

2012 -- S 2276 SUBSTITUTE A AS AMENDED

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LC01026/SUB A/3
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION - STATEWIDE VIRTUAL EDUCATION

Introduced By: Senators DiPalma, Sheehan, Gallo, DeVall, and Metts

Date Introduced: February 01, 2012

Referred To: Senate Education

It is enacted by the General Assembly as follows:

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

3 CHAPTER 22.1

4 THE STATEWIDE VIRTUAL EDUCATION ACT

5 **16-22.1-1. Short title.** – This chapter shall be known as and may be cited as “The Rhode
6 Island statewide virtual education act.”

7 **16-22.1-2. Legislative findings.** – The legislature hereby finds and declares the
8 following:

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

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

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

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

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

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

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

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

18 **16-22.1-3. Purpose.** – The purpose of this chapter is to provide access to high quality,
19 rigorous, and relevant online learning opportunities for all of Rhode Island’s public school
20 students and to ensure promulgation of virtual learning regulations supporting access to high
21 quality virtual instruction consistently throughout the state.

22 **16-22.1-4. Definitions.** – When used in this chapter, the following terms shall have the
23 following meanings:

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

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

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

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

32 (5) “Teacher of record” means the teacher responsible for content instruction and
33 determining student grades.

34 (6) “Virtual course” means a course in which:

1 (i) Instruction and content are delivered primarily through technology, including over the
2 Internet, via television, and through multi-media;

3 (ii) A student and teacher may be in physically different locations for a portion of the
4 student's instructional period;

5 (iii) Most instructional activities take place in a technology-supported environment;

6 (iv) The technology-supported instructional activities are integral to the students'
7 academic program;

8 (v) Extensive communication between a student and a teacher and among students is
9 emphasized; and

10 (vi) A student is not necessarily required to be located on the physical premises of a
11 public school.

12 (7) "Virtual course provider" means:

13 (i) A public school district or school in Rhode Island that provides virtual courses to:

14 (A) Students enrolled in that district or school; or

15 (B) Students enrolled in another school district or school;

16 (ii) An accredited public or private institution of higher education in Rhode Island or
17 another state that provides virtual courses or programs to students attending public schools in
18 Rhode Island;

19 (iii) A not-for-profit or for-profit organization whose work includes offering virtual
20 courses or programs to students attending public schools in Rhode Island.

21 **16-22.1-5. Regulations for virtual learning.** – With the direction and approval of the
22 board of regents for elementary and secondary education, the commissioner for elementary and
23 secondary education shall develop and promulgate regulations for Rhode Island school districts
24 and other educational organizations that are using or intend to use virtual courses and other online
25 learning opportunities with K-12 students and adult learners. The regulations shall include:

26 (1) Objective, standard criteria that ensures virtual courses and content for K-12 students
27 are aligned with state content standards, meet or exceed the requirements of the state's basic
28 education program, fulfill high school graduation requirements, and promote articulation with
29 public higher education institutions in the state;

30 (2) Objective, standard criteria for school districts to use to select quality providers of
31 virtual courses and online content, which may include local school districts, not-for-profit and
32 for-profit postsecondary institutions, and other organizations;

33 (3) Objective, standard criteria that ensures teachers of virtual courses and other online
34 learning activities are appropriately trained and qualified and meet certification requirements set

1 forth by the commissioner of education;

2 (4) Objective, standard criteria that ensures that local policies shall not limit student
3 access to quality online learning opportunities;

4 (5) Objective, standard criteria that school districts can use to ensure that all learners in
5 Rhode Island have access to high quality, rigorous, and relevant virtual courses and other online
6 learning activities;

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

9 (7) Standard accountability provisions that ensure school districts monitor students
10 enrolled in virtual courses and other online learning activities and when appropriate, report on
11 student progress and performance using grade-appropriate and content-appropriate assessments;

12 (8) Objective, standard criteria that ensures that RIDE participates in statewide efforts to
13 support virtual learning education with a focus on student access to quality online learning
14 opportunities and ensuring efficiencies gained by coordinating resources;

15 (9) Any other requirements or limitations for virtual courses in Rhode Island.

16 **16-22.1-6. Oversight, quality assurance, reporting, and evaluation of virtual courses.**

17 = (a) The commissioner shall utilize existing evaluation processes and protocols established
18 through regulations adopted by the board of regents to ensure student access to quality and
19 effective online content and instruction.

20 (b) Quality assurance reporting shall occur through the existing comprehensive data
21 collection, analysis and accountability procedures at both the local and state level.

22 (c) The commissioner shall prepare a report each fiscal year that documents the
23 conditions under which virtual education supports student learning in Rhode Island. The report
24 shall include:

25 (1) Virtual course participation rates, with participation information disaggregated for
26 core content areas;

27 (2) Expenditures related to virtual education, in aggregate and by district;

28 (3) The results of student assessments for students participating in virtual education in
29 core content areas, disaggregated from overall district data; and

30 (4) Any other information the commissioner deems relevant.

31 (d) The commissioner’s report shall be delivered to the speaker of the house of
32 representatives and to the president of the senate by January 31 of each year, and the information
33 posted for public inspection on the Rhode Island department of education’s website.

34 **16-22.1-7. Cooperation with public institutions of higher education. – In partnership**

1 with the commissioner of higher education, the commissioner of elementary and secondary
2 education shall promote access to high quality virtual courses for all public elementary,
3 secondary, and postsecondary students.

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

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

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

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Presented by