

2012 -- S 2276 SUBSTITUTE A AS AMENDED

=====
LC01026/SUB A/3
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

A N A C T

RELATING TO EDUCATION - STATEWIDE VIRTUAL EDUCATION

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

Date Introduced: February 01, 2012

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1-1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended

1-2 by adding thereto the following chapter:

1-3

CHAPTER 22.1

1-4

THE STATEWIDE VIRTUAL EDUCATION ACT

1-5 **16-22.1-1. Short title.** – This chapter shall be known as and may be cited as “The Rhode

1-6 Island statewide virtual education act.”

1-7 **16-22.1-2. Legislative findings.** – The legislature hereby finds and declares the

1-8 following:

1-9 (1) A well-educated population benefits Rhode Island, supports its communities,

1-10 enhances the standard of living for all of its citizens, increases its capacity for success, and lays
1-11 the foundation for shared prosperity.

1-12 (2) Students in Rhode Island’s public elementary, secondary, and postsecondary schools
1-13 and institutions should be able to take advantage of as many opportunities as possible to support
1-14 and extend their learning. Their learning opportunities should allow them to acquire the
1-15 knowledge and technology skills that will allow them to contribute to and participate in a digital
1-16 world.

1-17 (3) The number and type of virtual learning programs and courses have increased
1-18 considerably, and the prevalence of virtual learning continues to grow. Virtual learning utilizes
1-19 the power and scalability of technology to remove the constraints of traditional classroom
1-20 learning, which can allow Rhode Island’s students to access personalized learning at any time, in
2-1 any place, and in ways that complement and extend traditional school settings.

2-2 (4) Public schools, school districts, and postsecondary institutions in Rhode Island should
2-3 have the freedom to work with teachers, families, and students to create customizable learning
2-4 opportunities that incorporate technology and reflect effective practices.

2-5 (5) The freedom that comes from technologically-supported opportunities to learn must
2-6 be accompanied by a clear responsibility to ensure that such opportunities are of high quality,
2-7 consistent with state standards for teaching and instruction, fulfill high school graduation
2-8 requirements, reflect the principles of equity and access, and include accountability provisions
2-9 that assure citizens that any investment of public tax dollars is well spent.

2-10 (6) Rhode Island is one of a few states that has not established the kind of statewide
2-11 policies on virtual education that will create the optimal conditions for effective learning and
2-12 instruction.

2-13 (7) The general assembly therefore finds that it is in the best interests of the people of the
2-14 state of Rhode Island to enact the Rhode Island statewide virtual education act to create

2-15 comprehensive regulations that will result in high quality, integrated virtual K-20 learning
2-16 experiences that will engage and challenge students through structured, sustained study.

2-17 **16-22.1-3. Purpose.** – The purpose of this chapter is to provide access to high quality,
2-18 rigorous, and relevant online learning opportunities for all of Rhode Island’s public school
2-19 students and to ensure promulgation of virtual learning regulations supporting access to high
2-20 quality virtual instruction consistently throughout the state.

2-21 **16-22.1-4. Definitions.** – When used in this chapter, the following terms shall have the
2-22 following meanings:

2-23 (1) “Board” means the Rhode Island board of regents for elementary and secondary
2-24 education.

2-25 (2) “Commissioner” means the Rhode Island commissioner for elementary and secondary
2-26 education.

2-27 (3) “Course” means a course of study consistent with subdivision 16-1-5(4) and that
2-28 meets the requirements of the basic education program.

2-29 (4) “School district” means local education agencies in Rhode Island operated by
2-30 municipalities and those entities established under sections 16-77.2-1, 16-77.3, and 16-77.4.

2-31 (5) “Teacher of record” means the teacher responsible for content instruction and
2-32 determining student grades.

2-33 (6) “Virtual course” means a course in which:

3-34 (i) Instruction and content are delivered primarily through technology, including over the
3-35 Internet, via television, and through multi-media;

3-36 (ii) A student and teacher may be in physically different locations for a portion of the
3-37 student’s instructional period;

3-38 (iii) Most instructional activities take place in a technology-supported environment;

3-39 (iv) The technology-supported instructional activities are integral to the students’

3-40 academic program;

3-41 (v) Extensive communication between a student and a teacher and among students is

3-42 emphasized; and

3-43 (vi) A student is not necessarily required to be located on the physical premises of a

3-44 public school.

3-45 (7) “Virtual course provider” means:

3-46 (i) A public school district or school in Rhode Island that provides virtual courses to:

3-47 (A) Students enrolled in that district or school; or

3-48 (B) Students enrolled in another school district or school;

3-49 (ii) An accredited public or private institution of higher education in Rhode Island or

3-50 another state that provides virtual courses or programs to students attending public schools in

3-51 Rhode Island;

3-52 (iii) A not-for-profit or for-profit organization whose work includes offering virtual

3-53 courses or programs to students attending public schools in Rhode Island.

3-54 **16-22.1-5. Regulations for virtual learning. – With the direction and approval of the**

3-55 **board of regents for elementary and secondary education, the commissioner for elementary and**

3-56 **secondary education shall develop and promulgate regulations for Rhode Island school districts**

3-57 **and other educational organizations that are using or intend to use virtual courses and other online**

3-58 **learning opportunities with K-12 students and adult learners. The regulations shall include:**

3-59 **(1) Objective, standard criteria that ensures virtual courses and content for K-12 students**

3-60 **are aligned with state content standards, meet or exceed the requirements of the state’s basic**

3-61 **education program, fulfill high school graduation requirements, and promote articulation with**

3-62 **public higher education institutions in the state;**

3-63 **(2) Objective, standard criteria for school districts to use to select quality providers of**

3-64 **virtual courses and online content, which may include local school districts, not-for-profit and**

- 3-65 for-profit postsecondary institutions, and other organizations;
- 3-66 (3) Objective, standard criteria that ensures teachers of virtual courses and other online
- 3-67 learning activities are appropriately trained and qualified and meet certification requirements set
- 3-68 forth by the commissioner of education;
- 4-1 (4) Objective, standard criteria that ensures that local policies shall not limit student
- 4-2 access to quality online learning opportunities;
- 4-3 (5) Objective, standard criteria that school districts can use to ensure that all learners in
- 4-4 Rhode Island have access to high quality, rigorous, and relevant virtual courses and other online
- 4-5 learning activities;
- 4-6 (6) Objective, standard procedures that school districts shall use to report and verify the
- 4-7 attendance and participation of a student enrolled in a virtual course;
- 4-8 (7) Standard accountability provisions that ensure school districts monitor students
- 4-9 enrolled in virtual courses and other online learning activities and when appropriate, report on
- 4-10 student progress and performance using grade-appropriate and content-appropriate assessments;
- 4-11 (8) Objective, standard criteria that ensures that RIDE participates in statewide efforts to
- 4-12 support virtual learning education with a focus on student access to quality online learning
- 4-13 opportunities and ensuring efficiencies gained by coordinating resources;
- 4-14 (9) Any other requirements or limitations for virtual courses in Rhode Island.
- 4-15 **16-22.1-6. Oversight, quality assurance, reporting, and evaluation of virtual courses.**
- 4-16 – (a) The commissioner shall utilize existing evaluation processes and protocols established
- 4-17 through regulations adopted by the board of regents to ensure student access to quality and
- 4-18 effective online content and instruction.
- 4-19 (b) Quality assurance reporting shall occur through the existing comprehensive data
- 4-20 collection, analysis and accountability procedures at both the local and state level.
- 4-21 (c) The commissioner shall prepare a report each fiscal year that documents the

- 4-22 conditions under which virtual education supports student learning in Rhode Island. The report
- 4-23 shall include:
- 4-24 (1) Virtual course participation rates, with participation information disaggregated for
- 4-25 core content areas;
- 4-26 (2) Expenditures related to virtual education, in aggregate and by district;
- 4-27 (3) The results of student assessments for students participating in virtual education in
- 4-28 core content areas, disaggregated from overall district data; and
- 4-29 (4) Any other information the commissioner deems relevant.
- 4-30 (d) The commissioner's report shall be delivered to the speaker of the house of
- 4-31 representatives and to the president of the senate by January 31 of each year, and the information
- 4-32 posted for public inspection on the Rhode Island department of education's website.
- 4-33 **16-22.1-7. Cooperation with public institutions of higher education.** – In partnership
- 4-34 with the commissioner of higher education, the commissioner of elementary and secondary
- 5-1 education shall promote access to high quality virtual courses for all public elementary,
- 5-2 secondary, and postsecondary students.
- 5-3 SECTION 2. This act shall take effect upon passage.

=====
LC01026/SUB A/3
=====

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

- 6-1 This act would establish the Rhode Island statewide virtual education act, to promote the
- 6-2 use of and quality of virtual courses as part of public education in Rhode Island.
- 6-3 This act would take effect upon passage.

=====
LC01026/SUB A/3
=====
2012 -- S 2276 H.
SUBSTITUTE A

A N A C T

RELATING TO EDUCATION - STATEWIDE VIRTUAL EDUCATION

=====
LC01026/SUB A/3
=====

Presented by