students to have an "online learning experience" prior to graduation.[178] Colorado was the first of three states with virtual schools to be audited by its respective state auditor.[179] Alabama established a statewide virtual library, in addition to an online school.[180]

A. Planning, Managing, and Funding of Online Learning

Florida Virtual School (FLVS), a supplemental online school for grades 6-12, is funded by state public education funding. Funds are proportioned by the number of Full Time Equivalent (FTE) students, as measured by the same standards for Florida's physical public schools.[181] FLVS was founded in 1997, with a state grant of $1.3 million, to design and implement a statewide virtual school for middle and high school students.[182] Funding for this program has varied over the years; $9.5 million was appropriated for the 2007-2008 school year.[183] In 2000, the Florida Legislature established the FLVS Board of Trustees to: adopt rules, policies and procedures; enter into agreements with distance learning providers; and acquire, enjoy, use and dispose of patents, trademarks, copyrights, licenses, rights, and interests.[184]

Funding from the Florida Education Finance Program is tied directly to student performance at FLVS.[185] For every half-credit (semester) course that is successfully completed (course completion rate excludes students who drop the class within the first 28 calendar days of the class, and students must pass the course for it to count as a completion[186]), the school receives 0.0834 unweighted FTE. Six courses per semester generate full-time funding.[187] FLVS does not receive funding for most designated services (e.g. transportation, capital outlay, Exceptional Student Education, Supplemental Academic Instruction, etc.).[188] FLVS receives an instructional materials allocation, which it uses to develop online courses, as opposed to using that money for textbooks like traditional schools do.[189] In addition, FLVS receives some funding to assist with costs associated with students who withdraw from the program, teacher training, and class size reduction.[190]

Michigan Virtual School (MVS), an off-shoot of Michigan Virtual University for students grades 6-12, is funded by: the state ($2.25 million in 2006-07), the federal government ($1 million Title II Education Technology Competitive Grant); course fees, private grants, and revenues from sales of products and services.[191]

Colorado Online Learning (COL) is a statewide supplemental program for students in grades 6-12.[192] COL is funded by state appropriation, course fees, and some small government

grants.[193] The Colorado legislature established the Board of Cooperative Services (BOCES), which must annually report to the state on the number of courses available and course completions, among other items.[194]

Alabama Distance Learning (ACCESS) is a state-sponsored online learning initiative.[195] ACCESS is a publicly-funded program with $10.3 million appropriated by the state in FY 2007.[196] Additionally, the program was awarded $1 million in federal funds by the Appalachian Regional Commission.[197] ACCESS began in 2005, and it serves grades 9-12 by providing courses via the Internet, supplemental materials to brick and mortar instructors, and interactive videoconferencing.[198] Also, Alabama Virtual Library (AVL) and the Alabama Virtual Library Executive Council were created by the Alabama Legislature in 1999, to provide access to reading and research materials for all students in Alabama public schools.[199] The state appropriated $3 million to initially fund the AVL.[200]

B. Teacher Certifications and Qualifications

All four profiled states (Florida, Michigan, Colorado, and Alabama) require their instructors to be state certified by their respective state, which also satisfies NCLB standards.

All FLVS teachers are (and are required to be) Florida certified, and many instructors are credentialed by the National Board for Professional Teaching Standards (NBPTS).[201]

COL teachers are all Colorado licensed.[202]

MVS teachers are state certificated and they must pass the appropriate Michigan Test for Teacher Certification (MTTC).[203]

ACCESS instructors are all Alabama certificated (or are faculty members at a higher education institution).[204] Additionally, ACCESS instructors must complete professional development training in online methodology and technical aspects of web-based instruction.[205]

C. Quality Control and Statewide Access to Technology

FLVS and the two K-8 full-time virtual schools in Florida can be accessed by students statewide. The state requires that FLVS students and those enrolled in the K-8 virtual schools take the Florida Comprehensive Assessment Test (FCAT).[206] High school students in FLVS had higher test results on both the FCAT and Advanced Placement (AP) exams.[207]

MVS offers classes to students statewide.[208] As of 2006, all Michigan public high school students are required to participate in an "online learning experience" before graduation.[209] This requirement may be fulfilled by taking an online course, participating in an

online experience, or participating in online experiences incorporated into each of the required credit courses of the Michigan Merit Curriculum.[210] The Michigan statute also defines an online learning experience, which includes a number of online activities that would equal twenty hours of computer time, including webinars, videoblogs, podcasting, etc.[211] Students may also take a career preparation course, developed by MVS and the Michigan Department of Education, to fulfill their online learning experience requirement.[212]

The BOCES annually reports to the Colorado Department of Education (CDE) to provide a way for the Colorado Legislature to keep tabs on the supplemental online learning program, COL.[213] Enrollment trends, financial data, and an overview of the Quality Assurance Program (ensures course content aligns with state standards) are among the report's findings.[214] The state audited COL in 2006 (see below, State Audits of Online Learning Programs), which led to legislation that required online programs to annually report to CDE, abide by compulsory attendance laws and statewide testing requirements, and required students to demonstrate that the students possessed appropriate electronic equipment to participate in the program, among other requirements.[215]

ACCESS courses must be approved and registered with the Alabama Department of Education, and course content must be aligned with state standards.[216]

D. Student Enrollment and Credit

FLVS is the largest online school in the country, with over 100,000 registrations and over 90,000 course completions during the 2006-07 school year.[217] FLVS has about 52,000 unique students enrolled in at least one class.[218] Full-time is considered earning six or more credits per year, and 477 students were enrolled full-time in 2006-07.[219] Credits are not granted by FLVS, but credits must be recognized by another high school to earn a diploma.[220] FLVS has open enrollment; students do not need to wait until the start of a semester to begin a class.[221]

In the 2006-07 school year, MVS had over 8,500 course registrations and almost 7,000 unique students.[222] Thirty students maximum are allowed to enroll per course.[223] MVS partners with local schools to grant credit.[224]

Almost 1,900 students registered for COL online classes in 2007-08, an increase by over 600 students from the previous school year.[225] Since it is a supplemental program, COL does not grant credit. Local schools award credit to COL students.[226]

Course credits through ACCESS in Alabama are based on "clock hours," where at least 140 hours are needed to satisfy a one-credit class.[227] In 2006-07, the program had between 8,000 and 9,000 registrations.[228]

E. State Audits of Online Learning Programs

Colorado, Idaho, and Kansas state auditors have released audits on their respective state's full-time online learning programs. Overall, these audits revealed deficiencies in quality control and the programs failed to meet state certification and course content standards. In at least two cases, legislation was implemented to help remedy the shortcomings.

Colorado's audit of COL was released in December of 2006.[229] The online school fell short in the area of accreditation, and individual traditional schools failed to maintain adequate oversight of the schools' online programs.[230] In response to the audit, the CDE created the Trujillo Commission (a small group of online education stakeholders and professionals) and a task force to help remedy the lack of oversight and make recommendations to the state legislature.[231] From these recommendations, Colorado Senate Bill 215 proposed creating an online division within the Department of Education, which included: creating quality standards and accreditation requirements for online programs, requiring online programs to use physical facilities to formally meet, and requiring multidistrict and single-district online programs to submit an annual report to the CDE.[232] This bill was signed into law May 23, 2007.[233]

Idaho's audit was less comprehensive than Colorado's, as it narrowed its focus to, "How online charter schools are recognized and defined in charter school law, and the lack of any similar definition or recognition of online programs that are not charter schools."[234] While charter schools are subject to much state oversight in Idaho, virtual schools lack regulation.[235] The audit stated that due to the lack of oversight, online schools vary in three key areas that should be addressed by the state legislature: curriculum development, instruction delivery, and student-teacher contact.[236] The audit concluded with several recommendations for the state legislature, including: defining virtual public schools, requiring that all online charter schools be authorized by the Public Charter Schools Commission, and requiring all online schools to report annually.[237]

On March 14, 2008, Idaho's governor signed into law a bill that defined "virtual school" and added more required statements to the petition for a charter virtual school.[238] These additional statements include: requiring an explanation of the role of the online teacher and

providing a plan for professional development in online teaching methods, providing a plan for technical support, and a outlining a plan for teacher-to-student and student-to-student interaction.[239]

Kansas does not have a state-led online program, but there are about 35 programs throughout the state that are run by local school districts.[240] Kansas, unlike Colorado or Idaho, did have online learning laws enacted prior to the audit that required online learning programs to report to the state Department of Education for funding purposes.[241] However, the 2007 audit noted that while Kansas' online learning policies and procedures are some of the strongest in the county, the Department of Education did not carry out its policies or conduct proper oversight.[242]

One of the areas needing state oversight in Kansas was where a school district was "giving" virtual students to nearby districts in side agreements.[243] The Kansas audit wrote separate its recommendations for the state legislature, the Department of Education, and the school district facilitating illegal student transfers.[244] The audit recommended the state legislature authorize an interim study on virtual education in Kansas, which would address at least the following issues:

- whether to limit the number of virtual schools that can receive state funding;
- whether the current system for funding overcompensates districts for virtual education;
- whether funding for virtual schools should be limited to the Base State Aid Per Pupil;
- whether the process for counting virtual students should be changed to use the average attendance in the month of September in order to minimize the risk that part-time students are over-counted;
- whether to remove virtual schools from the school finance formula and fund virtual schools through a separate grant program;
- whether all virtual schools should be required to be accredited; and
- whether school attendance requirements should apply to virtual students or be adjusted.[245]

The audit also made several recommendations for the Department of Education, including recommendations regarding the registration process, monitoring FTE enrollment and state assessment completion rates, and include each student's home address in the Kansas Individual Data on Students database to ensure that school districts do not receive funding for out-of-state virtual students.[246]

VI. TECHNOLOGY INTEGRATION IN WASHINGTON STATE CLASSROOMS

A. Education Technology Advisory Committee (ETAC)

ETAC was established by statute in 1993, funds were appropriated for the committee to develop and implement a technology plan "to coordinate and expand the use of education technology in the common schools of the state."[247] ETAC is made up of teachers, district technology directors, legislators, OSPI personnel, the DLC CEO, and others interested in the process of integrating technology into the traditional classroom, as appointed by the SPI.[248] ETAC meets at least on a quarterly basis, and ETAC members assist OSPI in updating the State Education Technology Plan.[249]

Currently, ETAC is revising the definition of an "online course," conducting an inventory of research on educational technology, and discussing multiple issues implicated by expanding Washington students' access to technology and online learning courses and resources.[250] Some of the issues ETAC is tackling, include: funding, complying with federal and state requirements, online curriculum, blended learning, other states' policies, issuing laptops to all students, online textbooks, level of public support for technology integration and online learning, and classroom impact.[251] At some meetings, ETAC members split off into small groups to research and develop new ideas for online learning policy, and these smaller groups report back to ETAC as a whole for discussion; and/or the small group's findings are posted online for commentary by other ETAC members.[252] ETAC plans to meet again in September 2008, when it expects to reveal an online learning policy report.[253]

B. K-20 Educational Network Board Update

The Washington Legislature first appropriated funding for a K-20 telecommunication system in 1996.[254] The K-20 Network is a high-speed network that connects schools, libraries, colleges and universities across 476 locations among Washington's 295 school districts.[255] The Network allows the schools to access the internet and use interactive videoconferencing.[256] The Education Network Board was created in 1999, to "adopt, modify, and implement policies to facilitate the network development, operation, and expansion."[257] The Network Board consists of eleven voting and seven nonvoting members, including a member from each caucus from the senate and the house of representatives, the SPI or a designee, the executive director for the state board for community and technical colleges or a designee, the state librarian, a school district

superintendent, and others.[258] The DLC also trains teachers and librarians how to integrate the Network's resources in the classroom.[259]

For the 2007-2009 biennium, the State approved $20.2 million for the K-20 Network.[260] The Network's expenses total $27 million, with the difference paid by Quest ($800,000) for library funding,[261] and co-pay participants ($6 million).[262] For the 2009-11 biennium, the anticipated total budget expense is $27,044,700, and the proposed state appropriation request is $20,143,700 ($1300 lower than the 2007-09 biennium appropriation).[263]

OSPI annually conducts a technology survey to meet federal reporting requirements.[264] The 2007-2008 technology survey revealed that 99.6% of classrooms have internet connectivity, the ratio of students to computers was 3:1, and 13.6% of buildings made over forty laptops or smart keyboards available for student take-home use.[265]

C. Science, Technology Engineering, Mathematics (STEM) Update

In 2007, a statewide STEM director was established to oversee the implementation of project-based curriculum that integrates the sciences, technology, engineering and mathematics.[266] The STEM Supervisor reported that currently there are no STEM online learning opportunities in the nation.[267] This is primarily due to the hands-on nature of the subjects/labs, and the perceived difficulty of integrating multiple subjects online.[268] The STEM Supervisor does not foresee STEM projects turning to online alternatives for another fifteen to twenty years, when there is greater advancement in three-dimensional animation technology and computer-generated imagery.[269] STEM projects possibly will be conducted online when students can "hold" virtual tools, etc.[270]

Over the last year, STEM has accomplished the following:

- Researched and established the Career Cluster of Science, Technology, Engineering, and Mathematics, following the Federal Career Cluster model
- STEM Summit, including Project Lead the Way (PLTW) counselor training held at the OSPI January Pre-Conference
- Site visits to PLTW programs in high schools and middle schools
- Collaboration meeting with PLTW leaders, industry professional leaders, OSPI Math, OSPI Science, and OSPI Technology departments to coordinate the regional PLTW programs

- Researched and defined PLTW curriculum and proposed Classification of Instructional Programs (CIP) codes for Career and Technical Education in STEM-related courses
- Developed guidelines for a statewide STEM advisory committee
- Statewide information meetings with Career and Technical Education (CTE) Directors to discuss timeline of release of grant applications
- A part of the Science Professional Development team.
- Performed Consolidated Program Review in the STEM area of CTE, and currently following up with schools that are out of compliance
- Led framework committee on creating frameworks for Pre-Engineering for middle school and high school.
- Led framework committee on creating frameworks for Materials Science
- Created Classification of Instructional Programs (CIP) in the STEM area
- Program Approval through CTE for STEM programs
- Make program recommendations and supervise the Technology Student Association.
- Lead the WEST-E for Technology Education
- STEM contacts have been made in all areas
- STEM Summit was planned and implemented as a Pre Session of the OSPI January Conference
- State PLTW coordinator duties have been transferred to the STEM Coordinator at OSPI
- Research and evaluate STEM specific high schools, i.e. Aviation High School, as promising practice for high school reform models

D. Stakeholders' Information Regarding Online Learning in Washington State

Washington State School Directors' Association (WSSDA) does not have an official policy or position statement regarding online learning, but, in general, the association believes that giving students the option to take online courses can be positive.[271] For example, a rural community that cannot afford to add an advanced science class to their curriculum could allow students to take the class online through another school or online learning company.[272] However, the Assistant Executive Director was mindful that some online learning providers take advantage of the system to garner more FTE dollars.[273]

Association of Washington School Principals does not have an official position regarding online learning.[274] However, the president of the association believes that access to digital

learning resources should be expanded with a state-subsidized, financial incentive for rural or smaller schools.[275] The association's president also would like to see more state oversight, with either a task force or agency monitoring issues like certification of online teachers, program accreditation, standardized testing and alignment of course content with state standards.[276] Additionally, the president would like to see teachers and others in the education field creating state online learning policy, which directly impacts their schools and districts.[277]

Washington Education Association (WEA) adopted a position statement on distance learning that makes various recommendations regarding: oversight and accountability, instructor certification and credentials, local control and collective bargaining, quality control, equity and access, and funding and privatization.[278] To address oversight and accountability issues, WEA recommends that the state play a greater role in oversight of local online learning programs, including: requiring regional accreditation by providers; creating a state oversight and accountability entity or office; and commission a study by the Washington State Institute for Public Policy to examine distance learning programs' quality, ensure that course content aligns with state standards, and oversee funding and compliance with state rules.[279]

WEA supports current law that requires all instructors, including those teaching distance learning classes, to be Washington State certified.[280] WEA believes that Washington State certification is especially important for online as well as brick and mortar teachers, because the Washington certification process includes a security background check to ensure that each prospective teacher meets the state Code of Professional Conduct and understands issues of child abuse.[281] In addition, WEA recommends that the state establish rigorous standards for online instruction based upon current research and best practices, and that teachers need to be endorsed in online instruction.[282] WEA also suggests that the state require all instructors to meet the ESEA/NCLB HQT requirements.[283] Furthermore, in WEA's view, the state should secure funding to train current public school employees to help them become more adept at designing and instructing online courses.[284]

WEA believes that local districts need to maintain authority over students in their district.[285] WEA thinks that this can be accomplished by ensuring that all distance learning instructors are employees of the district where the program is based out of, and thus, employees should also have collective bargaining rights and provisions negotiated through the local association.[286] In this scenario, local associations should be directly engaged with the school

district to determine how Washington's distance learning laws should be implemented.[287] Furthermore, WEA's position is that no distance learning program should have authority to grant diplomas for students enrolled from other districts, but that local districts should maintain diploma-granting authority.[288]

Quality control is another aspect addressed by WEA.[289] WEA advocates for "deep alignment" (as opposed to superficial alignment or alignment in theory/on paper) with Washington State Essential Academic Learning Requirements (EALRs) and Grade Level Expectations (GLEs).[290] Also, WEA believes Washington-certified teachers are best-suited to develop and implement course learning content to align with state standards.[291] WEA also recommends that the state: develop a quality control process for identifying, reviewing, evaluating, and developing online courses; provide resources to non-profit entities that employ Washington-certificated instructors to develop needed content and courses; develop rigorous standards to evaluate and certify the quality of courses, course design, and resources used to ensure "deep alignment" with the EALRs and GLEs.[292]

WEA's equity and access recommendations focus on minority or marginalized students, whom WEA sees as not receiving adequate provision from most online learning companies or programs.[293] Disabled students, poverty-challenged students, and other students with special needs are consistently discouraged from enrolling in the state's distance learning programs.[294] To address these issues, WEA recommends that the state ensure that distance learning courses meet the needs of diverse students by: ensuring that distance learning instructors meet IDEA highly qualified standards, like a special educator in a traditional school setting; monitoring whether online courses are meeting state and federal standards and identifying programs that need to be improved to at least satisfactorily meet students' special needs (and closing down a program if they fail to make improvements); and ensuring that a Washington-certificated special education teacher determines the individual course work and selects appropriate accommodations for each special needs student.[295]

Current funding for distance learning programs draws from student Full Time Equivalency (FTE) dollars.[296] WEA suggests that this creates competition among for-profit online learning providers, as their focus is enrolling as many students as possible without regard to optimizing the student learning environment (e.g. by having a greater teacher/student ratio or smaller class sizes).[297] As a remedy, WEA recommends only purchasing supplemental materials

from private, for-profit providers, but not using their services for course instruction.[298] WEA advocates curtailing privatization of public schools.[299] Also, WEA recommends that the state fund distance learning instructors with "new money" (e.g. new taxes or grants), as well as funding blended learning and other resources for the traditional and online classrooms.[300] WEA would also like to see additional funds doled out to students who are taking more than five courses or equivalent full-time status, where currently many students must pay fees to take a larger course load.[301] Furthermore, WEA desires to see all students and districts have access to technological resources, as ensured by state funding.[302]

E. Other Issues Yet To Be Addressed

In the future, the state legislature may also want to consider other issues that were not fully addressed in this report. Issues to consider when implementing online learning policy include: funding (state budget, local funding, community donors, student-paid tuition, etc.), assessing technology use/pilot programs, online courses meeting classroom "seat time" requirements, ensuring adequate teacher certification, curriculum standards for online courses, accountability for student achievement, common methods to assess online course completion rates,[303] training teachers to be effective online teachers and ongoing professional development, common standards for evaluating online courses and instructors,[304] technology access potential, whether online teachers must join the union, regulating schools that charge students to take online courses, and transcript equivalency of grades between online and brick and mortar classes.[305]

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[1] Online courses for young children sometimes are lessons transmitted over the internet for parents to teach their home-schooled children.
[2] *See* RCW 28A.150.210 (stating that the State's goal is to promote an adaptable education system that is responsive to societal changes to broaden students' opportunities to achieve success).
[3] 2SHB 3129, 2008 Regular Sess. (Wa. 2008).
[4] *Id.*
[5] E-mail received from Brian Jeffries, OSPI Senior Policy Advisor, on June 12, 2008.
[6] E-mail received from Brian Jeffries, OSPI Senior Policy Advisor, on July 18, 2008.
[7] 2SHB 3129, 2008 Regular Sess. (Wa. 2008).
[8] E-mail received from Brian Jeffries, OSPI Senior Policy Advisor, on July 18, 2008.
[9] *See* ESHB 2687, Ch. 329, sect. 140(2).
[10] Http://www.learningcommons.org/about/ Accessed May 22, 2008.
[11] *Id.*
[12] *Id.*
[13] *Id.*

[14] *Id.*
[15] WAC 392-121-182.
[16] RCW 28A.150.262.
[17] *See id.*, WAC 392-121-182.
[18] WAC 392-121-182.
[19] Online Learning in Washington State: Online Learning Policy Issues. Washington State Board of Education. May 14-15, 2008, informational hearing memorandum. http://www.sbe.wa.gov/documents/OnlineLearningMemo051408.pdf.
[20] WAC 392-410-340.
[21] Http://www.k12.wa.us/TitleIIA/pubdocs/HQTGuidelines2007.pdf.
[22] RCW 28A.150.262.
[23] *Id.*
[24] Final Bill Report SSB 5828, 2005 Regular Sess., at 1 (Wa. 2005).
[25] *Id.*
[26] RCW 28A.150.262.
[27] RCW 28A.150.262(12); WAC 392-121-182(3)(g); Online Learning in Washington State: Online Learning Policy Issues. Washington State Board of Education. May 14-15, 2008, informational hearing memorandum, http://www.sbe.wa.gov/documents/OnlineLearningMemo051408.pdf.
[28] *See* RCW 28A.305.130-140; RCW 28A.150.220; WAC 180-55-005 to 020.
[29] RCW 28A.150.262(12); WAC 392-121-182(3)(g).
[30] http://www.sbe.wa.gov/accreditation/approvedbodies.htm.
[31] Online Learning in Washington State: Online Learning Policy Issues. Washington State Board of Education. May 14-15, 2008, informational hearing memorandum, http://www.sbe.wa.gov/documents/OnlineLearningMemo051408.pdf.
[32] E-mail received from Martin Mueller, OSPI Assistant Superintendent, on July 14, 2008.
[33] *Id.*; WASL tests third through eighth and tenth-grade students in math and reading. Writing skills are also tested grades four, seven, and ten, and science is tested grades five, eight, and ten. Http://www.k12.wa.us/assessment/WASL/default.aspx.
[34] RCW 28A.150.305.
[35] *Id.*
[36] *Id.*
[37] RCW 28A.245.005; s*ee also* RCW 28A.225.220 (regarding transfer students). School districts are encouraged to honor parental transfer requests to a brick and mortar school, and in special circumstances districts are required to approve transfer requests. RCW 28A.225.220.
[38] Online Learning in Washington State: Online Learning Policy Issues. Washington State Board of Education. May 14-15, 2008, informational hearing memorandum. Http://www.sbe.wa.gov/documents/OnlineLearningMemo051408.pdf.
[39] Http://www.pesb.wa.gov/who/default.asp.
[40] *Id.*
[41] Telephone conversation with Nasue Nishida on July 1, 2008.
[42] RCW 28A.410.025(certificate); WAC 180-16-220(1) (endorsement).
[43] *See id.*; telephone conversation with Nasue Nishida on July 25, 2008.
[44] WAC 181-82-105(6).
[45] *Id.*; http://www.k12.wa.us/certification/Reciprocity.aspx
[46] Http://www.k12.wa.us/certification/Reciprocity.aspx
[47] Telephone conversation with Nasue Nishida on July 1, 2008.
[48] *E.g.* Advanced Academics, DLC, and Insight Schools of Washington.
[49] Telephone conversation with Nasue Nishida on July 1, 2008.
[50] *Id.*
[51] Telephone conversation with Nasue Nishida on July 25, 2008.
[52] RCW 28A.650.005, et seq.
[53] *Id.*
[54] RCW 28A.650.015.
[55] *Id. See infra* Educational Technology Advisory Committee (ETAC), p. 29, for an update on ETAC's work.
[56] RCW 28A.650.005, et seq.

[57] Education Technology Support Program: History. Bryon Moore, Ways and Means, Senate Committee Services.
[58] *Id.*
[59] WAC 392-121-188; *see also* RCW 28A.320.015 (delegating broad powers to school board directors to implement programs that promote K-12 education).
[60] *Id.*
[61] WAC 392-121-107 (defining "course of study" as students enrolled in courses that allow the student to be considered the equivalent of a full-time student).
[62] WAC 392-121-188.
[63] *Id.*
[64] No Child Left Behind Act of 2001, 20 U.S.C. § 6601, et seq. The HQT requirement deadline was extended to the 2006-07 school year. No Child Left Behind Highly Qualified Teacher Requirement Guidelines 2006-07 School Year: Meeting the Highly Qualified Teacher Requirements of the No Child Left Behind Act of 2001. Dr. Terry Bergeson, State Superintendent of Public Instruction. Office of the Superintendent of Public Instruction. May 2007, http://www.k12.wa.us/TitleIIA/pubdocs/HQTGuidelines2007.pdf.; U.S. Secretary of Education Margaret Spellings' letter October 2005, http://www.ed.gov/policy/elsec/guid/secletter/051021.html.
[65] 20 U.S.C. § 9101(11). Washington OSPI defines art to include: music (general, choral, instrumental), dance, theatre, and visual arts. Http://www.k12.wa.us/TitleIIA/pubdocs/HQTGuidelines2007.pdf. Instructors who teach digital or online learning courses in a core academic subject area must also meet the highly qualified teacher standard. *Id.*; § 9101(11).
[66] *Id.* § 9101(23)(A)(i). Additionally, the teacher cannot be state certified on a temporary or provisional basis to meet the highly qualified standard. *Id.* § 9101(23)(A)(ii). Washington State certification requires: a bachelor's degree, a college/university teacher training program, meeting the residency requirement, and meeting specific application and testing requirements. Http://www.k12.wa.us/certification.
[67] *Id.* § 9101(23)(B)(ii).
[68] Http://www.k12.wa.us/TitleIIA/pubdocs/HQTGuidelines2007.pdf.
[69] *Id.*
[70] *Id.* § 9101(23)(B)(i).
[71] IDEA. 20 U.S.C. § 1401, Sec.602
[72] *Id.*
[73] 34 C.F.R. § 80.40.
[74] Http://www.k12.wa.us/TitleIIA/pubdocs/HQTGuidelines2007.pdf.
[75] *Id.*
[76] *Id.*
[77] RCW 42.56.230(2), 250(2).
[78] *See* RCW 50.13.060(9) (stating, "The disclosure of any records or information by a governmental agency which has obtained the records or information under this section is prohibited unless the disclosure is directly connected to the official purpose for which the records or information were obtained."). *See also* RCW 50.13.020 (stating, "Information or records may be released by the department of employment security when the release is required by the federal government or in connection therewith…"). Personal records may also be found exempt by petitioning the court. RCW 42.56.210(2).
[79] 20 U.S.C. § 6311, Sec. 1111(b)(8)(C).
[80] Online Learning in Washington State: Online Learning Policy Issues. Washington State Board of Education. May 14-15, 2008, informational hearing memorandum, http://www.sbe.wa.gov/documents/OnlineLearningMemo051408.pdf.
[81]Children's Internet Protection Act: FCC Consumer Facts. Consumer & Governmental Affairs Bureau, Federal Communications Commission. http://www.fcc.gov/cgb/consumerfacts/cipa.html. Accessed May 29, 2008.
[82] *Id.*
[83] *Id.*
[84] *Id.*
[85] 42 U.S.C. § 12101, et seq.
[86] 29 U.S.C. § 701, et seq.
[87] American Rehabilitation Act, 29 U.S.C. § 794; Americans with Disabilities Act, 42 U.S.C. § 12132.
[88] *E.g. Thompson by & Through Buckhanon v. Bd. of the Special Sch. Dist. No. 1*, 144 F.3d 574, 580 (8th Cir. 1998).
[89] *Id.*

[90] 20 U.S.C. § 3474 (stating that the Secretary is authorized to prescribe rules and regulations to carry out the functions of the Department of Education).
[91] 34 CF.R. 80. § 40; N028 – SCHOOL COMPUTER FILE SPECIFICATIONS. Education Data Exchange Network (EDEN), U.S. Department of Education, December 2006.
[92]34 C.F.R. § 80.40; *see also* NCLB, Title II, Part D, 20 U.S.C. § 6752(b)(2)(A) (stating that a goal of the Education Technology Act is to ensure that all students are technology literate by the eighth grade); EdFacts, U.S Department of Education.
[93] 34 C.F.R. § 80.40; *see also* NCLB, Title II, Part D, 20 U.S.C. § 6752(b)(2)(B) (stating that a goal of the Education Technology Act is to integrate technology in the classroom); EdFacts. U.S Department of Education.
[94] Dennis Small, OSPI; Edfacts. U.S Department of Education.
[95] There are other online learning providers in Washington that service colleges and universities that not addressed in this report, e.g. WashingtonOnline.
[96] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[97] *See id.*
[98] *Id.*
[99] *Id.*
[100] Telephone conversation with Dave Lenihan, CMA Finance Director (date of contract between CMA and Kittitas School District.)
[101] Achieve Online public school program was established after the law changed to allow FTE dollars to go to online private schools. Telephone conversation with Tamra Excell, CMA Director of Curriculum, on July 17, 2008. *See also* RCW 28A.150.262 (permitting private institutions' digital programs to receive FTE dollars).
[102] Teacher assignment is determined by teacher subject expertise—not by their home state, and these out-of-state certificated instructors are not supervised by an in-state teacher. E-mail received June 20, 2008, from CEO, Judy Margrath-Huge. Thus, non-Washington certificated teachers instruct Washington students without meeting the supervision exception, which presumably violates the law that non-Washington certificated instructional staff must be supervised by a Washington-certificated teacher. *See* RCW 28A.150.260(3)(a).
[103] Charging fees to students outside the district is prohibited by RCW 28A.225.220(6).
[104] *See* RCW 28A.305.130-140; RCW 28A.150.220; WAC 180-55-005 to 020.
[105] Charging fees to students outside the district is prohibited by RCW 28A.225.220(6).
[106] Http://eia.egreen.wednet.edu/gradindex.shtm. The school district diploma allows a student to participate in the high school graduation ceremony, while the Washington State diploma (AKA "adult diploma") does not allow participation in a graduation ceremony. *Id.*
[107] Charging fees to students outside the district is prohibited by RCW 28A.225.220(6).
[108] Charging fees to students outside the district is prohibited by RCW 28A.225.220(6).
[109] Charging fees to students outside the district is prohibited by RCW 28A.225.220(6).
[110] Charging fees to students outside the district is prohibited by RCW 28A.225.220(6).
[111] *See* RCW 28A.305.130-140; RCW 28A.150.220; WAC 180-55-005 to 020.
[112] These school districts working with Washington State providers include: Centralia, Chehalis, East Valley Spokane, Everett, Evergreen, Federal Way, Kennewick, Marysville, Okanogan, San Juan Islands, South Kitsap, Spokane, Walla Walla, Quillayute Valley, and Yakima.
[113] OSPI PowerPoint Presentation: Current Trends in Digital/Online Learning in Washington State, 2006-2007.
[114] Http://www.sbe.wa.gov/documents/OnlineLearningMemo051408.pdf.
[115] *E.g.*,
[116] RCW 28A.150.305.
[117] 2SHB 3129, 2008 Regular Sess. (Wa. 2008) (requiring the OSPI to put information regarding online courses on its website).
[118] *Infra* Part I: State and Federal Law Governing Online Learning. If the online course is federally funded, the provider must also comply with ADA/Rehabilitation Act standards. *Infra* Part I(B)(ii): Other laws.
[119] Http://www.k12.wa.us/EdTech/EvalOnline.aspx.
[120] *Id.*
[121] *Id. See, e.g.*, http://setda.liveelements.net/toolkit/toolkit2004/elearning_01_chapter_summary.htm.
[122] E-mail received June 13, 2008, from Deputy Superintendent, Jack Irion, Irion.Jack@yakimaschools.org; *see also* http://www.highschoolontheweb.com/yakima/.
[123] E-mail received June 13, 2008, from Deputy Superintendent, Jack Irion, Irion.Jack@yakimaschools.org.

[124] Some districts allegedly compete for students from other districts by advertising/recruiting in an effort to get more funding for online learning. *See* e-mail from Centralia's Director of Teaching and Learning, Steve Warren, received June 13, 2008, stwarren@centralia.wednet.edu.
[125] E-mail received June 13, 2008, from Centralia's Director of Teaching and Learning, Steve Warren, stwarren@centralia.wednet.edu.
[126] E-mail received June 24, 2008, from Associate Executive Director Technology Services, Pete Phillips.
[127] E-mail received June 17, 2008, from Technology Director, Cari Shiflett.
[128] E-mail received June 18, 2008, from Director of Technology, Debbie Hull.
[129] E-mail received July 28, 2008, from David Foster, Apollo Group/Insight Schools.
[130] *Id.*
[131] *Id.*
[132] *Id.*
[133] *See* "Public districts strike deals with online-learning corporations," by Clay Holtzman, PUGET SOUND BUSINESS JOURNAL, August 20, 2007. Http://seattle.bizjournals.com/seattle/stories/2007/8/20/focus2.html.
[134] E-mail received June 26, 2008, from Director of Technology, Brian Wallace.
[135] *Id.*
[136] Http://www.learningcommons.org/; statement confirmed via telephone at (206) 616-9940.
[137] E-mail received July 28, 2008, from CEO, Judy Margrath-Huge.
[138] *Id.*
[139] E-mails received June 13 and 19, 2008, from CEO, Judy Margrath-Huge.
[140] *Id.*
[141] *Id.*
[142] *Id.*
[143] Telephone conversation with David Foster of Apollo Group/Insight Schools, on July 1, 2008.
[144] Telephone conversation with David Foster of Apollo Group/Insight Schools, on July 8, 2008.
[145] *Id.*
[146] *Id.*
[147] *See, e.g.*, http://www.spokaneschools.org/onlinelearning/self_assessment_quiz.stm.
[148] *E.g.*, http://www.iacademy.org/IA/FAQ/Application.html#12.
[149] Http://www.esd101.net/curriculum/the_net.aspx.
[150] *Id.*
[151] *Id.*
[152] Telephone conversation with The NET Director, Anne Millane, June 19, 2008.
[153] *Id.*
[154] *Id.*
[155] *Id.*
[156] *Id.*
[157] *Id.*
[158] *Id.* To re-enter high school, students must take a pre and post-test, testing at grade twelve in the post-test. *Id.*.
[159] Formerly called Marysville Alternative High School. Http://www.msvl.k12.wa.us/secondary/mmvhs/home.htm.
[160] E-mail received June 19, 2008, from Principal, Dawn Bechtholdt.
[161] *Id.* These students typically have senior status, need to credits to graduate on-time, and have the potential to successfully complete the online course. *Id.*
[162] E-mail received June 19, 2008, from Principal, Dawn Bechtholdt.
[163] *Id.*
[164] *Id.*
[165] Http://www.hbhs.psd401.net/ E-mail received June 19, 2008, from Principal Daniel Gregory.
[166] E-mail received June 19, 2008, from Principal Daniel Gregory.
[167] *Id.*
[168] Http://www.everett.k12.wa.us/sequoia.
[169] E-mail received June 23, 2008, from Principal, Sally Lancaster.
[170] *Id.*
[171] *Id.*
[172] Http://www.lkstevens.wednet.edu/prove/.

[173] E-mail received June 26, 2008, from Principal and Executive Director of Technology and Learning, Pam Sturgeon.
[174] *Id.*
[175] *Id.*
[176] See "Final Report: A Comprehensive Assessment of Florida Virtual School." Florida TaxWatch Center for Educational Performance and Accountability, 2007. Http://www.floridataxwatch.org/resources/pdf/110507FinalReportFLVS.pdf
[177] Keeping Pace with k-12 Online Learning: A Review of State Level Policy and Practice, Nov. 2007. Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[178] *Id.*
[179] *Id.*
[180] Http://www.avl.lib.al.us/background/funding.html.
[181] Keeping Pace with k-12 Online Learning,: A Review of State Level Policy and Practice, Nov. 2007. Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[182] Final Report: A Comprehensive Assessment of Florida Virtual School. Florida TaxWatch Center for Educational Performance and Accountability, 2007. Http://www.floridataxwatch.org/resources/pdf/110507FinalReportFLVS.pdf
[183] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[184] Http://www.floridataxwatch.org/resources/pdf/110507FinalReportFLVS.pdf
[185] *Id.*
[186] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[187] Http://www.floridataxwatch.org/resources/pdf/110507FinalReportFLVS.pdf
[188] *Id.*
[189] *Id.*
[190] *Id.*
[191] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[192] *Id.* COL can also be accessed by out-of-state students. *Id.*
[193] *Id.*
[194] Colorado House Bill 07-1066 (HB07-1066). Http://www.leg.state.co.us/Clics/Clics2007A/csl.nsf/fsbillcont3/F9696758891E5C2B87257251007B2A8F?Open&file=1066_enr.pdf
[195] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[196] *Id.*
[197] *Id.*
[198] *Id.*
[199] Http://www.avl.lib.al.us/background/funding.html.
[200] *Id.*
[201] "Final Report: A Comprehensive Assessment of Florida Virtual School." Florida TaxWatch Center for Educational Performance and Accountability, 2007. Http://www.floridataxwatch.org/resources/pdf/110507FinalReportFLVS.pdf
[202] http://www.col.k12.co.us/aboutus/aboutteachers.html
[203] Http://www.mivhs.org/content.cfm?ID=30. The MTTC is valid for six years before renewal certification is required. *Id.*
[204] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[205] *Id.*
[206] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf; Http://www.floridataxwatch.org/resources/pdf/110507FinalReportFLVS.pdf.
[207] Http://www.floridataxwatch.org/resources/pdf/110507FinalReportFLVS.pdf.
[208] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[209] *Id.*
[210] *Id.*
[211] *Id.*; Michigan Public Acts 123 and 124 of 2006, http://www.michigan.gov/documents/PA_123_and_124_159920_7.pdf.
[212] *Id.*
[213] *See* http://www.col.k12.co.us/aboutus/evalreports/COL2007-08EvalRptFeb26.pdf.

[214] *Id.*
[215] *Id.*; Colorado Senate Bill 07-215, http://www.leg.state.co.us/CLICS/CLICS2007A/csl.nsf/StatusAll?OpenFrameSet.
[216] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[217] *Id.*
[218] *Id.*
[219] *Id.*
[220] *Id.*
[221] Http://www.floridataxwatch.org/resources/pdf/110507FinalReportFLVS.pdf.
[222] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[223] *Id.*
[224] *Id.*
[225] Http://www.col.k12.co.us/aboutus/evalreports/COL2007-08EvalRptFeb26.pdf
[226] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[227] *Id.*
[228] *Id.*
[229] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[230] *Id.*
[231] *Id.*; Colorado Senate Bill 07-215, Colorado Revised Statutes 22-30.7(2)(a).
[232] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[233] Http://www.leg.state.co.us/CLICS/CLICS2007A/csl.nsf/StatusAll?OpenFrameSet.
[234] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[235] *Id.*
[236] *Id.*
[237] *Id.*
[238] Http://www3.idaho.gov/oasis/H0423.html.
[239] *Id.*
[240] Http://www.connectionsacademy.com/pdfs/200710_KeepingPace.pdf.
[241] *Id.*
[242] *Id.*
[243] "School District Performance Audit Report: K-12 Education: Reviewing Issues Related to Virtual Schools." State of Kansas Audit, April 2007. Http://www.kasb.org/legis/2007/07paVirtualschools.pdf.
[244] *Id.*
[245] *Id.*
[246] *Id.*
[247] RCW 28A.650.015.
[248] *Id.*
[249] *See* http://www.k12.wa.us/EdTech/techplan.aspx; http://groups.google.com/group/etac08.
[250] http://www.k12.wa.us/EdTech/techplan.aspx; http://groups.google.com/group/etac08.
[251] May 28, 2008, ETAC meeting, http://groups.google.com/group/etac08.
[252] *Id.*
[253] *Id.*
[254] RCW 43.105.820.
[255] Http://www.k12.wa.us/K-20/default.aspx; http://www.ed.gov/admins/lead/academic/evalonline/evalonline.pdf.
[256] Http://www.k12.wa.us/K-20/default.aspx.
[257] RCW 43.105.805.
[258] RCW 43.105.800.
[259] Http://www.ed.gov/admins/lead/academic/evalonline/evalonline.pdf.
[260] Http://www.wa-k20.net/whats_new.php?page=1b&tn2=on.
[261] The Quest money is due to a settlement between the State and Quest. E-mail received June 26, 2008, from Peter Tamayo, OSPI.
[262] Http://www.wa-k20.net/whats_new.php?page=1b&tn2=on.
[263] K-20 Education Network Board Meeting, June 10, 2008. E-mail received July 3, 2008, from Peter Tamayo, OSPI.

[264] "The annual K-12 technology survey…" PowerPoint Presentation, June 10, 2008. Received by e-mail July 3, 2008, from Peter Tamayo, OSPI.
[265] OSPI Annual Technology Survey Results, received by e-mail July 3, 2008, from Peter Tamayo, OSPI.
[266] RCW 28A.300.515.
[267] E-mail received from STEM Supervisor, Gene Wachtel, July 10, 2008.
[268] *Id.*
[269] *Id.*
[270] *Id.*
[271] Telephone conversation with Assistant Executive Director, Dan Steele, on July 1, 2008.
[272] *Id.*
[273] *Id.*
[274] Telephone conversation with Boyd Keyser, President of the Association of Washington Principals, on July 10, 2008.
[275] *Id.*
[276] *Id.*
[277] *Id.*
[278] "Washington Education Association: Position Statement and Recommendations on Alternative Learning Experience Distance Learning Programs." Adopted by WEA Board of Directors on January 13, 2007. Received by e-mail on June 24, 2008, from WEA staff, Jim Meadows. In an e-mail sent July 11, 2008, Jim Meadows confirmed that the January 2007 document is also the WEA's current position regarding online learning. Questions regarding WEA's position should be directed to WEA President Mary Lindquist at MLindquist@washingtonea.org.
[279] *Id.*
[280] *Id.*
[281] *Id.*
[282] *Id.*
[283] *Id.*
[284] *Id.*
[285] *Id.*
[286] *Id.*
[287] *Id.*
[288] "Washington Education Association: Position Statement and Recommendations on Alternative Learning Experience Distance Learning Programs." Adopted by WEA Board of Directors on January 13, 2007. Received by e-mail on June 24, 2008, from WEA staff, Jim Meadows.
[289] *Id.*
[290] *Id.*
[291] *Id.*
[292] *Id.*
[293] *Id.*
[294] *Id.*
[295] *Id.*
[296] *Id.*
[297] "Washington Education Association: Position Statement and Recommendations on Alternative Learning Experience Distance Learning Programs. Adopted by WEA Board of Directors on January 13, 2007. Received by e-mail on June 24, 2008, from WEA staff, Jim Meadows."
[298] *Id.*
[299] *Id.*
[300] *Id.*
[301] *Id.*
[302] *Id.*
[303] For example, if an online learning provider must report to the state on the number of online courses completed by students (e.g. for funding purposes), the state ought to establish policy stating whether a student must pass a course and whether students dropping the course early on are included in the course completion rate.
[304] On July 2, 2008, the U.S. Department of Education released a report highlighting seven examples of online learning evaluation methods for virtual schools or supplemental online learning programs, which are used by various states and online learning providers. http://www.ed.gov/admins/lead/academic/evalonline/evalonline.pdf The

report also identified the need for common standards and definitions. *Id.* This report complements another online learning report published by the U.S. Department of Education in December 2007. *Id.*; *see* http://www.ed.gov/admins/lead/academic/advanced/coursesonline.pdf.

[305] Employees in certain fields are required to pay dues whether or not they actively participate in the union. RCW 41.59.060, 100.