



The Alternative Learning Department,  
Office of Superintendent of Public Instruction

## Online Learning Guide

2017-18

**Authorizing legislation: RCW**

28A.250 <http://app.leg.wa.gov/rcw/default.aspx?cite=28A.250>

Washington Administrative Code 392-502

<http://apps.leg.wa.gov/WAC/default.aspx?cite=392-502>

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# TABLE OF CONTENTS

- I. Glossary..... 4
- II. District Role..... 6
  - Policy and Procedure..... 6
  - Responsibilities..... 6
  - Contracted Instruction..... 12
  - Support for Online Learning..... 13
- III. Course Provider Role..... 22
  - Accountability..... 22
  - Working with a School District..... 22
  - Model Agreements..... 22
  - Private Enrollment..... 22
  - Course Catalog..... 23
- IV. Reporting..... 24
  - Reporting Calendar..... 24
  - School District..... 24
  - Approved Online School Program..... 25
  - Approved Course Provider..... 26
- V. Approval Process..... 28
  - Single District Online School Program..... 28
  - Affiliate Online School Program..... 28
  - Multidistrict Online School Program..... 29
  - Online Course Provider..... 30
  - Approval Renewal..... 30
  - Appeals..... 31
  - Monitoring and Rescindment..... 32
- VI. Appendices ..... 35
  - A. Using Non-Approved Course Providers..... 35
  - B. Serving Students with Disabilities in ALE..... 36
  - C. NCAA Eligibility..... 43
  - D. State Assessment FAQ..... 45

# I. Glossary

## Course Success Rate

Per WAC 392-502-030, course success rate is the percentage of total online enrollments where the student received a grade for the course that was one of the following: A, A-, B+, B, B-, C+, C, C-, D+, D, P, CR, S. Courses marked as E, F, N, NC, U, or W are not considered successful outcomes.

## Online Course

An "online course" means a course, or grade-level course work, in which:

- More than half of the course content is delivered electronically using the internet or other computer-based methods.
- More than half of the teaching is conducted from a remote location through an online course learning management system or other online or electronic tools.
- A certificated teacher has the primary responsibility for the student's instructional interaction pertaining to the online course. Primary responsibility means the teacher is the principal individual who provides instructional interactions that may include, but are not limited to, direct instruction, review of assignments, assessment, testing, progress monitoring, and educational facilitation; and
- Students have access to the teacher synchronously, asynchronously, or both.

For example, courses do not meet the definition of an "online course" when:

- All instruction takes place in-person, but at least some of the content or curriculum is delivered online.
- Some instruction is delivered online, and some content is delivered online, but both content and instruction are not more than half online.

(Note: A remote location is any location where there is no "face-to-face" student-teacher interaction.)

## Online Course Provider

Online course providers offer individual "online courses".

Online course providers must supply all of the following: course content, access to a learning management system, and online teachers.

Online course providers offer individual online courses that are not delivered as an online school program.

Online courses can be delivered to students at school as part of the regularly scheduled school day.

Online courses can be delivered to students, in whole or in part, independently from a regular classroom schedule but must comply with the ALE rules in order to be claimed under ALE.

### **Online School Programs**

An online school program is defined as a school or program that offers a sequential set of online courses or grade-level course work that may be taken in a single school term or throughout the school year in a manner that could provide a full-time basic education program if so desired by the student. Students may enroll in the program as part-time or full-time students.

Online school programs may only be offered by an entity responsible for claiming state basic education funding, such as a school district or a charter school. Online school programs may include online courses purchased from approved online course providers, but the online school program may need to also be approved by OSPI.

### **Resident and Non-Resident Districts**

"Resident/home district" means the school district in which the student's residence is located. See [WAC 392-137-120](#).

"Non-resident/serving district" means the district in which the student is enrolled or is seeking entrance and in which the student's residence is not located. See [WAC 392-137-125](#).

To serve a non-resident student the district must either:

1. Be contracted by the resident school district to perform services;
2. Coordinate services through an interdistrict agreement that explains which district will be providing what services and how much FTE each student can claim for those services; OR
3. Serve the student who has completed a "choice transfer" from the resident school district to the non-resident district.

## II. District Role

Online learning, like any other element of a school, should be integrated within the school and district. Students participating in online learning remain the districts responsibility and are subject to all the rules, expectations, and accountability as the students in the more traditional classrooms. Considerations for supporting online learning should include:

1. Policy and Procedure
2. Responsibilities
3. Reporting
4. Compliance

### Policy and procedure

#### Model Policy and Procedures

[RCW 28A.250.050](#) requires school district boards of directors to adopt a policy and procedures regarding online courses and online learning programs.

The [Washington State School Directors' Association \(WSSDA\)](#) and OSPI have collaborated to create a model online learning policy and procedures that districts may use in their development process:

- [Model Policy - Online Learning](#) (pdf)
- [Model Procedures - Online Learning](#) (pdf and downloadable WORD)

To submit, email the documents to [ALDInfo@k12.wa.us](mailto:ALDInfo@k12.wa.us).

#### Need Help?

We're available to provide technical assistance at your request. [Contact us](#) to learn more about how we can assist your district.

This webinar on the model policy and procedures was recorded for your reference:

- ESD 112's "[Creating an Online Learning Policy](#)" held on 3/25/10.

### Responsibilities

If your district is offering, or planning to offer, individual online courses or an online school program, review these responsibilities to ensure that your district is meeting all of the online learning requirements. This list is not exhaustive.

Please note that this information is intended as guidance for districts to help with compliance of the various requirements. Districts are ultimately responsible for ensuring compliance to these items, along with all the existing education regulations.

Responsibilities include:

1. Overlapping rules
2. ALE funding rules
3. ALE enrollment reporting
4. CEDARS reporting
5. Contracted instruction
6. OSPI approval process
7. Incorporation of OSPI approval criteria
8. Administration of state assessments
9. Choice Transfers
10. CTE enhanced funding
11. Funding restrictions
12. District-wide annual average instructional hours
13. District policy and procedures
14. Special education
15. Tax exemption on purchased online courses
16. Transitional bilingual students
17. Truancy procedures for ALE students

### **Overlapping Rules**

Online learning is a delivery method of basic education. It must meet the standards and expectations of a Washington classroom. The rules for online learning (WAC 392-502) are in addition to the rules for general education. Other rules that frequently also overlap with online learning are WAC 392-121-182 alternative learning experience, and WAC 392-121-188 instruction provided under contract. See more about these below.

### **ALE Funding**

If you are claiming the student for Alternative Learning Experience (ALE) funding, you must operate in accordance with [WAC 392-121-182](#), covering alternative learning experiences. OSPI ALD provides program guidance for ALE and a checklist to see how a learning plan (WSLP) aligns with requirements.

The ALE rules require each ALE program or school to submit an annual report to OSPI. The report must be submitted using OSPI's Education Data System (EDS). For authorization to access the ALE reporting system in EDS, please contact your District Data Security Manager. If you do not know who this is in your district, or if you need technical support with the ALE reporting system, contact OSPI's Customer Support at [Customersupport@k12.wa.us](mailto:Customersupport@k12.wa.us) or (800) 725-4311.

**Citation:** [WAC 392-121-182](#)

**Action:** Programs should ensure that they are complying with the ALE requirements.

## **ALE Enrollment Reporting**

Districts running Alternative Learning Experience (ALE) programs are required to report their ALE enrollment to OSPI monthly. Reporting is done through the EDS system. See the WAC 392-121-182 or contact school apportionment for more information about this requirement.

**Citation:** [WAC 392-121-182 section \(7\)](#)

**Action:** Programs must complete monthly reporting in EDS.

## **CEDARS Reporting**

There is specific CEDARS reporting requirements for online learning and ALE. Please see the reporting section of this guide for more information.

**Citation:** [RCW 28A.250.040](#) (3)

**Action:** Programs should ensure that their courses are being properly designated in their district student information system (SIS), and that the SIS is sending properly coded course and teacher data to CEDARS.

## **Contracted Instruction**

If your district is contracting out instruction to a “third party” provider (including any courses purchased through an approved online course provider), it must comply with the WAC 392-121-188 instruction provided under contract.

## **OSPI Approval Process**

Online course providers and district online programs are subject to the OSPI approval process. Learn more about the approval process and whether your program is required to seek approval.

**Citation:** [RCW 28A.250](#) and [WAC 392-502](#)

**Action:** If the program meets the eligibility criteria, then it is subject to the OSPI approval process.

## **Administration of State Assessments**

Districts are responsible for administering the state assessments for students enrolled in online courses and school programs, even if the student does not reside within the district’s geographic boundaries. All of the usual testing requirements apply.

See Appendix C for guidance on administering assessments to non-resident students.

**Citation:** [WAC 392-121-182](#)

**Action:** Ensure online students take the state assessments.

## Choice Transfer (non-resident students)

All districts must use the Standard Choice Transfer system for Choice Transfers for ALE or online enrollment; however, the system is also able to process requests for non-ALE or online enrollments and Interdistrict Agreements.

**Citation:** [RCW 28A.250.070](#)

**Action:** Visit the [Standard Choice Transfer Form](#) page for the training schedule, instructions, and answers to frequently asked questions.

## CTE Approval and Enhanced Funding

All courses must be submitted to OSPI's Career and College Readiness division for approval for the district using the course to be eligible to receive enhanced funding as a Career and Technical Education course in Washington. [View the planning sheet](#) (pdf). (Note: Beginning the 2013-14 school year, ALE enrollment, regardless of grade level, is funded at the estimated statewide annual average allocation per FTE in grades nine through twelve in general education. The rate does not include the impact of the lower class sizes in the elementary grades (both general education and high poverty). It also excludes funding enhancements that are built into the funding models for skill center and vocational students.)

## Funding Restrictions

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

- Offered by an [approved multidistrict online provider](#); or
- Offered by a school district online school program if the program serves students who reside within the geographic boundaries of the school district, including school district programs in which fewer than ten percent of the program's students reside outside the school district's geographic boundaries; or
- Offered by a regional online learning program where courses are jointly developed and offered by two or more school districts or an educational service district through an interdistrict cooperative program agreement.

Beginning with the 2013-14 school year, only those online school programs or courses provided by approved online providers will qualify for state basic education funding, except as provided for in the law.

Districts may claim state basic education funding for non-approved providers if the course meets the criteria for district use of non-approved providers (Appendix A).

Note also that courses offered to students for which the district claims state education funding or that are included as part of the regular school day will be paid for by the school district.

**Citation:** [WAC 392-502-080](#)

**Action:** Ensure that students claimed for state basic education funding are enrolled in online courses that meet the funding requirements. Also, ensure that your district isn't charging students for online courses taken during the regular school day.

### **District-Wide Annual Average Instructional Hours**

This subsection makes clear that in order to be considered a course of study eligible for state basic education funding, an ALE must meet the requirements of this section. It also makes clear the applicability of the section to only state-funded ALE.

ALE students are included in the district-wide annual average instructional offering requirements in RCW 28A.150.220. Districts have two options to meet the requirements:

- Districts must provide at least 1,080 instructional hours to students in grades 9-12 and 1,000 instructional hours to students in grades 1-8.
- The instructional hours may be calculated by a school district using a district-wide annual average of instructional hours over grades 1-12 to reach 1027 hours.

For kindergarten students, districts must provide at least 450 instructional hours.

Districts should include ALE programs in their calculation of district-wide annual average instructional hours, based on the average estimated hours written into full-time student WSLPs.

- 1000 hours of instruction equates to 27 hours and 45 minutes weekly.
- 1027 hours of instruction equates to 28 hours and 30 minutes weekly.
- 1080 hours of instruction equates to 30 hours weekly.

ALE programs may need to write WSLPs to include more than 25 hours/week in order to ensure the district-wide annual average doesn't fall below the requirements but hours cannot exceed the amount of hours available at the traditional school setting.

ALE hours in excess of 25 hours/week may also be required in order to meet the high-school credit requirements in [RCW 28A.150.220](#) and [RCW 28A.230.090](#).

**Citation:** [WAC 180-16-200](#)

**Action:** Ensure that the district's annual average instructional hours do not fall below 1,027 hours.

### **District Policy and Procedures**

All school district boards of directors are required to develop a set of online learning policies and procedures. These documents cover student eligibility criteria, the types of online courses available to students through the school district, the methods districts will use to support student success, when the school district will and will not pay course fees and other costs, and more.

**Citation:** [RCW 28A.250.050](#) (1)

**Action:** Ensure that the program offered by the district aligns to the district’s online learning policy and procedures.

### **Special Education**

Districts offering online courses or school programs should use the information in Appendix B to ensure compliance around recruitment, admission, and Free Appropriate Public Education (FAPE).

**Citation:** Section 504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act, and [WAC 392-137](#).

**Action:** Ensure that online providers follow the special education guidelines.

### **Tax on Purchased Courses**

Districts may use this [certificate](#) from the Department of Revenue to document their exemption from paying state taxes when purchasing online courses.

To use the certificate, print the form and check “Purchased to be made available free of charge to the general public.” Students enrolling in online courses are considered to be part of the general public.

If the course is being re-sold to the student, the course is still not taxable. As it is a part of the curriculum of the public school district, any charges to the students to access courses will be considered to be exempt tuition fees (fees for instruction). Therefore, school districts are not required to collect sales tax on such charges. Per [RCW 82.04.4282](#) and [WAC 458-20-167](#).

### **Transitional Bilingual Students**

Public schools must take affirmative steps to ensure that English Learner (EL) students can meaningfully participate in their educational programs and service. Alternative schools and ALE programs must take the same rigorous steps as traditional schools and programs. To comply with state and federal laws, ALE programs must:

- Identify English Learners, including those with disabilities
- Provide English Learners with an English Language Development program
- Staff ELD programs appropriately
- Communicate with ELL families
- Send parent notifications

- Avoid the unnecessary segregation of English Learners
- Assess and monitor English Learners

**Citation:** [RCW 28A.180](#) and [WAC 392-160](#)

**Action:** Districts must serve transitional bilingual students in the manner outlined in [RCW 28A.180](#) and [WAC 392-160](#). Contact the OSPI [Migrant and Bilingual Education Office](#) for more information.

### Truancy Procedures for ALE Students

If a student does not have contact with a student for five consecutive school days without valid justification, you should be thinking about your truancy procedures and the [Becca Bill](#). Additionally, if a student does not have direct personal contact with a certificated teacher for twenty consecutive school days, you cannot claim funding for the student, as stated in section 7b of the ALE rules [WAC 392-121-182](#).

### Contracted Instruction

Districts contracting with a third-party organization to provide instruction, including the contracts with approved online course providers, must follow regulations regarding:

- School Board's Powers and Duties when Contracting, [RCW 28A.320.035](#)
- Instruction Provided Under Contract, [WAC 392-121-188](#)

OSPI has developed a [model agreement](#) for school districts to use when contracting with online school program providers. School districts may, use the contract template when engaging a third-party provider to offer the provider's programs to students in the district.

### School Board's Powers and Duties When Contracting

Districts must comply with [RCW 28A.320.035](#) regarding contracting. This statute gives district boards of directors the ability to contract to implement the board's powers and duties, including instructional services.

There are two provisions of note:

- "When a school district board of directors contracts for educational, instructional, or specialized services, the purpose of the contract must be to improve student learning or achievement."
- "A contract...may not be made with a religious or sectarian organization or school where the contract would violate the state or federal Constitution."

**Action:** Districts must comply with [RCW 28A.320.035](#).

**Citation:** [RCW 28A.320.035](#)

## Instruction Provided Under Contract

[WAC 392-121-188](#) covers instruction provided under contract from a third-party course or program provider. There are nineteen requirements that must be met in order for the instruction to be counted as a “course of study” and claimed for state funding. All provisions must be followed, but a few specific items should be noted:

- The school district board of directors must adopt a resolution that “concludes it is in the best interest of the students to expand the options available by providing an appropriate basic education program pursuant to the contract, and, sets forth the rationale in support of the conclusion.” A board adopted resolution is not required when purchasing online courses from OSPI-approved providers.
- The provider must provide “instruction free of sectarian or religious influence or control.”
- The provider “charges the student no tuition for enrollment.”
- The curriculum must be approved by the district. District approval for online course curriculum is not required for online courses purchased from OSPI-approved providers.
- The district must report certificated instructional staff (CIS) from the provider on the S-275, if the CIS, at any time during the school year, spends more than 25 percent of a full-time equivalent time with students for a given school district.
- School districts must require the provider to clearly state in all of the provider's advertising, publicity, or public statements regarding the contracted service that the service is being offered by the school district under contract.

**Action:** Districts must comply with all provisions of [WAC 392-121-188](#).

**Citation:** [WAC 392-121-188](#)

Contracting resources

- [Approved online course providers](#)
- [Model Agreements](#)
- Accountability

Report feedback, concerns, or violations of the online assurances by approved course providers to [ALDInfo@k12.wa.us](mailto:ALDInfo@k12.wa.us) or 360-725-6058.

## Support for Online Learning – Districts and School Decisions

District and school administrators can make decisions about implementing online courses to positively affect the learning experience of students. Having policies and procedures in place, before students enroll, helps the Course Support (CS) team best support student learning and enables them to respond consistently and fairly to all students and their varied needs. Answering these questions, can help you create policies regarding:

- Course Support Team
- Access
- Registration
- Time and location
- Accepting credits
- Academic integrity
- Funding
- Course support
- Measuring success and responding to challenges
- Student support
- Elements of a Successful Program

If you need assistance, contact [aldinfor@k12.wa.us](mailto:aldinfor@k12.wa.us). You may also refer to the [model policy and procedures](#).

### **Course Support Team**

Schools can directly influence student success in online courses by selecting interested and qualified staff to the key Course Support (CS) team roles. The ALD has identified the roles, responsibilities, and desired traits.

#### Essential Roles

- Registrar
- Mentor(s)

#### Other Key Members of the CS Team

- School Guidance Counselor
- School Technologist
- School Administrator

### **Registrar**

The Registrar is a member of the school staff who works closely with guidance counselors and is authorized to enroll students in their courses. Adhering to school online course implementation policies, the Registrar:

- Promotes the availability of online courses to students, school staff, and parents
- Performs all online course registration transactions
- Maintains the school's online course student roster
- Facilitates the application of course credit and grades to student transcripts
- Is the primary contact person for the course provider

#### Desired Traits:

- Highly organized and detail-oriented

- Part of the team making decisions about the school's online course policies
- Familiar with online courses—including technology requirements, prerequisites, and timelines—prior to enrolling students
- Authorized to enroll students in the selected courses, and to apply credits earned online to student transcripts

Schools may have multiple Mentors, but should have only one Registrar (although the Mentor can fill this role too).

### **Mentor(s)**

Mentors are school employees working closely with online students to ensure a positive and successful experience, Mentors:

- Monitor student performance and progress
- Assist with the use of technology and logging in to the course
- Facilitate communication and foster a student's relationship with the teacher
- Assist with course participation procedures and gather student grades

Mentors do not need to be subject matter experts (although some course providers recommend this for students at the AP level).

### **School Guidance Counselor**

The Registrar and Mentors have a close working relationship with school guidance counselors. It is very important for students' academic needs to be properly matched with their abilities and expectations of online learning.

### **School Technologist**

The building technologist is a key CS team member who ensures that school computers used for online learning meet the course providers' technology requirements. The technologist is mainly needed at the beginning of each term to make sure any course-specific plug-ins or technology requirements are addressed.

### **School Administrator**

We recommend the inclusion of an administrator on the CS team. The administrator makes sure school policies for online courses are in place and understood by the CS team and other pertinent school staff. The administrator supports the CS team by facilitating the resolution of any issues that may occur in areas such as student eligibility, schedule and space availability, payment, or cost-sharing practices, etc.

### **Access**

- Do students have access to online courses otherwise available at the school?
- Will online courses be used when a student's schedule prohibits enrollment in a local version of a course?
- Is an online course an option when discipline or other problems make participating in a face-to-face course problematic, even when other options are

available (such as taking the course at a later date, with another teacher, or at a nearby school)?

- Are online courses used for credit recovery only? For enrichment? For grade improvement? Or other reasons?

### **Registration**

- Are students required to complete a local "application process"? The process may include:
  - Parental/guardian permissions
  - Teacher recommendations
  - Verification of minimum academic standing
  - A statement of commitment to the completion of the online course, in order to participate in an online course
- Who will approve the request: principal, counselor, Registrar, or some combination?

### **Time and Location**

- Will you offer onsite orientations to help the students get started in their courses?
- Are students given a scheduled class period during or outside of the regular school day to complete online coursework and connect with their mentor?
- If students have a scheduled class period on campus:
  - Where will students take their course—computer lab, library, mentor's classroom, etc—and who will supervise?
  - Will headphones be available for students to listen to audio components of their course?
  - Will the location support World Language students who may have oral assignments to complete?

### **Accepting Credits**

- How will credits be applied to student transcripts?
- How are you advising students about NCAA eligibility for the online course credits? See Appendix D: NCAA eligibility for guidance.
- Have you reviewed the online science courses to determine if you will grant lab-based science credit?

### **Academic Integrity**

- Will you require proctored sessions for final, midterm, or other assessments?
- Will students have the options of using notes during proctored assessments?

### **Funding**

- If the course is not scheduled during the regular school day and not paid for by basic education funding, who will pay for students' online courses? Will it be the total responsibility of the family or shared with the district?
- If the family pays, are refunds awarded to students for successful completions?

- Will other funding sources, like Title I monies, be earmarked for online courses?
- If books or other materials are required for the course and are not available at the school, who is responsible for acquiring them—student or school?
- If the school acquires books or other materials, how will the materials be accounted for in the district’s materials inventory?

## Course Support

- Have you given your CS team the authority to make decisions regarding the:
  - Identification of potential online students
  - Selection of appropriate courses
  - Logistical support of online students
  - Application of students' online credits to their local transcripts
  - Execution and monitoring of the district’s online learning policies and procedures with the opportunity to provide feedback for possible adjustment
- How will you communicate the CS team members' responsibilities to school staff (who does what and who to talk to when staff have questions)?  
 Are you able to help accommodate CS team members' roles in supporting online students by adding some flexibility to their schedules?  
 Are you able to give mentors release time to work with students during the school day and compensate them for time spent on their CS duties outside of their normally contracted hours?

## Elements of Successful Programs

### Designated Time and Place

Knowing when, where, and how students will connect to the online course will help them plan and strategize for productive work time. Here are a few recommended models that schools have used.

- **Class period.**  
 An onsite class period (before, during, or after school) scheduled in a computer lab allows students dedicated time to work on their course and provides direct contact with school-based support. If a student does not have access to a computer outside of school, materials can be downloaded to be completed offline (reading, etc.).
- **Working at home.**  
 Students access their online courses 24/7, which helps them progress through course content at their own pace.
- **Community access.**  
 Computing resource centers, libraries, and cafés are good—though typically less reliable, or available—locations for students to access components of their online courses.
- If your students are accessing courses from home or the community, please alert families that these computers must meet baseline technology requirements,

course-specific technology requirements, supplemental materials, and downloads to be an effective access point for students to their courses.

### **Registration Checklist**

1. Provide confirmation information to students/families including the provider name, course name, start and end dates, and the location and time the course will be taken (before, during or after school, at school, at home, etc).
2. Ensure the student and mentor understand the log-in and course access procedures. Some providers require the student have an email address, the district may choose to provide the email account, or may assist the student in creating one.
3. If you offer onsite orientations, inform the students of the date, time, and location of the session.
4. Let students know who their Mentors are and how to contact them.
5. Any textbooks or materials ordered for courses need to reach the student. Students should keep in touch with their Mentors during the first few days of the course to make sure they receive everything they need.
6. Some course providers require students to complete a pre-course orientation; others have optional orientation information available. We recommend that students take the time to orient themselves to their courses as soon as possible so that nothing important is missed.
7. Mentors may request to also receive communications from the online course provider. Work with the course provider about what information will be sent as well as frequency of communications.
8. Contact the course provider as soon as possible if either student or Mentor communications have not been received by the students' start date.

### **Successful Mentoring**

Regular support from the Mentor will make it easier for students to interact with their course providers, the course materials, and their online teacher. Here are some ways to establish lines of communication.

It's important to touch base with your online students early in the process to do the following:

1. Most online providers have instructions, resources, and/or orientation materials that help Mentors get up to speed. In some cases, an orientation is required before Mentors are given their login credentials.
2. Create a roster to keep track of your students. Information to capture might include: name, user name, password, course name, teacher name, email contact, etc.
3. Arrange an initial meeting/orientation either in-person or online, to help your students understand expectations and access their courses.

4. Get copies of the students' welcome messages from the providers (if you were not copied on these emails).
5. Get copies of the students' syllabi and any pertinent course timelines such as course start and end dates and local grade reporting deadlines.
6. Keep a log of check-ins with students or take attendance during lab hours for online courses. This will ensure that students are making regular contact with you throughout the term.
7. Share information about the Course Support roles with the students so that they know who does what to support them at school.
8. Make sure the students have completed the orientations or course overviews made available by the providers or online instructors. Some schools require students to submit the results or evidence that they completed the provider's orientation.
9. Suggest that the students share login information with their parents and introduce online teachers to parents who are involved in supporting their student's learning.
10. Emphasize the importance of the student's clear and inclusive online communication with the online teacher and classmates. For example, if a student is going to have anticipated absences, he or she should work with the online teacher to mitigate or adjust due dates. Help students frame communications with their teachers, if needed.
11. Encourage students to take advantage of all course discussion groups, as well as connect with other students at school taking online courses, even if they are in different courses. This helps students stay engaged with their courses.
12. Confer with the Registrar in your school about drops right away to keep your school's drop fees to a minimum (see the course provider's drop policy for more information).

### **Computer lab**

Schedule lab time to meet with students who work on their online courses at a designated time in the computer lab. This enables students to easily seek help with and demonstrate any content or communication issues that may come up with the courses or online teachers.

1. Be sure to work with your school's technologist before classes begin to make sure school computers will allow students to fully participate in their online courses.
2. Work with the lab teacher to prioritize online course-ready computers for online students.
3. Engage provider, school, community, and home players to resolve any issues that prevent students from progressing: e.g., cannot get a media player to work, cannot get computer time at school, and Internet connection difficulties.

### **Check-ins**

If you don't meet regularly with students in the computer lab, schedule time to meet face-to-face with the student's current progress and grades at hand.

1. You can use this time to address any content or communication issues the student may be having with the course or instructor. Email and phone check-ins may be required to fully resolve problems.
2. Encourage your students to take full advantage of email and the phone to share questions, comments, and concerns with their teacher. Be aware of the areas in which your students are having particular problems, and intervene if necessary, to make sure that both student and teacher are communicating clearly.

### **Communication with Online Teachers**

Initiate contact with online instructors to introduce yourself and take care of the following matters:

1. Identify any ALE-funded students to the teacher so that expectations are clear on how requirements will be met.
2. Share helpful information about the students, including any IEPs, 504 accommodations, or special needs the students may have.
3. Let the instructors know about any local vacation, holiday, or early dismissal dates that might affect the students' attendance or progress through the course work.
4. Exchange days and hours that you can reliably reach each other by phone and email.
5. Communicate any exam proctoring procedures and grade deadlines that may be dictated by local policies.
6. Be proactive with technology and course-related troubleshooting, being sure to communicate student difficulties to the course teacher while facilitating the students doing so themselves.
7. Contact the online teacher if you think a student might need an extension to successfully complete a course (though you may need to work with course provider staff to execute the request).
8. If a student is unexpectedly absent, the teacher may contact you. Work with the teacher and student to facilitate a catch-up schedule.

Let your students' online instructors know that you will be working with the students and helping to motivate, support, and encourage them. The extent to which you interact with an instructor will largely depend on the student and how motivated he or she is, but let instructors know that you will touch base with them regularly by email or phone (weekly is recommended).

### **Communication with Counselors and Parents**

As a Mentor, and as far as your school and parents are concerned, you will be acting as a sort of surrogate teacher for your students. Since you will be the primary contact for students at school, you will regularly communicate with school counselors and parents; what this communication entails will depend on your school's policies. Here are some of the things you may be expected to do:

- Keep parents and counselors informed of student progress.
- Participate in parent/teacher conferences.
- Discuss student grades.
- Advise parents of general technical issues for students working on home computers.
- Notify your school's Registrar of a student's intent to drop his/her course.

Some of the providers have the ability to send parents or “learning coaches” periodic status reports. Some give the parent/coach a logon to the course system to check student status online. How the parent/coach information is set up in the course system varies. Look for information about this feature in the Mentor orientation or instructions.

### **III. Course Provider Role**

The course provider works under contract with a school district to provide online courses. The course provider has gone through the OSPI course provider approval process, and abides by the online learning assurances that they will meet state and federal requirements within their online classroom including: Certificated teachers providing instruction, Washington state learning standards for the course, Teacher evaluation and professional development opportunities.

- Accountability
- Working with a school district
- Model Agreement
- Private Enrollment
- Course Catalog

#### **Accountability**

Course providers are accountable to meeting the requirements set forth in WAC 392-502 for approval, operation, performance standards, and reporting. Failure to meet these requirements may result in rescindment of approval status.

Approved course providers must:

- Meet and follow the online learning assurances
- Report student level data annually
- Review and update program description information annually
- Beginning September 2018 meet the performance targets set forth in [WAC 392-502-030](#)

#### **Working with a School District**

Course providers work under contract with a school district following the rules set forth in [WAC 392-121-188](#) Instruction Provided Under Contract.

#### **Model Agreements**

Model agreements can be found at the Alternative Learning Department website. These agreements include the necessary elements required to operate an online classroom.

#### **Private Enrollment**

Some school districts allow students to privately enroll with approved online course providers and will accept the resulting credit as a transfer credit. There is an expectation

that these privately enrolled classes will adhere to the same assurances as a course contracted with the school district.

Privately enrolled students are expected to be included in the required annual data report.

## **Course Catalog**

Approved online course providers are encouraged to participate in the OSPI online course catalog. This filterable catalog helps districts as well as students and parents to:

- Find desired online courses
- Compare courses and course providers
- Link to more information about the course and provider.

See reporting calendar for update schedule, or contact the online learning program manager for more information.

## IV. Reporting

### Reporting Calendar

Deadline	Reporting Requirement	Responsibility
Monthly / As needed	ALE and online CEDARS reporting	School district
Monthly / As needed	ALE enrollment reporting	School district
October 1	Course provider data report	Approved course provider
March 1	Online program annual update	Approved online school program
April 1	Summer course catalog update	Approved course provider
July 1	Fall course catalog update	Approved course provider
August 31	ALE end of year report	School districts

### School District:

All school districts offering online courses must follow reporting rules for:

- Online and ALE CEDARS Reporting
- ALE Enrollment Reporting
- ALE Year End Report

### Online and ALE CEDARS Reporting

**Deadline:** Monthly/as needed

CEDARS reporting allows the school district and OSPI to better track students participating in online learning. This data allows both the district and the state identify successes and challenges to the online learning model, and make data informed decisions on how to better support these programs and students. Required online CEDARS elements are:

#### Course Catalog File (D)

All courses that meet the definition of an "[Online Course](#)" must be entered into the [CEDARS](#) data system Course Catalog File (D) with the "Online" Course Designation Code (Element D07). Course codes are generally entered into a district's student information system, and then transferred to CEDARS on a regular basis.

#### Student Schedule File (E)

All online courses that qualify as ALE must be reported as ALE Course Type O - Online in Student Schedule File (E) Element E09,

#### Student Grade History File (H)

All online courses that qualify as ALE must be reported as ALE Course Type O - Online in Student Grade History File (H) Element H27.

### **Teacher Information**

Online teacher information must be entered into CEDARS as well. Contracted online teacher information must also be entered according to the SAFS personnel reporting [instructions](#) for S-275.

More information about the CEDARS Data Manual can be found at <http://www.k12.wa.us/CEDARS/Manuals.aspx>.

### **ALE Enrollment Reporting**

**Deadline:** Monthly/as needed

School districts with courses that qualify as Alternative Learning Experience (ALE) are required to report their ALE enrollment to OSPI monthly. Reporting is done through the EDS system. See the [WAC 392-121-182 section \(7\)](#) or contact school apportionment for more information about this requirement.

### **ALE Year End Report**

**Deadline:** August 31

This annual report provides information related to compliance as well as some qualitative measures for the alternative learning experience program. OSPI will open this report late spring with a due date of August 31.

## **Approved Online School Program**

In addition to the school district reporting, all approved online school programs (multidistrict, single district, and affiliate) must complete the following:

- Online Program Annual Update

### **Online Program Annual Update**

**Deadline:** March 1

OSPI will contact the program and request updates to the following information:

#### **Program contact information**

The program will review and update their contacts. This information will not be available on the website.

#### **Program description**

OSPI will send the program a form to update the program information displayed on the website. This information is reviewed to ensure that changes to the program comply with the online rules and assurances.

#### **Completion and passing rates**

Completion rate is the percentage of total enrollments where the student did not drop or withdraw from the course and did receive a grade for the course. It is

calculated based on the provider's Washington state enrollments for a given school year. If Washington-specific figures are not available, national statistics for the provider will be used.

Pass rate is the percentage of total completions where the student received a 70% or higher grade (A, B, C, or Pass) in a course. It is calculated based on the provider's Washington state enrollments for a given school year. If Washington-specific figures are not available, national statistics for the provider will be used.

#### **Teacher-to-student ratio**

Teacher-to-student ratio is the number of students per instructional staff member for a given school year. It is calculated using full-time equivalency measures for both students and staff:

Students: full-time is 1.0. If a student is less than full-time, divide the number of courses actually taken by the number of courses expected to be taken by a full-time student. For example, if a student took 3 courses, and a full-time load would be 5 per semester, the student is  $3/5 = 0.6$ .

Staff: full-time is 1.0, or each course taught is 0.2. If a teacher's maximum load is different than 5 courses per term, adjust the per-course rate to 1.0 divided by the number of courses in order to calculate part-time teachers. Staff includes instructional staff only. Staff should not include support staff, librarians, counselors, or administrators.

## **Approved Course Provider**

### **Annual Data Report**

**Deadline:** October 1

Student level data for all course enrollments with Washington students for the prior school year, September through August. Please see the Alternative Learning Department website for reporting process or contact [ALDInfo@k12.wa.us](mailto:ALDInfo@k12.wa.us).

### **Update with ALD**

**Deadline:** October 1.

OSPI will contact the program and request updates to the following information:

#### **Provider contact information**

The program will review and update their contacts. This information will not be available on the website.

**Provider description**

OSPI will send the provider a form to update the program information displayed on the website. This information is reviewed to ensure that changes to the program comply with the online rules and assurances.

**Teacher-to-student ratio**

Teacher-to-student ratio is the number of students per instructional staff member for a given school year. It is calculated using full-time equivalency measures for both students and staff:

Students: full-time is 1.0. If a student is less than full-time, divide the number of courses actually taken by the number of courses expected to be taken by a full-time student. For example, if a student took 3 courses, and a full-time load would be 5 per semester, the student is  $3/5 = 0.6$ .

Staff: full-time is 1.0, or each course taught is 0.2. If a teacher's maximum load is different than 5 courses per term, adjust the per-course rate to 1.0 divided by the number of courses in order to calculate part-time teachers. Staff includes instructional staff only. Staff should not include support staff, librarians, counselors, or administrators.

**Course Catalog**

**Summer course deadline:** April 1.

**Fall through Spring course deadline:** July 1.

Approved course providers are encouraged to participate in the online course catalog. This feature of the ALD website will provide a filterable and sortable list of courses offered by online course providers. These entries will be linked to the providers website for more information. Contact [ALDInfo@k12.wa.us](mailto:ALDInfo@k12.wa.us) for more information.

## V. Approval Process

### Single District Online School Program

Single district approval will allow the district to enroll students in full time online instruction. The program must be comprised of at least 90% resident students.

#### Timeline

Applications may be submitted anytime. Approvals occur at the beginning of each month.

#### Instructions

1. Complete the application at <http://www.k12.wa.us/ALD/Providers/Application.aspx>
2. Include a letter agreeing to comply with the online assurances and signed by the district superintendent. The assurances, a sample letter, and instructions are online at <http://www.k12.wa.us/ALD/Assurances.aspx>.

If you have any questions please contact the online learning program manager at [ALDInfo@k12.wa.us](mailto:ALDInfo@k12.wa.us).

#### Approval Criteria

Applications are reviewed to ensure compliance to the online assurances. Except where noted, the information provided will be available to the public on the ALD website.

### Affiliate Online School Program

Affiliate approval will allow the district to enroll students in full time online instruction. The affiliate approval relies on the accreditation and approval of the online course provider. As a result, the program is limited to utilizing only courses offered by the approved course provider without any modifications. The program does not have a limit on resident/nonresident students.

#### Timeline

Applications may be submitted anytime. Approvals occur at the beginning of each month.

#### Instructions

1. Complete the application at <http://www.k12.wa.us/ALD/Providers/Application.aspx>.
2. Include a letter agreeing to comply with the online affiliate assurances and signed by the district superintendent. The assurances, a sample letter, and instructions are online at <http://www.k12.wa.us/ALD/Assurances.aspx>.

If you have any questions please contact the online learning program manager at [ALDInfo@k12.wa.us](mailto:ALDInfo@k12.wa.us).

## Approval Criteria

Applications are reviewed to ensure compliance to the online assurances. Except where noted, the information provided will be available to the public on the ALD website.

## Multidistrict Online School Program

Multidistrict approval is the most flexible approval allowing the district to create and modify online courses with no limits on accepting non-resident students. It has a much more extensive approval process.

### Timeline

The application window is open from January 1 to February 1.

Approved programs may begin operation the following school year.

Review and scoring may take up to 2 months. If the program is not approved the district may appeal the decision. See the appeals section for more details.

### Instructions

1. Contact the Online Learning Program Manager and request a formal application.
2. You will be given access to an online folder containing:
  - a. Application template and instructions
  - b. Evidence alignment template and instructions
  - c. Guide to submitting evidence
  - d. A copy of the approval criteria
3. Complete the application template
4. Upload the completed application, evidence alignment, and evidence documents
5. Contact the online learning program manager when completed.

Once completed OSPI will assign a team of reviewers to review the application and evidence. OSPI will contact the applicant with approval or denial and next steps.

### Approval Criteria

Approval criteria is available on the [ALD website](#), and will be included in the application folder.

### Supporting Evidence

Applicants will need to supply evidence of meeting the criteria to support their application. A completed evidence alignment template will direct the reviewers to the appropriate supporting evidence. See the [ALD website](#) for more information about supporting evidence.

## Course Provider

Course provider approval allows a school district or a private or non-profit entity to offer online courses to Washington school districts. It has an extensive approval process to ensure that the provider creates a classroom that meets Washington state expectations.

### Timeline

The application window is open from January 1 to February 1.

Approved programs may begin operation the following school year.

Review and scoring may take up to 2 months. If the program is not approved the district may appeal the decision. See the appeals section for more details.

### Instructions

1. Contact the Online Learning Program Manager and request a formal application.
2. You will be given access to an online application folder containing:
  - a. Application template and instructions
  - b. Evidence alignment template and instructions
  - c. Guide to submitting evidence
3. Complete the application template
4. Upload the completed application, evidence alignment, and evidence documents
5. Contact the online learning program manager when completed.

Once completed OSPI will assign a team of reviewers to review the application and evidence. OSPI will contact the applicant with approval or denial and next steps.

### Approval Criteria

Approval criteria is available on the [ALD website](#), and will be included in the application folder.

### Supporting Evidence

Applicants will need to supply evidence of meeting the criteria to support their application. A completed evidence alignment template will direct the reviewers to the appropriate supporting evidence. See the [ALD website](#) for more information about supporting evidence.

## Approval Renewal.

The initial approval of an online provider will be for a period of four consecutive full school years.

In the final year of the online provider's approval, the provider's approval will automatically renew for a successive one-year period on October 31st, to be effective at the start of the following school year.

In order to maintain approved status, online providers must:

- Submit an annual report to OSPI
- Carry out the program/courses described in the approval application
- Abide by the approval assurances
- Maintain the approval criteria
- Meet the performance targets

## Appeals

Decisions made by the Superintendent of Public Instruction may be appealed as provided for in [RCW 34.05.514](#). Applicants who are denied approval or renewal are eligible to submit an appeal (see [WAC 392-502-040](#)).

### Notification

Applicants who were not approved will be notified of their status via an email to the contact person listed in the application. The notification will include appeal instructions, as well as a compilation of their original review scores/comments.

### Timeline

Appeals must be submitted within 15 business days of the receipt of the notice of denial.

Final appeal decisions are made by the Superintendent of Public Instruction within 45 business days from the submission of the appeal.

### Appeal Form

The appeals form is available only to the person who submitted the original application. Contact us at [ALDInfo@k12.wa.us](mailto:ALDInfo@k12.wa.us) if you have questions about accessing the appeal form.

### Appeal Contents

Appeals are based on solely on [criteria](#) for which the applicant did not receive full points in their original review. The appellant may choose to address some or all of these appeal-eligible criteria with updated supporting evidence or documentation. Appellants may only submit evidence for the appeal-eligible criteria listed in their feedback -- that is, those criteria for which the applicant did not receive full points during the initial review.

Appellants are encouraged to submit appeal evidence which most clearly demonstrates that they have met the standards described in the criteria. Per the appellant's discretion, this may include any unrevised original evidence. Please note the "[Guidance on Submitting Supporting Evidence](#)."

Appellants will have the ability to update the information originally provided for access to their course demos. Criteria listed with an asterisk (ie, A1\*) will be primarily evaluated by course demos submitted in the *appeal* application, in addition to any other appeal evidence submitted.

## **Minimum Appeal Score**

The minimum appeal score is the lowest of the reviewer scores (from the initial review) for each criterion and acts as the appellant's starting point; no reviewer may award points less than the minimum appeal score during the appeal scoring.

## **Appeal Process and Scoring**

The appellant may choose to address some or all of these appeal-eligible criteria with updated supporting evidence or documentation.

- The scoring process is the same as the initial review process, with the exceptions noted below.
- Appellants do not submit updated evidence for items that scored a full point across all reviewers during the initial review. Those criteria (listed in the applicant's feedback with a minimum appeal score of one) will retain the full one point score on the appeal score sheet.
- Appeal-eligible criteria for which no appeal evidence is submitted will receive the minimum appeal score.
- Appeal-eligible criteria for which appeal evidence is submitted will be evaluated and scored no less than the appeal minimum score.
- Appeals must earn 46 total points for approval; applications earning less than 46 points will not be approved.

## **NEXT STEPS**

Providers who have been denied approval, who do not appeal, or whose petition for review has been denied appeal by OSPI are eligible to submit a new application in the next renewal/approval period.

## **Monitoring and Rescindment**

Approved providers are subject to the monitoring and rescindment process.

### **Monitoring and Rescindment Triggers**

OSPI invites feedback about approved providers through the Issues/Feedback Form.

A rescindment process can be triggered in the following ways:

- OSPI staff deems a formal complaint filed against the provider warrants investigation.
- Failure to meet approval/renewal criteria and processes deemed fulfilled at time of last approval/renewal.
- Failure to uphold required assurances.
- Failure to submit the required annual report to OSPI.

- Failure to meet the performance targets.

Immediate rescindment will go into effect if the provider is deemed no longer able to carry out the program/courses described in the approval application, conditions exist that compromise the health and safety of students or staff, or conditions jeopardize the academic or fiscal integrity of the provider/program.

### **Affiliate Programs**

The approval status of an affiliate Online School Program who has aligned its approval to a Online Course Provider is directly tied to the approval of the provider. Any change in the program provider's approval status will also apply to the district's program. Any local modifications to the program provider's content, instruction and/or systems would disqualify the district's program from maintaining its OSPI affiliate approval. A district program's approval status will be rescinded if the Multidistrict Online Program Provider's approval status is rescinded.

### **Rescindment Process**

Providers will be notified if there is substantial evidence that they are not meeting one or more of the approval conditions and that rescindment is being considered. The letter will state the specific areas of concern and the provider will be invited to submit a corrective action plan with a timeline to address the specific areas of concern. If the provider does not respond to the rescindment notice, rescindment goes into effect within 15 business days.

If a corrective action plan is required because of the provider's failure to meet the performance targets, the plan must include a proposed rate of growth to achieve the performance targets. The corrective action plan may take into account factors including, but not limited to, the specific performance targets that were not met and the provider's student demographics.

OSPI will review the corrective action plan and make a determination based upon whether the plan satisfactorily addresses the specific areas of concern, whether additional actions are necessary, or whether the appeal is substantially incomplete and the approval should be immediately rescinded. Before making this decision, the provider will have the opportunity to clarify and adjust the plan.

Recognizing the serious nature of rescindment and its potential impact on students, districts and providers, OSPI will only rescind approvals if the provider is unwilling to take the necessary corrective actions to make the courses/programs compliant with the approval criteria/assurances.

If OSPI determines that a provider's approval must be rescinded, the rescindment will, to the greatest extent possible, be timed to prevent unnecessary disruption to the education of the students. Enrollments, including second semesters of year-long courses, received by the provider on or before the date of rescindment are not affected by the rescindment; program enrollees will be able to finish the school year as planned. However, OSPI reserves

the right to immediately rescind approval of any provider where conditions exist that compromise the health and safety of students or staff or that jeopardize academic or fiscal integrity.

Rescinded providers are able to submit for re-approval during subsequent approval application periods.

Decisions made by the Superintendent of Public Instruction may be appealed as provided for in RCW 34.05.514.

# Appendices

## Appendix A: Using non-approved course providers

As per [RCW 28A.250.060](#), schools may claim state funding for students participating in courses from non-approved providers if the courses meet all of the following conditions/assurances:

1. The course is in a subject matter in which no courses have been approved.
2. If it is a high school course, the course meets Washington high school graduation requirements specified under [WAC 180.51](#).
3. The course provider's web systems meet conformance level A of the World Wide Web Consortium's Web Accessibility Initiative (WAI) [Web Content Accessibility Guidelines \(WCAG\) 2.0](#).
4. All instruction is delivered by certified instructors placed by Highly Qualified (No Child Left Behind) requirements.
  - a. When ALE rules apply, courses must be taught by WA certified instructors.
5. The course provider has been accredited.
6. The course, as advertised, is eligible for high school credit per [WAC 180.51.050](#).
7. Course content is aligned with at least 70 percent of the current applicable grade/subject area Washington state standards. For courses whose content is not included in state standards, content is aligned with at least 70 percent of nationally accepted content standards set for the relevant subjects.
8. Courses in the following areas meet the credit/content requirements as outlined in their respective WACs:
  - a. Washington state history and government: [WAC 392.410.120](#)
  - b. Physical education: [WAC 392.410.135](#)
  - c. Sexual health education: [392.410.140](#)
9. Courses offered as Advanced Placement courses have been approved via the College Board AP Course Audit.
10. The course data management systems ensure all student information remains confidential, as required by the Family Educational Rights and Privacy Act (FERPA).

School districts wishing to claim funding for a course from a non-approved provider must document their review of the criteria listed above. Information about this requirement will be included in the district model policy and procedures currently being developed by WSSDA and OSPI.

## Appendix B: Serving Students with Disabilities in ALE

The following guidelines are intended to provide an overview of school district responsibilities related to ensuring that students with disabilities have an equal opportunity to participate in ALE programs and that those students enrolled in ALE programs continue to receive a free appropriate public education (FAPE), as required under Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act (Title II), the Individuals with Disabilities Education Act (IDEA), and chapters [28A.642 RCW](#) and [392-190 WAC](#).

State and federal laws prohibit discrimination in Washington public schools on the basis of disability, including in ALE programs ([WAC 392-121-182\(6\)\(a\)](#), chapter [28A.642 RCW](#), chapter [392-190 WAC](#), Section 504, 34 CFR Part 104). School districts that offer ALE programs must ensure that they are accessible to all students, including students with disabilities. (WAC 392-121-182(6)(a)).

The guidelines cover the following topic areas:

- Recruitment
- Admission
  - Communication with Parents
  - Eligibility Criteria
  - Nonresident Choice Transfer Procedures
  - Appeals
  - Interdistrict Agreements
- Free Appropriate Public Education (FAPE)
  - Individualized Education Program (IEP)
  - Related Services
  - Staff Training and Qualifications
  - Procedural Safeguards

### Recruitment

When announcing the availability of an ALE program or conducting public outreach and recruitment, a public school district must act to ensure that all students, including students with disabilities, are notified of the opportunity to participate in the ALE program.

Recruitment materials used by ALE programs on the internet, in newspapers, and in other online or written communications, should include the district's nondiscrimination statement, making clear that the program does not discriminate against students on the basis of sex, creed, religion, color, national origin, sexual orientation, gender expression or identity, veteran or military status, disability, or the use of a trained dog guide or service animal by a person with a disability in admission or treatment in the program.

Recruitment materials should include the contact information for the person(s) responsible for coordinating the ALE program's efforts to comply with the IDEA, Section 504, and Title II.

The recruitment materials should also make clear that if the student does not reside in the district that is offering the ALE program and wants to attend this program, Washington's nonresident transfer procedures must be followed, unless the ALE program can arrange to serve the student through an Interdistrict Agreement with the resident school district (both options are described in more detail below.)

## **Admission**

### **COMMUNICATION WITH PARENTS**

The parents of students with disabilities must be provided the same access to ALE programs as parents of students without disabilities. An ALE program may not reject an application solely because of the student's eligibility for special education and related services, or eligibility under Section 504.

Districts must make sure that the application process for admission into the ALE program is clear and understandable to all parents and does not discriminate against students based on disability. In particular, for ALE programs that serve nonresident students, the process for admission into the district should inform parents that a student must remain in their district of residence until (1) the nonresident district that offers the ALE program accepts the student, and (2) the resident district releases the student. (See [Nonresident Choice Transfer Procedures](#) described below.)

### **ELIGIBILITY CRITERIA**

When considering the admission of a student into any ALE program, the district must provide students with disabilities an equal opportunity to meet any appropriate minimum eligibility criteria for admission, consistent with the mission of the ALE program and in compliance with IDEA, Section 504, and Title II. Districts may not condition enrollment of a student with a disability on forgoing rights she or he has under these laws and programs. A district, for example, may not ask a parent to revoke consent for continued special education services as a condition of admission. Moreover, an online ALE program should not use classroom size as a basis for denying admission if the online program does not have the same capacity limited as a physical bricks-and-mortar classroom. A district that operates an ALE program may, however, develop eligibility criteria for admission as long as the criteria are:

1. Neutral on their face with respect to disability;
2. Educationally justified;
3. Applied equally to both students with and without disabilities alike; and
4. Subject to modification when necessary to avoid discriminating against a student on the basis of disability, unless the district can demonstrate that making the

modification to the criteria would fundamentally alter the nature of its ALE program.

A district's online ALE program, for example, may establish specific reading, writing, and math achievement criteria for admission to its online school as long as the criteria are justified by the nature of its online ALE program and applied equally to all applicants. Such criteria must also be subject to modification when necessary to avoid discriminating against a student on the basis of disability, unless the district can demonstrate that making the modification would fundamentally alter the nature of its online ALE program.

Overall, chapter [392-121-182 \(6\)\(a\) WAC](#) requires school districts that offer any ALE programs to ensure that the programs are accessible to all students, including students with disabilities, and requires the district to provide the ALE for students eligible for special education in accordance with chapter [392-172A WAC](#).

### **NONRESIDENT CHOICE TRANSFER PROCEDURES**

When parents apply for their student's admission into an ALE program offered by a school district and the student is not a resident of that district, a parent needs to submit a Choice Transfer request. A Choice Transfer request is a request to have the student released by their resident district and accepted by the nonresident district under Washington's nonresident transfer rules, also known as Choice Transfer procedures (see chapter [392-137 WAC](#)).

For online ALE programs: Parents enrolling a student in an online school program will start the process by making the Choice Transfer request to the resident school district. The resident school district will then use the Standard Choice Transfer System to submit the request to the nonresident school district.

For non-online ALE programs: If the parent is seeking to enroll a student in a non-online school program, the Choice Transfer procedure may vary. It is advisable for parents to contact the ALE program in which they hope to enroll before starting the transfer process to verify that the ALE program is accepting new students and to receive instructions on how to make the transfer request.

In all cases, until a student is accepted by the nonresident district offering the ALE program, the student remains a resident of her or his district, even if that district has allowed for the student's release. Once the nonresident district offering the ALE program has accepted the student and the student's resident district has released the student, the student is ready to begin the ALE program in the new school district on the specified begin date.

If either the resident or nonresident district does not act on a parent's request for release or for acceptance within 45 days, it is deemed to be denied. State law provides an appeal process if the transfer is denied (see [Appeals](#) discussed below).

Nonresident districts reviewing applications for admission to an ALE program do so based on the acceptance and rejection standards stated in district policy that apply equally to all students. Once a Choice Transfer request is initiated, the nonresident district may access student information in the Student Records Exchange (SRX) system to determine if the student meets the acceptance standards. Though a student's special education or 504 status will be included in the SRX information, this information should not be the basis of a decision to accept or deny the transfer request. Moreover, once a student is enrolled within the nonresident district, the district may not threaten to rescind approval of the student's Choice Transfer as a means of discouraging or avoiding a referral to evaluate a student for possible Section 504 or special education eligibility.

The primary alternative to the Choice Transfer process, an [Interdistrict Agreement](#), is discussed at the end of this section.

## **APPEALS**

Parents may appeal any denial of acceptance or transfer rescindment by a nonresident district. Parents may likewise appeal the denial of release by a resident district. Each district may have procedures for processing such denials. If the parent is dissatisfied with the district's decision regarding their appeal, the parent may submit an appeal request to OSPI to conduct a formal adjudicative hearing to resolve the dispute. The student should attend school in their resident district while any appeal is pending.

## **INTERDISTRICT AGREEMENTS**

A district operating an ALE program also has the option of entering into an Interdistrict Agreement with the student's resident district. The Interdistrict Agreement will outline which courses and services will be provided by the resident district, and which courses and services will be provided by the nonresident district's ALE program. If a resident district agrees to this type of arrangement, it remains the student's district of residence. Districts are not required to enter into an Interdistrict Agreement; it is a wholly voluntary process. Parents do not have the right to appeal a district's refusal to enter into an Interdistrict Agreement.

The Standard Choice Transfer System is available for districts to use to process Interdistrict Agreements.

The parent will make a request to the student's resident district to start the Interdistrict Agreement process with the nonresident district. Once an Interdistrict Agreement is requested, the nonresident district may access student information in the Student Records Exchange (SRX) system to determine if the student meets the acceptance standards. Though a student's special education or 504 status will be included in the SRX information, this information should not be the basis of a decision to accept or deny the transfer request.

Unless otherwise stated in the terms of the Interdistrict Agreement, the student's resident district retains responsibility for the design, supervision, and monitoring of special

education services and related services under IDEA and Section 504, including those services or accommodations to be provided by the nonresident district's ALE program.

If the student's needs require additional or different services, the Interdistrict Agreement must be amended or a new agreement put in place. An amendment or new agreement both require a parent request and the approval of both school districts.

### **Free Appropriate Public Education (FAPE)**

School districts must follow all requirements related to identification, evaluation, placement, and the provision of a "free appropriate public education" (FAPE) under the IDEA and Section 504 for eligible students in their ALE programs.

Under Section 504, a school district's ALE program is required to provide a FAPE to qualified students in the program who have a disability. This requirement consists of any accommodation, related aids, or services that are necessary for the student to receive a FAPE through the ALE program. The purpose of a Section 504 plan is to allow the student with a disability to equally benefit from the ALE program. The aids, accommodation, and/or services must be provided at public expense and under public supervision.

A school district must also make a FAPE available to every student between the ages of three and 21 who has been determined eligible for special education services under the IDEA. For a student who is eligible for special education, a FAPE consists of instruction that is specifically designed to meet the needs of a student with a disability, along with whatever support services are necessary to permit the student to benefit from that instruction. The instruction and support services must be provided at public expense and under public supervision. If the needs of a student eligible for special education can be met in the ALE program with special education, related services, and additional aids and supports, then the district must provide a FAPE to the student in the ALE program in accordance with chapter [392-172A WAC](#).

### **INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

Special education is provided in conformance with an IEP designed to meet the student's unique needs. A student's IEP should be taken into consideration when developing a Written Student Learning Plan (WSLP) for the student's ALE course(s). The learning requirements outlined within the student's WSLP should be aligned with the student's needs and annual goals identified in the IEP. The district must take steps to ensure that the obligations contained within each of these documents are being met. Meeting such obligations may require the district's ALE program to provide accommodations, related aids, services, and additional progress monitoring and reporting.

For students accepted into a district's ALE program through the nonresident transfer process, the nonresident district is legally responsible for providing special education and related aids and services to the student. The nonresident district should review the student's educational records, including evaluations and IEPs, to determine how services

will be provided. Given the unique nature of ALE programs, the IEP may need to be revised. In some cases, the previous IEP may have lapsed and the nonresident district providing the ALE program will need to develop a current IEP in accordance with chapter 392-172A WAC.

Students who are determined eligible for special education and have an IEP do not need to have a separate Section 504 plan. Any accommodations, related aids, or services that would be necessary for the student under Section 504 should be considered by the IEP team and included in the student's IEP.

## **RELATED SERVICES**

“Related services” means those developmental, corrective, and other supportive services required to assist a student in benefitting from special education. There is no exhaustive list of related services. If the student needs related services under Section 504, then they will be determined by the Section 504 team and listed in the student's Section 504 plan. Likewise, if the student needs related services under IDEA, then they will be determined by the IEP team and listed in the student's IEP. In both instances, the district providing the ALE program must determine how related services will be delivered.

For nonresident transfer students, some methods for delivering related services may include:

- Contracting with the student's resident district;
- Contracting with another district that is located close to the student's physical location; or
- Contracting with private providers, or determining whether some services can be provided using teletherapy.

School district administrators and school boards should be aware of these requirements when making decisions about operating ALE programs, particularly online ALE programs.

## **STAFF TRAINING AND QUALIFICATIONS**

A district must ensure that the provision of special education within an ALE program is designed, supervised, monitored, and evaluated by the appropriate school district personnel in accordance with chapter [392-172A-02090 WAC](#). For online ALE programs specifically, any online course teachers and/or school-based support staff involved in the provision of special education must be supervised by a special education teacher and possess the skills and knowledge necessary to meet the student's needs.

## **PROCEDURAL SAFEGUARDS**

All parents/guardians of students enrolled in any ALE program must be notified of the procedural safeguards provided by Section 504 and the IDEA concerning the district's obligation to identify and evaluate eligible students and to provide a FAPE.

OSPI has the authority to monitor school district compliance with nondiscrimination laws, including Section 504 and chapters [28A.642 RCW](#) and [392-190 WAC](#). Complaints alleging discrimination by a district ALE program must be addressed using the procedures set forth in chapter [392-190 WAC](#). Parents/guardians also have the right to file a complaint of discrimination with the U.S. Department of Education's Office for Civil Rights (OCR), or to file a complaint in federal court. This information should be included in the school district's nondiscrimination procedure.

There are also three dispute resolution options available under the IDEA administered by OSPI; mediation, citizen complaints, and impartial due process hearings. These three options can address concerns about the identification, evaluation, educational placement, and provision of a FAPE to a student eligible for special education. The IDEA requires schools to provide the parents/guardians of a student who is eligible for or referred for special education with a notice containing a full explanation of the rights available to them, including these dispute resolution options.

Last update: March 19, 2014.

## Appendix C: NCAA Eligibility

### Confirm Approval Status

To check if the online course you are considering has been approved by the NCAA Eligibility Center, contact the approved online course provider.

1. If the online provider has applied for NCAA approval, they will be able to provide you with a 6-digit NCAA High School code (CEEB code). (You will need the code during the eligibility search.)
2. Visit the [NCAA Eligibility Center](#) site.
3. Click the 'Enter Here' button for High School Administrators.
4. Click the 'List of NCAA Courses' tab.
5. Enter the NCAA High School code into the 6-digit CEEB/ACT Code field and click the 'Search' button.
6. Information will display explaining the NCAA approval status of the provider and listing the NCAA-approved courses. Contracted courses are considered to be taken directly through the online provider because:
  - The curriculum is delivered through the online provider's system by a certificated teacher who is employed by the online provider.
  - The courses are not "purchased and implemented by partnering districts, schools, or other programs."

### Suggestions from the NCAA Eligibility Center

The NCAA Eligibility Center offers some practical advice to schools and students considering online courses to help a student's NCAA application flow better through the process.

**Schools.** Use transparent transcribing practices as much as possible.

- Include a designation on the transcript that a course was taken online. This can be an indicator or a naming convention within the course description itself, such as "Algebra 2 OL."
- Retain the course final grade report from the online provider and submit it to the NCAA along with the student's transcript. Make sure the online provider's name and some form of contact information (website, phone, address, or email etc.) are included on the report.
- Enter the final grade from the online provider on the student's transcript with no modification.

**Students.** Give full disclosure of the online courses you have taken in your NCAA registration. Make sure you include the online provider's name and the course title.

**In the case of a review...**

If the NCAA Eligibility Center does need further information about a student's online course, they will most likely send a request to the student. Schools may need to assist the student to request the information from the online provider on the student's behalf if the student is unable to retrieve that on their own and submit it according to the NCAA's instructions. Once the complete information is sent to the NCAA, then the NCAA would work with the provider if there are further questions. Schools should make sure to send the final grade report from the online provider with the student's transcript and advise students to fully disclose their online courses on their NCAA registration.

## Appendix C: State Assessments FAQ

### WHO IS RESPONSIBLE FOR ADMINISTERING THE STATE ASSESSMENTS TO STUDENTS ENROLLED IN ONLINE SCHOOL PROGRAMS?

[WAC 392-121-182](#) defines the assessment requirements of students enrolled in online schools.

For resident students enrolled in an online learning program operated by the resident school district, the usual testing requirements apply.

For resident students enrolled in an online course that is associated with an End-of-Course (EOC) exam, the resident district is responsible for meeting the testing requirements, whether the course is provided by the resident district or third party.

Students who are enrolled in online learning programs operated by a district other than the one in which the student lives need to be tested as per the following agreements:

- **Interdistrict Agreement:** This is a negotiated agreement between two or more districts on the sharing of public school students. This agreement should explicitly specify how the districts will split responsibility for the student, including how they will share student FTE for basic education funding purposes. Unless the agreement specifies otherwise, the resident school is responsible for administration of the High School Proficiency Exam (HSPE) and Measurements of Student Progress (MSP) assessments, and is accountable for the assessment results for the student. If the districts, via the interdistrict agreement, have shifted this responsibility/accountability to the nonresident district, then the agreement must also specify the procedures the districts will follow to ensure the assessment is administered according to state test administration requirements.
- **School Choice:** Washington's [school "choice" law](#) authorizes students to enroll in a nonresident district if the student has been formally released by the resident district and accepted by the nonresident district. The nonresident district assumes all responsibility for the student, just as if the student lived within the district. This includes responsibility for administration of the MSP/HSPE assessments, and accountability for the assessment results.

### CAN A STUDENT ENROLLED IN AN ONLINE SCHOOL PROGRAM (AS A NONRESIDENT STUDENT) TAKE THE ASSESSMENT AT THE RESIDENT DISTRICT?

Yes. Although the enrolling district must make all the arrangements for testing, the resident district must provide an opportunity for the student to test there. If the enrolling district fails in its duties to properly notify the resident district in a reasonable time or fails to make the necessary arrangements, then resident district has the option of not accepting that student. A blanket policy of not testing nonenrolled resident students would likely be

in violation of [WAC 392-121-182](#), section 6, paragraph c: "Students enrolled full-time in nonresident alternative learning experience schools, programs, or courses shall have the opportunity to participate in any required annual state assessments at the district of residence, subject to that district's planned testing schedule."

### **CAN THE NONRESIDENT DISTRICT CONTRACT WITH THE RESIDENT DISTRICT TO ADMINISTER THE ASSESSMENT?**

Yes. In addition to working out the logistics of assessment administration, such an agreement could include reimbursement to the resident district for the costs of proctoring state assessments. Online learning programs enrolling nonresident students should expect to pay a reasonable fee to the district of residence for such services. Reasonable fees are in the range of the state reimbursement for the fall WAAS-Developmentally Appropriate Proficiency Exam (WAAS-DAPE) test administration provided by OSPI to districts administering the WAAS-DAPE in November. That reimbursement amounts to \$100 per each seven tests of the same type that are administered. For example, six high school mathematics tests generates \$100, as does seven mathematics tests; eight high school mathematics tests generates \$200; three high school mathematics tests and three high school reading tests (being two different types of tests) generates \$200.

OSPI provides a [model interdistrict agreement](#) for assessment administration.

### **DO HOMEBASED STUDENTS NEED TO TAKE THE STATE ASSESSMENTS?**

Students that are part-time in a public school and also homebased are not required to take state assessments (see [RCW 28A.150.350](#) and [WAC 392-134](#) for a definition of part-time and [RCW 28A.200](#) for the exemption of homebased students from state assessments).

Note that full-time [Alternative Learning Experience](#) (ALE) students, such as those enrolled in an online school program, are not considered homebased.

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