
HOUSE BILL 2492

State of Washington

65th Legislature

2018 Regular Session

By Representatives Santos and Harris; by request of Superintendent of Public Instruction

1 AN ACT Relating to modifying definitions for alternative learning
2 experience courses; and amending RCW 28A.232.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.232.010 and 2013 2nd sp.s. c 18 s 502 are each
5 amended to read as follows:

6 (1) The definitions in this subsection apply throughout this
7 chapter unless the context clearly requires otherwise.

8 (a) "Alternative learning experience course" means a course, or
9 for grades kindergarten through eight grade-level coursework, that is
10 a delivery method for the program of basic education and is:

11 (i) Provided in whole or in part independently from a regular
12 classroom setting or schedule, but may include some components of
13 direct instruction;

14 (ii) Supervised, monitored, assessed, evaluated, and documented
15 by a certificated teacher employed by the school district or under
16 contract as permitted by applicable rules; and

17 (iii) Provided in accordance with a written student learning plan
18 that is implemented pursuant to the school district's policy and
19 rules adopted by the superintendent of public instruction for
20 alternative learning experiences.

1 (b) "In-person" means face-to-face instructional contact in a
2 physical classroom environment.

3 (c) "Instructional contact time" means instructional time with a
4 certificated teacher. Instructional contact time must be for the
5 purposes of actual instruction, review of assignments, testing,
6 evaluation of student progress, or other learning activities or
7 requirements identified in the student's written student learning
8 plan. Instructional contact time must be related to an alternative
9 learning experience course identified in the student's written
10 student learning plan. Instructional contact time may occur in a
11 group setting between the teacher and multiple students and may be
12 delivered either in-person or remotely using technology.

13 (d) "Online course" means an alternative learning experience
14 course that has the same meaning as provided in RCW 28A.250.010.

15 (e) "Remote course" means an alternative learning experience
16 course that is not an online course where the ~~((student has in-person
17 instructional contact time for less than twenty percent of the total
18 weekly time for the course))~~ written student learning plan for the
19 course does not include a requirement for in-person instructional
20 contact time. No minimum in-person instructional contact time is
21 required.

22 (f) "Site-based course" means an alternative learning experience
23 course where the ~~((student has in-person instructional contact time
24 for at least twenty percent of the total weekly time for the course))~~
25 written student learning plan for the course includes a requirement
26 for in-person instructional contact time.

27 (g) "Total weekly time" means the estimated average hours per
28 school week the student will engage in learning activities to meet
29 the requirements of the written student learning plan.

30 (2) School districts may claim state funding under RCW
31 28A.232.020, to the extent otherwise allowed by state law including
32 the provisions of RCW 28A.250.060, for students enrolled in remote,
33 site-based, or online alternative learning experience courses. High
34 school courses must meet district or state graduation requirements
35 and be offered for high school credit.

36 (3) School districts that offer alternative learning experience
37 courses may not provide any compensation, reimbursement, gift,
38 reward, or gratuity to any parents, guardians, or students for
39 participation in the courses. School district employees are
40 prohibited from receiving any compensation or payment as an incentive

1 to increase student enrollment of out-of-district students in
2 alternative learning experience courses. This prohibition includes,
3 but is not limited to, providing funds to parents, guardians, or
4 students for the purchase of educational materials, supplies,
5 experiences, services, or technological equipment. A district may
6 purchase educational materials, equipment, or other nonconsumable
7 supplies for students' use in alternative learning experience courses
8 if the purchase is consistent with the district's approved
9 curriculum, conforms to applicable laws and rules, and is made in the
10 same manner as such purchases are made for students in the district's
11 regular instructional program. Items so purchased remain the property
12 of the school district upon program completion. School districts may
13 not purchase or contract for instructional or cocurricular
14 experiences and services that are included in an alternative learning
15 experience written student learning plan, including but not limited
16 to lessons, trips, and other activities, unless substantially similar
17 experiences and services are available to students enrolled in the
18 district's regular instructional program. School districts that
19 purchase or contract for such experiences and services for students
20 enrolled in an alternative learning experience course must submit an
21 annual report to the office of the superintendent of public
22 instruction detailing the costs and purposes of the expenditures.
23 These requirements extend to contracted providers of alternative
24 learning experience courses, and each district shall be responsible
25 for monitoring the compliance of its providers with these
26 requirements. However, nothing in this subsection shall prohibit
27 school districts from contracting with school district employees to
28 provide services or experiences to students, or from contracting with
29 online providers approved by the office of the superintendent of
30 public instruction pursuant to chapter 28A.250 RCW.

31 (4) Each school district offering or contracting to offer
32 alternative learning experience courses must:

33 (a) Report annually to the superintendent of public instruction
34 regarding the course types and offerings, and number of students
35 participating in each;

36 (b) Document the district of residence for each student enrolled
37 in an alternative learning experience course; and

38 (c) Beginning in the 2013-14 school year and continuing through
39 the 2016-17 school year, pay costs associated with a biennial measure

1 of student outcomes and financial audit of the district's alternative
2 learning experience courses by the office of the state auditor.

3 (5) A school district offering or contracting to offer an
4 alternative learning experience course to a nonresident student must
5 inform the resident school district if the student drops out of the
6 course or is otherwise no longer enrolled.

7 (6) School districts must assess the educational progress of
8 enrolled students at least annually, using, for full-time students,
9 the state assessment for the student's grade level and using any
10 other annual assessments required by the school district. Part-time
11 students must also be assessed at least annually. However, part-time
12 students who are either receiving home-based instruction under
13 chapter 28A.200 RCW or who are enrolled in an approved private school
14 under chapter 28A.195 RCW are not required to participate in the
15 assessments required under chapter 28A.655 RCW. The rules must
16 address how students who reside outside the geographic service area
17 of the school district are to be assessed.

18 (7) Beginning with the 2013-14 school year, school districts must
19 designate alternative learning experience courses as such when
20 reporting course information to the office of the superintendent of
21 public instruction under RCW 28A.300.500.

22 (8)(a) The superintendent of public instruction shall adopt rules
23 necessary to implement this section.

24 (b) Rules adopted for weekly direct personal contact requirements
25 and monthly progress evaluation must be flexible and reflect the
26 needs of the student and the student's individual learning plan
27 rather than specifying an amount of time. In addition, the rules must
28 reduce documentation requirements, particularly for students making
29 satisfactory progress, based on the unique aspects of the alternative
30 learning experience course types defined in this section and taking
31 into consideration the technical and system capabilities associated
32 with the different course types.

33 (c) The rules must establish procedures that address how the
34 counting of students must be coordinated by resident and nonresident
35 districts for state funding so that no student is counted for more
36 than one full-time equivalent in the aggregate.

--- END ---