

**ALTERNATIVE
LEARNING
EXPERIENCE
PROGRAMS STUDY**

REPORT 05-17

REPORT DIGEST

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STATE OF WASHINGTON

JOINT LEGISLATIVE AUDIT
AND REVIEW COMMITTEE

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Overview

This is the final report on a mandated study of Alternative Learning Experience (ALE) programs within the state's K-12 school system. It is the second of two reports that together constitute the full study. An earlier *Interim Report* (Report 05-6) issued in February 2005 presented background information on ALE programs in general and focused on one particular type of ALE program – those that rely on online and digital curriculum. This report focuses on a second and more common type of ALE program known as parent/partner programs.

One of the major purposes of this study was to assess the adequacy of the rules governing these programs. During the course of the study, the Office of Superintendent of Public Instruction (OSPI) amended the rules. We view many of the rule changes positively, but believe there are still areas where additional changes are warranted or should be considered. These are addressed in the report's eight recommendations.

This report is a joint effort of the Joint Legislative Audit and Review Committee (JLARC) and the State Auditor's Office (SAO), with JLARC serving as the lead agency. A separate SAO report is included as Appendix 3.

Background

ALE Programs in General: ALE programs are a creation of administrative rule rather than statute. The rules governing these programs were promulgated as part of a series of rules on how to apportion state basic education funding. These particular rules govern how school districts can receive such funding for students who are not physically present in a classroom; thus, ALE programs are primarily distinguished by off-campus instruction. School districts may claim these students for full Basic Education funding.

The intent of this type of programming is to give school districts flexibility to serve a diverse student population, including those considered to be "at-risk," non-traditional learners, and others. Through a survey of the state's school districts, we identified a total of 272 ALE programs, enrolling over 19,000 FTE students – approximately 2 percent of the state's total K-12 public school enrollment

Parent/Partner Programs in Particular: These are a sub-type of ALE program that provide varying types and levels of educational and instructional assistance to families who wish to provide some of their children's education in the home. Parents typically provide a major portion of the student's instruction, while school district personnel are responsible for such things as developing the student's learning plan, monitoring progress and assessing performance. In all cases, school personnel retain ultimate supervisory responsibility for the entire instruction program, including the portion provided in the home, and this is what distinguishes these programs from traditional home-schooling.

We identified a total of 101 parent/partner programs throughout the state, enrolling just over 9,000 FTE students – or about 46 percent of all ALE students. Most programs have been established within the past ten years.

Concerns have been raised about these programs related to such issues as overall quality, funding, and spending practices. Washington is unusual in providing this type of public school program. No other state offers an identical type of program, and only two states fund programs that are at all similar.

Issue Areas

This report categorizes issues and concerns related to parent/partner programs into six broad issue areas:

General Regulatory Framework: As noted, ALE programs are a creation of administrative rule rather than statute. The lack of direct statutory authorization limits legislative oversight and control over these programs, for which the state is currently providing approximately \$80 million annually in Basic Education funding (for all ALE programs). Establishing these programs in statute would better enable the Legislature to have more direct input into the various issues surrounding them.

Quality Assurance Requirements: The rules previously governing ALE programs were inadequate in terms of ensuring overall quality assurance; a fact previously acknowledged by OSPI. The new rules, which will take effect for the 2005-06 school year, should work to improve program quality. Key changes include requiring substantially more involvement on the part of certificated staff; establishing new expectations regarding curriculum; and strengthening student assessment requirements. We do question, however, OSPI's decision to eliminate minimum contact time requirements. There also are no requirements that ALE programs be required to address state and district learning goals.

Program Oversight and Accountability: There has been little centralized control or oversight of ALE programs, due to the lack of statutory authorization and to the fact that OSPI has not viewed it as their role to provide such oversight. Control and oversight has thus been left to the individual school districts. In some cases, however, this has been insufficient, as the SAO found a significant level of non-compliance with program rules. In its new rules, OSPI strengthened oversight requirements considerably. New requirements for school districts claiming ALE funding include annual review of policies, approval of individual programs, and periodic self-evaluation. While these changes will help substantially, we feel additional changes and requirements are warranted.

Use of Religious Curriculum and Materials: It appears likely that religion-based instructional materials are being used to support students' learning programs in some programs. If so, it would be inconsistent with state constitutional provisions. OSPI has an existing policy that would satisfactorily address this issue, but it has not been well publicized.

Program Funding and Spending: The report finds there is cause for concern over ALE program funding and spending. It is legitimate to question what the appropriate funding level for these programs should be, but there is insufficient information to answer that question with any certainty. The SAO identified instances where program funds had been used for items that could be considered potentially questionable, raising the issue of whether some restrictions might be appropriate.

Issues of Concern to Home-Schooling Interests: The report discusses two such issues; permitting part-time enrollment and requiring that programs provide parents with accurate information as to the legal status of their enrolled children. Both issues are addressed in OSPI's rule revisions.

Recommendations

The report recommends **the Legislature should consider** establishing ALE programs in statute (Rec. 1), and that it also consider: whether minimum contact time requirements should be imposed (Rec. 2); whether ALE curriculum should be required to address state and district learning goals (Rec. 3); and whether specified spending restrictions should be established for ALE programs (Rec. 8).

The report also recommends that **OSPI should amend its rules** to require that all districts claiming ALE funding annually submit a written assurance that they are in compliance with all applicable rules (Rec. 4), and report spending information for each ALE program in order to provide information for future consideration of appropriate funding levels (Rec. 7).

Finally, the report recommends that **OSPI should develop written implementation guidelines** for ALE programs that include templates for recording and reporting key information (Rec. 5), and information on its policy regarding the use of religion-based instructional materials (Rec. 6).