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PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

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BULLETIN NO. 034-21 STUDENT ENGAGEMENT & SUPPORT

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Options for Instructional Funding Models 2021–22

CONTACT: Rhett Nelson, ALE Director
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PURPOSE

Washington's K–12 public schools are expected to make available full-time in-person learning to all students for the 2021–22 school year, in accordance with health and safety guidelines. The COVID-19 pandemic has exacerbated existing inequities in our education system. As we prioritize closing the educational opportunity gap across the state, all students should have access to full-time in-person instruction in their resident school district. Although not required, school districts, charter schools, and tribal compact schools (called local educational agencies [LEAs]) may decide to also offer one or more instructional models that allow for instructional time away from the school building.

This bulletin is intended to assist LEAs with planning and decision-making for the 2021–22 school year by providing an overview of available options for claiming enrollment and corresponding regulatory frameworks including:

- **Required**, full-time in-person learning
- **Optional**, more flexible, learning models:
 - Continuous learning 2.0+ (CL2.0+)
 - Alternative Learning Experiences (ALE)

In addition, LEAs should develop continuity of operations plans for instructional delivery, due to the evolving nature of the COVID-19 pandemic or other emergencies that may disrupt basic education delivery. These plans should comply with the requirements of CL2.0+ or ALE as outlined in this bulletin.

BACKGROUND

When our public health crisis began in the spring of 2020, schools were forced to close in-person learning and find emergency approaches to providing students with education and related services and supports. For the 2020–21 school year, the Office of Superintendent of Public Instruction (OSPI) and the State Board of Education (SBE) established a framework through emergency rulemaking and guidance that created flexibility for how schools provided instructional hours under the prototypical school funding formula. As the health crisis stabilizes and allows for full-time in-person instruction, OSPI is revising the framework for instructional time beginning with the 2021–22 school year, aligned with SBE rules regarding instructional hours, where all students have access to full-time in-person learning and LEAs may utilize CL2.0+ or ALE for other optional instructional models.

Upon returning for the 2021–22 school year, LEAs are expected to offer all students access to a full-time in-person instructional model. LEAs may choose to offer additional flexibility:

- CL 2.0+, a framework which allows for off-site synchronous and asynchronous instructional time but limits asynchronous learning time to no more than 30% per school day.
- ALE, which exists to support students when they are learning in-part or in-whole independently of the regular classroom setting or schedule and does not include any limits on asynchronous instructional time.

Due to the complexity of funding, staffing, and developing instructional design for CL2.0+, LEAs may be interested in planning this type of model beyond the 2021–22 school year and future years. OSPI will be evaluating what works and what doesn't throughout 2021–22 to determine how the CL2.0+ framework could be adjusted in future years. This evaluation might include how LEAs are meeting the statutory requirements for a basic education program, the appropriateness of the regulatory framework identified for CL2.0+, and the impact on student learning and well-being. The intent is to support the additional flexibility inherent in CL2.0+ on a more permanent basis.

DEFINITIONS

In-person Instructional Model

Defined in [RCW 28A.150.260](#), this model is the allocation of state funding that the Legislature deems necessary to support LEAs in offering the minimum instructional program of basic education. In addition, [RCW 28A.150.220](#) establishes minimum instructional requirements and [RCW 28A.150.205](#) defines instructional hours that form the basis of an in-person instructional model. The model assumes students are attending school in-person for these instructional hours and days, unique from ALE which specifically allows instruction independent of the physical classroom.

Continuous Learning 2.0+

This model rests on the statutory framework defining the in-person instructional model, but also provides LEAs flexibility to serve students and families with health and safety needs that may limit in-person instruction. It may include daily scheduled on-campus instructional activities or, where necessary due to student health and safety needs, synchronous online instructional activities off-campus. The role of asynchronous instructional time away from the physical school setting is greatly reduced from what many students experienced during the 2020–21 school year and must not exceed a maximum of 30% of daily scheduled instructional time.

Alternative Learning Experience (ALE)

ALE, authorized by [RCW 28A.232](#), is a delivery method and funding model for the program of basic education where courses or grade-level coursework are provided in-whole or in-part away from the regular classroom setting or schedule.

KEY DIFFERENCES BETWEEN THE MODELS

Each of the models, described in more detail in the table below, should provide a program of basic education in which students are engaged in full-time instruction with access to all available programs, supports, and services. LEAs can determine locally which model(s) will be used for claiming student FTE for the 2021–22 school year for each of their new or existing schools and programs. The table below describes the intent, simplified differences, and requirements to claim enrollment, and some local decision-making for these three models.

Intent

In-person Instructional Model	Continuous Learning 2.0+	Alternative Learning Experience (ALE)
<p>Students access their instructional hours and education experience in an in-person school setting.</p>	<p>Intended to create some flexibility to serve students who are unable to return to full-time in-person instruction due to student health and safety needs. This model emphasizes in-person instructional model through increasing daily in-person seat time or synchronous online learning, and allows flexibility for online or hybrid instructional hours. Asynchronous learning is limited to no more than 30% of the daily instructional time.</p>	<p>Allows LEAs significant flexibility in where and when instructional hours are provided. No in-person or synchronous instructional time is required by state regulation.</p>

In-person Instructional Model	Continuous Learning 2.0+	Alternative Learning Experience (ALE)
ALL: The provision of basic education is provided to all students, including access to all related programs, supports, and services.		

State Apportionment and Regulatory Framework

	In-person Instructional Model	Continuous Learning 2.0+	Alternative Learning Experience (ALE)
Absences	Daily attendance with documentation of excused and unexcused absences and truancy response when applicable.	Daily attendance with documentation of excused and unexcused absences and truancy response when applicable.	Documented two-way weekly contact with truancy response when applicable.
Schedule	Instructional schedule for each school that shows each modality for delivery of instructional hours and describes when and how students have access to in-person instructional time each school day.	Instructional schedule for each school that shows each modality for delivery of instructional hours and describes when and how students have access to in-person, synchronous, or asynchronous instructional time each school day.	Written student learning plan, monthly progress evaluation, and intervention plans.
Access to Programs	Students have access to all related programs, supports, and services at school. These services include but are not limited to counseling, nutrition services, tiered supports and interventions, Bilingual Education Program, Migrant Education Program, Special Education Services, assessments, and graduation pathway options.	Students, including remote learners, have access to all related programs, supports, and services available at school, communicated through a schedule. These services include but are not limited to counseling, nutrition services, tiered supports and interventions, Bilingual Education Program, Migrant Education Program, Special Education Services, assessments, and graduation pathway options.	Students have access to related programs, supports, and services based on individual needs and locally determined delivery systems. These services include but are not limited to counseling, nutritional services, tiered supports and interventions, Bilingual Education Program, Migrant Education Program, Special Education Services, assessments, and graduation pathway options.

	In-person Instructional Model	Continuous Learning 2.0+	Alternative Learning Experience (ALE)
Staff Ratios and Funding	Maximizing K–3 funding is dependent on K–3 class size compliance.	Maximizing K–3 funding is dependent on K–3 class size compliance.	No link between staff ratios and funding.
Funding Model	Funded via prototypical school model and related enhancements (e.g., special education, career and technical education [CTE]).	Funded via prototypical school model.	Funded via nonvocational Running Start rate and subject to all ALE FTE. documentation requirements per Chapter 392-550 WAC .
<p>ALL:</p> <ul style="list-style-type: none"> • Funding exclusions for students who are absent for 20 consecutive school day apply. • Additional guidance for online learning is attached. Online learning requirements (Chapter 392-502 WAC) apply to all models where: <ul style="list-style-type: none"> ○ More than half of the course content (including assignments, assessments, activities, etc.) is delivered electronically, and ○ 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 (this includes tools such as Zoom or Google Classroom). 			

Local Decision Making

In-person Instructional Model	Continuous Learning 2.0+	Alternative Learning Experience (ALE)
<ul style="list-style-type: none"> • Whether to define additional excused absences beyond those included in WAC 392-401. 	<ul style="list-style-type: none"> • Whether to offer this model. • Establishing specific eligibility requirements for students to participate in this model due to the health and safety needs of that student and family. • Whether to define additional excused absences beyond those included in WAC 392-401. • Daily in-person and/or synchronous online learning schedule. • Asynchronous online instruction schedule. • Supplemental supports schedule. 	<ul style="list-style-type: none"> • Whether to offer this model. • Definition of “valid justification” for missed weekly contact. • Whether in-person or synchronous instructional time is required. • If Nutritional and transportation services are provided. • What ALE course types and program models are available.

In-person Instructional Model	Continuous Learning 2.0+	Alternative Learning Experience (ALE)
ALL: Course schedule, teaching models, staffing assignments, scheduling of standardized assessments, which learning options are available at which schools, high school credit policies, how students enroll in each program.		

REGULATORY FRAMEWORKS

The regulatory frameworks for the In-person Instructional Model and ALE are well established in statute and existing OSPI guidance. These have not changed. Links to laws, rules, and guidance on these frameworks are available at the end of this bulletin.

CL2.0+ enhances the requirements that were in place for the 2020–21 school year while allowing for some flexibility. It places a significant emphasis on full-time in-person or synchronous learning, requires access to necessary supports and services, and limits the amount of daily asynchronous instructional time to no more than 30%. CL2.0+ allows LEAs flexibility to deliver instruction to students in nontraditional settings and at nontraditional times to better meet student learning needs. These enhancements and additional requirements are intended to ensure equity in student access, including language access and special education services, accountability to student learning, and accountability to public funding.

Continuous Learning 2.0+ requires:

- **Instructional schedule** available to the public and posted on the website for each school or program that shows each modality for delivery of instructional hours and describes when and how students have access to in-person, synchronous, or asynchronous instructional time each school day. Asynchronous learning time is limited to no more than 30% of the daily instructional time.
- **Documentation of daily attendance and absence** is required based on WAC 392-401.
 - Permanent rulemaking for WAC 392-401 is in process. Additional guidance on attendance and documenting absences will be forthcoming.
 - Examples will include:
 - Attending school in-person,
 - Participation in synchronous online activities such as classes or meetings with peers and/or school staff.

Note: Daily attendance practices characterized by documenting asynchronous communication such as email, text messages, short phone conversations or voicemails, or survey submissions are not acceptable in the CL2.0+ model. LEAs interested in the flexibility offered by more robust asynchronous learning models should utilize ALE.

- **Supplemental programs schedule**, documented and communicated to staff, students, families, and the public that reflects how students regularly access all programs, supports, and services provided as part of a basic education program each school day. The schedule should include at a minimum: days, times, locations, and a point of contact to answer

questions or coordinate services. Supplemental programs and services include but are not limited to:

- Guidance and counseling,
 - Nutrition services,
 - Tiered supports and interventions,
 - Bilingual Education Program,
 - Migrant Education Program,
 - Special education services,
 - Assessments, and
 - Graduation pathway options.
- **Integration of the Academic and Student Well-being Recovery Plan** developed with an equity analysis tool and submitted by June 1, 2021. This will include, at a minimum, the ongoing equity analysis, diagnostic assessments to evaluate and monitor student progress and effectiveness of strategies, and other continuous improvement practices as part of the three phases of LEA plans.

Increased flexibility is available through ALE. LEAs needing an instructional model that relies primarily on independent and asynchronous learning should utilize ALE. ALE exists to support learning that takes place independent from the regular classroom and schedule and will provide greater flexibility than CL2.0+.

RECOMMENDATIONS

- Middle and high schools using CL2.0+ are strongly encouraged to align this model with their regular in-person instructional schedule. For the 2021–22 school year and beyond, students in CL2.0+ should experience an instructional schedule outside the school building with at least 70% of each class period engaged in synchronous learning with their teacher(s).
- Choose an instructional delivery model(s) with full understanding of all the requirements to deliver instruction and supports and to claim enrollment under the chosen model.
- Commit to available instructional model(s) for the full school year.
- If an instructional model is developed to be asynchronous with minimal synchronous in-person or online learning instructional time, it is likely an ALE program and should follow ALE regulations and guidelines.
- If the LEA chooses not to offer CL2.0+ or ALE and only provides an in-person instructional model, they can expect and should plan for loss in enrollment due to:
 - Choice transfer to ALE and/or online programs offered by other LEAs
 - Private education
 - Home-based instruction
- CL2.0+ instructional models that rely on synchronous online instruction should be informed by Washington's online learning approval criteria that identifies standards for

serving students remotely and online. These standards can be found in OSPI's published [approval criteria for online course providers and multi-district online school programs](#). Delivery of instruction through electronic means with students remote from the teacher synchronously or asynchronously typically falls under online learning requirements (RCW 28A.250, WAC 392-502) no matter which funding model is applied. Examples include students working on digital assignments interacting with their teacher through Zoom. Please see our supplemental online learning guidance attached.

RESOURCES

Continuous Learning 2.0+

- Additional guidance on the regulatory requirements may be published at a later date.
- Permanent rulemaking on WAC 392-401, Statewide definition of absence, is in progress. Monitor the OSPI rulemaking website for more information.
- More information on calculating FTE based on school/instructional schedules will be included in the 2021–22 Enrollment Reporting Handbook.
- For more information on K–3 Class Size Compliance, refer to the K–3 Class Size Compliance Q&A.

ALE

ALE [Website](#)

- ALE rules can be found in chapter [392-550 WAC](#) and RCW [28A.232](#)
- ALE enrollment reporting rules can be found in WAC [392-121-182](#)
- For guidance updates, subscribe to the [Alternative Learning newsletter](#)

Home-based Instruction and Public Education Guidance

The attached document clarifies how schools can support students in home-based instruction, and when public education is provided such as through an ALE Parent Partnership type program.

Online Learning Requirements 2021-2022

The attached document clarifies the definition of online learning and the flexibility to online approvals for the 2021–22 school year.

State Board of Education

The State Board of Education is in a rulemaking process for Chapter 180-16 WAC to clarify the definition of instructional hours as the hours comply with the legislative requirement for annual instructional hours in RCW 28A.150.220. This rulemaking aligns with the framework of this bulletin and is intended to provide clarity on the ways that LEAs may meet the instructional hour offering to all students. Monitor the SBE website, particularly the [Instructional Hours Frequently Asked Questions page](#), for more information.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact:

- Becky McLean, Supervisor, Enrollment Reporting and Categorical Funding, at 360-725-6306 or becky.mclean@k12.wa.us.
- Anissa Sharratt, ALE Program Manager, at 360-485-3758 or anissa.sharratt@k12.wa.us.
- Krissy Johnson, Attendance Program Supervisor, at 360-725-6045 or krissy.johnson@k12.wa.us.
- Parker Teed, Basic Education Manager with the Washington State Board of Education, at 360-742-4037 or parker.teed@k12.wa.us.
- The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

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Attachment(s):

- ***Online Learning Requirements 2021-2022***
- ***Home-based Instruction and Public Education Guidance***

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