



## MODEL LEGISLATION

RELATED TO ONLINE LEARNING OPPORTUNITIES  
FOR STUDENTS IN PUBLIC ELEMENTARY  
AND SECONDARY EDUCATION SCHOOLS

*Justin Bathon*

University of Kentucky

October 2011

### **National Education Policy Center**

School of Education, University of Colorado Boulder  
Boulder, CO 80309-0249  
Telephone: 303-735-5290  
Fax: 303-492-7090

Email: [NEPC@colorado.edu](mailto:NEPC@colorado.edu)  
<http://nepc.colorado.edu>

---

This is one of a series of briefs made possible in part by funding from  
The Great Lakes Center for Education Research and Practice.

**GREAT LAKES  
CENTER**  
FOR EDUCATION RESEARCH & PRACTICE  
<http://www.greatlakescenter.org>  
[GreatLakesCenter@greatlakescenter.org](mailto:GreatLakesCenter@greatlakescenter.org)



**Kevin Welner**

*Editor*

**William Mathis**

*Managing Director*

**Erik Gunn**

*Managing Editor*

Briefs published by the National Education Policy Center (NEPC) are blind peer-reviewed by members of the Editorial Review Board. Visit <http://nepc.colorado.edu> to find all of these briefs. For information on the editorial board and its members, visit: <http://nepc.colorado.edu/editorial-board>.

Publishing Director: **Alex Molnar**

**Suggested Citation:**

Bathon, J. (2011). *Model Legislation Related to Online Learning Opportunities for Students in Public Elementary and Secondary Education Schools*. Boulder, CO: National Education Policy Center. Retrieved [date] from <http://nepc.colorado.edu/publication/online-k-12-schooling>.

# MODEL LEGISLATION RELATED TO ONLINE LEARNING OPPORTUNITIES FOR STUDENTS IN PUBLIC ELEMENTARY AND SECONDARY EDUCATION SCHOOLS

*Justin Bathon, University of Kentucky*

---

## Introduction

Nearly all states have enacted legislation authorizing some form of online or virtual K-12 education. These state enactments vary greatly in their topical coverage as well as their specificity. This has created a great deal of variation among the states sometimes leading to the confusion and abuses documented earlier in this brief. Few states have addressed the issues of systemic integrity: reliability of budgets, authentication of student work, quality of instruction, fidelity of the virtual teaching staff, and clear, yet highly developed, state regulations. Thus, there is a need for a foundational approach to virtual school legislation that we hope this model provides.

The model legislation set out below is not meant to provide an all-encompassing policy on virtual schools. Rather it is meant to supplement existing virtual schools legislation and provide legislative clarity. Thus, parts of this model legislation may be applicable in some states but not in others. Legislators are encouraged to customize the model legislation for application in their own states within their own existing statutory frameworks.

To complete the model legislation, we reviewed all existing online and virtual school legislation in the United States. The annual Keeping Pace<sup>1</sup> report of virtual school policies and adoption provided a useful starting point in identifying this legislation, and large parts of this model legislation have been borrowed or adapted from existing legislation. In particular, Florida and Colorado provided useful models, along with elements of the Arizona, Idaho, Maine, Montana, Nebraska, Pennsylvania, South Carolina, Tennessee, Washington, and Wisconsin statutes on virtual schools. The authors would like to thank the unknown and unheralded authors of this previous legislative work. They have provided a useful base on which to continue the effort to build a sound framework for the operation of the rapidly evolving online education system in the United States.

---

<sup>1</sup> Watson, John; Murin, Amy; Vashaw, Lauren; Gemin, Butch & Rapp, Chris. (2010). *Keeping Pace with K-12 Online Learning: An Annual Review of State-Level Policy and Practice* (p. 28). Retrieved June 1, 2011, from [http://www.kpk12.com/wp-content/uploads/KeepingPaceK12\\_2010.pdf](http://www.kpk12.com/wp-content/uploads/KeepingPaceK12_2010.pdf).

**Table of Contents:**

1

2 Section 101: Legislative Declarations and Findings

3 Section 102: Definitions

4 Section 201: Accreditation of Virtual Schools

5 Section 202: Initial Approval of Virtual Schooling Providers

6 Section 203: Approved and Probationary Status

7 Section 204: Annual Performance Report

8 Section 205: Annual Operations Report

9 Section 206: Independent Financial Audits

10 Section 207: Virtual Teachers and Staff

11 Section 301: Accreditation of Supplemental Online Instruction

12 Section 302: Approval of Supplemental Online Instruction

13 Section 303: Reporting of Supplemental Online Instruction

14 Section 401: Integrity of Student Learning and Assessment

15 Section 501: Promulgation of Rules & Regulations

16

1                   **An Act Ensuring High-Quality Online Learning Opportunities**  
2                   **for Students in Public Elementary and Secondary Education Schools**

3                   Be it enacted by the Legislature of the State of ABC that Title XXX is  
4                   amended to include a new Article 123, which reads as follows:

5                   **Article 123 – Establishing the Integrity of Online Education Options**  
6                   **for K-12 Students**

7                   *Section 101: Legislative Declarations and Findings*

8                   The Legislature hereby finds, determines and declares that:

- 9                   (a) Online education represents an approach to teaching and learning that is  
10                  appropriate for today’s students;
- 11                  (b) Technology and online education, including both full-time and  
12                  supplemental programs, are important tools to enhance educational  
13                  opportunities and improve educational outcomes;
- 14                  (c) A student’s access to educational opportunities should not be limited by  
15                  where the student lives or by the socioeconomic resources available to  
16                  the student;
- 17                  (d) Through the use of technology and online education, the State can create  
18                  educational opportunities for students that may not exist otherwise;
- 19                  (e) The growth of online education options is challenging existing education  
20                  policy, administration, and oversight;
- 21                  (f) The expansion of technology and learning has produced a need for  
22                  legislation that will enable the growth and development of high-quality  
23                  online learning opportunities;
- 24                  (g) The quality of education, properly regulated, can be maintained and/or  
25                  increased through the use of online learning options;
- 26                  (h) Concerns surrounding the integrity of student academic work and the  
27                  prevention of cheating and plagiarism are different and are heightened in  
28                  online environments;
- 29                  (i) Finding, training, and retaining high-quality instructional staff to provide  
30                  learning opportunities in online instructional environments present  
31                  unique challenges;
- 32                  (j) The State Board of Education is a central and crucial body to provide  
33                  oversight and regulatory guidance to meet the various demands of  
34                  changing technology environments; and

1 (k) The State has a responsibility to ensure that online education options,  
2 including supplemental online education offered by existing school  
3 providers, is of high quality and meets the standards and accountability  
4 requirements of local education providers.

5 ***Section 102: Definitions***

6 For purposes of this Act, unless the context otherwise requires, the below  
7 terms are defined as follows.

8 (a) “Assessment Center” means a private for-profit, non-profit or public  
9 facility that provides administration of multiple standardized  
10 examinations as a component of the enterprise.

11 (b) “Local Education Provider” means the local school district within which  
12 the online student resides.

13 (c) “Proctored Environment” means a student assessment location that  
14 ensures the integrity of the student work. The student work must be  
15 proctored under the supervision of a licensed teacher or higher education  
16 instructor. These environments shall include:

17 (1) a private assessment center as defined in this Act;

18 (2) a higher education institution such as a local community college  
19 or university within the state where the child is domiciled ; or

20 (3) a local elementary or secondary school.

21 (d) “Supplemental Online Instruction” means instruction provided for  
22 course credit by a local school district or a subsidiary. This instruction  
23 may be for credit-recovery for required courses or for advanced courses  
24 beyond the minimum requirements. A course shall be deemed as  
25 supplemental online instruction, and thus subject to this Act, if more  
26 than fifty percent of all course activity takes place in an online or  
27 distance learning environment.

28 (e) “Virtual School” means a stand-alone, full-time public charter school  
29 governed by an independent governing board of education offering  
30 course credit to students within the State. A Virtual School shall function  
31 independently from existing local school districts. A Virtual School may  
32 be a new, multi-district collaboration, a non-profit charter school, a  
33 university or college sponsored program, or other alternative granted the  
34 ability to enter into a charter agreement under State law.

35 ***Section 201: Accreditation of Virtual Schools***

36 (a) All virtual schools shall be accredited by an organization approved by the  
37 State Department of Education based on a demonstration that the

1 organization's accreditation process is rigorous and aligned with State  
2 policy. Each organization that is approved for accreditation shall  
3 annually report to the State Department of Education on any changes to  
4 its accreditation process. The State Department of Education shall  
5 annually reapprove or remove the approval of the organization, after due  
6 consideration of any concerns or complaints arising during the year.

7 (b) The State Board of Education may prohibit the use of a particular  
8 accreditation body for a specific Virtual School upon a showing of:

9 (1) a conflict of interest;

10 (2) previous, persistent quality concerns; or

11 (3) other good and just cause.

12 ***Section 202: Approval of Virtual Schooling Providers***

13 The State Board of Education shall annually evaluate applications for Virtual  
14 Schools. The criteria for evaluation of applications shall be determined by  
15 the State Board of Education. The criteria shall include, but are not limited  
16 to, the following.

17 (a) The applicant school must

18 (1) be a not-for-profit entity, incorporated and with an administrative  
19 office in the state;

20 (2) contract with other entities for no more than 30% of the school  
21 budget;

22 (3) be nonsectarian in its programs, admissions, employment  
23 practices, and operations;

24 (4) contract only with other entities that are also nonsectarian in  
25 their programs, employment practices and operations;

26 (5) comply with all anti-discrimination provisions;

27 (6) provide accommodations and services as required by the  
28 Individuals with Disabilities Education Act to meet the needs of  
29 students with special needs;

30 (7) provide accommodations and services as required by the Equal  
31 Educational Opportunities Act of 1974 to meet the needs of  
32 students who are English learners;

33 (8) require no tuition, student registration fee, or other fees;

34 (9) show that all members of the instructional staff are educators  
35 certified to teach in the state; and

1 (10) ensure that no instructional or grading functions are outsourced  
2 to people or companies outside the United States.

3 (b) The applicant school must provide for review and public inspection

4 (1) its mission, vision, and goals;

5 (2) its organizational structure and governance, including governing  
6 board and school policies and procedures;

7 (3) a detailed curriculum plan, including a curriculum map to the  
8 state content standards, showing how the course content meets  
9 state requirements;

10 (4) a technology utilization and training plan for students and faculty;

11 (5) a plan for providing access to and training on library and digital  
12 media for all students and staff;

13 (6) a detailed assessment plan, including:

14 (A) management of student records;

15 (B) data analysis and reporting; and

16 (C) how the school will address the assessment integrity issues  
17 addressed in Section 401 of this Act;

18 (7) student admissions policies;

19 (8) policies for the verification of student attendance;

20 (9) human resources management policies;

21 (10) its marketing plan;

22 (11) its communication plan for parents, including how the school will  
23 provide for language accessibility for non-native speakers; and

24 (12) a detailed financial plan for each year of probationary operation  
25 as set forth in section 203 of this Act. Based on estimated  
26 enrollment trends, the financial plan must specify projected  
27 revenues and expenses. Further, the plan must specify all  
28 financial controls that will safeguard the received public funds.

29 ***Section 203: Approved and Probationary Status***

30 (a) Upon successful application, each Virtual School approved to operate in  
31 the state shall either be classified as a probationary or approved  
32 provider. All new providers, including those providers that had been  
33 previously approved in the state, shall be classified as probationary. The  
34 probationary period shall last for three years. Upon a satisfactory  
35 determination in the third subsequent year, as determined by the State  
36 Board of Education, the provider shall be deemed an approved provider  
37 and subsequently thereafter. The approved provider shall be issued a two



1 year, renewable contract. The approved provider shall be subject to  
2 biennial reviews by the State Board of Education and biennial  
3 independent financial audits as specified in Section 206 of this Act. The  
4 approved provider shall continue to submit the annual performance  
5 report as provided in Section 204 of this Act and the annual operations  
6 report as provided in section 205 of this Act.

7 (b) If, as determined by the State Board of Education in consideration of the  
8 reports provided for in this Act and any other relevant information, the  
9 provider does not meet the performance or operations goals the provider  
10 shall be removed from the approved provider list and be placed back into  
11 probationary status, to once again complete a three year probationary  
12 period. If, at the end of this probationary period, the provider has met  
13 the performance or operation goals as determined by the State Board of  
14 Education, the provider shall be returned to approved provider status. If,  
15 at the end of this three year probationary period, the provider has not  
16 met the performance or operation goals as determined by the State Board  
17 of Education, the provider shall be closed and the charter or contract  
18 with the non-profit enterprise shall be terminated and shall not be  
19 permitted to apply again for a minimal period of three years.

20 (c) Nothing in this section shall be interpreted to limit the ability of the State  
21 Board of Education or the Legislature to terminate the charter or  
22 contract of a Virtual School provider at any time for a showing of just  
23 cause.

24 ***Section 204: Annual Performance Report***

25 (a) The governing body of any Virtual School shall annually submit to the  
26 State Board of Education a complete and detailed performance report  
27 setting forth:

28 (1) the student achievement levels and growth that the school  
29 demonstrates on all academic standards, as measured by [insert  
30 reference to state assessment here];

31 (2) average student daily attendance, as measured by participation in  
32 the instructional program;

33 (3) graduation rates, as applicable;

34 (4) enrollment of special needs students and students who are  
35 English language learners; and

36 (5) academic activities and programs designed to serve diverse  
37 students;

38 (6) the academic and disciplinary policies in effect for the previous  
39 year, including a copy of the student handbook;

- 1 (7) all student disciplinary incidents and punishments, aggregated by  
2 each student, and the response of the school to each, including all  
3 incidents of cheating or plagiarism, as detailed in Section 401 of  
4 this Act;
- 5 (8) the utilization of specific learning management and delivery tools;
- 6 (9) the teacher evaluation plan in effect;
- 7 (10) the name and certification status of all instructional staff,  
8 including the state of residence of all instructional staff; and
- 9 (11) the name and state of residence of all non-certified personnel  
10 employed by the Virtual School, including any personnel involved  
11 in the assessment of student work.
- 12 (b) The Virtual School shall comply with all reporting and data submission  
13 requirements required of other schools.
- 14 (c) With the exception of the disciplinary data in (a)(4) of this Section, the  
15 annual performance report shall be treated as a public record and be  
16 available to the public.

17 ***Section 205: Annual Operations Report***

18 The governing body of any Virtual School shall annually submit to the State  
19 Board of Education a complete and detailed operations report, which shall  
20 be treated as a public record and be available to the public, setting forth:

- 21 (a) the accomplishments of the Virtual School;
- 22 (b) efforts made to improve the programs and the delivery of instruction,  
23 including new technologies examined or implemented;
- 24 (c) the marketing and operational plan for the Virtual School, including  
25 recommendations regarding methods for improving the delivery of  
26 education through the Internet and other distance learning technologies;
- 27 (d) the financial assets and liabilities of the Virtual School at the end of each  
28 fiscal year;
- 29 (e) the sufficiency of the funding received;
- 30 (f) the purpose, monetary amount, and quality assurance mechanisms for all  
31 contracts with any outside entities accumulating to over \$10,000; and
- 32 (g) any other details deemed by the governing body of the Virtual School to  
33 be relevant to the successful operation of the Virtual School.

1           **Section 206: Independent Financial Audits**

2           Each Virtual School operating in the state shall submit an independent audit  
3           to the State Board in accordance with Section 203 of this Act.

4           (a) The audits shall:

5                   (1) be conducted annually for the first 3 years of operation of the  
6                   Virtual School within the State;

7                   (2) be conducted thereafter every two years, beginning with the fifth  
8                   year of operation of the Virtual School within the State;

9                   (3) be conducted by an independent certified public accountant in  
10                   accordance with the rules adopted by the Office of the State  
11                   Auditor; and

12                   (4) shall not be administered by any audit provider who has a conflict  
13                   of interest.

14           (b) The audit shall include, but not be limited to:

15                   (1) a detailed account of all revenue and expenses deemed  
16                   instructional;

17                   (2) a detailed account of all instructional related contracts with  
18                   outside entities;

19                   (3) a detailed account of all revenue and expenses deemed non-  
20                   instructional;

21                   (4) a detailed account of all non-instructional related contracts with  
22                   outside entities;

23                   (5) detailed information on all courses provided in the period under  
24                   review, including:

25                           (A) the name(s) of the teacher of record and any other  
26                           instructional personnel;

27                           (B) the number of students enrolled;

28                           (C) the average daily attendance of each course, as measured by  
29                           student participation in the instructional program;

30                           (D) how the school is measuring and keeping accurate records of  
31                           average daily attendance;

32                           (E) the state funding reimbursement generated by each course;

33                   (6) the assets and liabilities of the Virtual School at the end of the  
34                   fiscal year;

- 1 (7) a detailed account of all donations, grants, and other income  
2 received by the Virtual School and its parent company during the  
3 fiscal year; and
- 4 (8) any other information on the financial health and welfare  
5 commonly reported in accordance with the rules adopted by the  
6 Office of the State Auditor.
- 7 (c) The State Board of Education shall use the annual financial audits from  
8 all probationary and approved providers in determining the annual  
9 funding reimbursement rate for providers.
- 10 (d) The annual financial audits shall be treated as public records and be  
11 available to the public.

12 ***Section 207: Virtual Teachers and Staff***

- 13 (a) To be a teacher in a Virtual School responsible for student instruction, a  
14 teacher must:
- 15 (1) be a certified teacher in the state, including teachers who gained  
16 certification through alternative routes;
- 17 (2) hold a content specialization for the subject(s) taught; and
- 18 (3) possess documented completion of a state-approved program  
19 providing knowledge and skills in online instruction.
- 20 (b) The Virtual School must:
- 21 (1) conduct a criminal background check on all employees;
- 22 (2) provide all instructional staff with a contract detailing their  
23 salary, fringe benefits, other conditions of employment and  
24 responsibilities, including responsibilities regarding online  
25 instruction and digital tools;
- 26 (3) maintain a confidential personnel record on all employees;
- 27 (4) provide annual professional development to all employees,  
28 including professional development on the use of virtual  
29 education technology;
- 30 (5) provide an experienced mentor teacher, with online instruction  
31 expertise, for the first year of instruction of all new instructional  
32 staff hired by the Virtual School; and
- 33 (6) comply with all other state public teacher and public employment  
34 law.
- 35 (c) Teachers in a Virtual School shall:
- 36 (1) be subject to evaluation as provided in [cite state evaluation law];

- 1 (2) be subject to termination as provided in [cite state termination  
2 law];
- 3 (3) be provided terms and conditions of employment comparable to  
4 other public school teachers including, but not limited to, tenure  
5 or due process protections, leaves of absence, sabbaticals,  
6 remuneration, collective bargaining and other provisions to the  
7 extent such employment terms and conditions are not  
8 inconsistent with other state law [if appropriate, reference to the  
9 state charter statute]; and
- 10 (4) be provided employee benefits, including health coverage and  
11 participation in the state [Teachers' Retirement System] as  
12 provided in [cite teachers' retirement statute].

13 ***Section 301: Accreditation of Supplemental Online Instruction***

14 The State Board of Education shall ensure that supplemental online  
15 instruction options offered by local education providers are included in  
16 school and district accreditation decisions, including, but not limited to, the  
17 accreditation decisions made by regional accreditation providers.

18 ***Section 302: Approval of Supplemental Online Instruction***

19 The approval and oversight of supplemental online instruction shall remain  
20 with the local board of education. The local board of education shall ensure:

- 21 (a) the curriculum and assessments comply with state content standards;
- 22 (b) instructional personnel meet the qualification criteria found in Section  
23 207(a) of this Act;
- 24 (c) appropriate disciplinary procedures, including student due process  
25 protections, are followed;
- 26 (d) students are provided instruction on the use of the technology tools;
- 27 (e) students are provided the school's policies on cheating and plagiarism  
28 prior to beginning the coursework;
- 29 (f) final examinations are administered in a proctored environment, as  
30 defined by Section 401 of this Act;
- 31 (g) any outside private or public entities contracted for instructional  
32 purposes must meet all above provisions and must also:
- 33 (1) be on the state-approved providers list;
- 34 (2) be nonsectarian in its programs, admissions, employment  
35 practices, and operations;

- 1 (3) comply with all anti-discrimination provisions;
- 2 (4) provide accommodations and services as required by the
- 3 Individuals with Disabilities Education Act to meet the needs of
- 4 students with special needs;
- 5 (5) require no tuition, student registration fee, or other fees;
- 6 (6) show that all members of the instructional staff are educators
- 7 certified to teach in the state; and
- 8 (7) ensure that no instructional or grading functions are outsourced
- 9 to people or companies outside the United States.

### 10 ***Section 303: Reporting of Supplemental Online Instruction***

11 A local board of education engaging in supplemental online instruction,  
12 including credit-recovery courses, shall annually submit a report to the  
13 State. The State Board of Education shall determine the requirements and  
14 deadlines of the report, which shall be treated as a public record and be  
15 available to the public. The report shall include, but not necessarily be  
16 limited to:

- 17 (a) the courses offered in the supplemental online instruction;
- 18 (b) the number of student participants for each course;
- 19 (c) the number of student credit hours attempted for credit recovery;
- 20 (d) the number of student credit hours obtained for credit recovery;
- 21 (e) the number of student credit hours attempted for advanced placement
- 22 credit;
- 23 (f) the number of student credit hours obtained for advanced placement
- 24 credit;
- 25 (g) the number of student credit hours attempted in conjunction with a
- 26 community college program;
- 27 (h) the number of student credit hours obtained in conjunction with a
- 28 community college program;
- 29 (i) the cost associated with each course;
- 30 (j) the usage of any outside private or public entities for instruction,
- 31 including:
  - 32 (1) the name of the provider;
  - 33 (2) the content or courses provided;

- 1 (3) the monetary amount of the contract; and,
- 2 (4) the mechanisms used to assure quality.

3 ***Section 401: Integrity of Student Learning and Assessment***

4 Students in virtual learning environments shall be held to the same  
5 standards prohibiting cheating and plagiarism as students in traditional  
6 classroom environments. To ensure that students are learning and  
7 appropriately demonstrating their knowledge, each Virtual School and  
8 supplemental online instruction program shall ensure:

- 9 (a) that the compulsory attendance requirements in [cite compulsory  
10 attendance statute] are met by each student;
- 11 (b) that for every credit-bearing course, each student shall take any final  
12 examination or at least one exam or assignment in a proctored  
13 environment, as defined by Section 102(c) of this Act;
- 14 (c) all students participating in the state-mandated accountability measures  
15 [cite statutory location of state testing programs] shall take the  
16 examination with their peers at their local education provider. A Virtual  
17 School shall notify local school districts of participating students within  
18 those districts' attendance boundaries and the level at which the students  
19 are to be assessed no later than October 1. Each school district shall  
20 ensure that virtual education students are permitted to take the  
21 mandated assessments with their traditional classroom peers;
- 22 (d) that for every credit-bearing course, students are provided multiple  
23 synchronous learning opportunities with their teachers in which the  
24 students are required to participate and share their knowledge;
- 25 (e) that each student is provided with a policy prohibiting cheating and  
26 plagiarism for each course;
- 27 (f) that each student is provided instruction on avoiding cheating and  
28 plagiarism prior to enrolling in a course in each academic year; and
- 29 (g) that each instance of identified cheating or plagiarism is disciplined in  
30 accordance with appropriate due process procedures and reported to the  
31 State Board of Education in accordance with Section 204 of this Act.

32 ***Section 501: Promulgation of Rules & Regulations***

33 The State Board of Education shall promulgate rules establishing the  
34 standards for online programs pursuant to this Act. The rules shall include,  
35 but are not limited to, the establishment of quality standards in the  
36 following areas:

- 1 (a) concerning students;
- 2 (1) Internet security;
- 3 (2) student academic performance and improvement;
- 4 (3) monitoring and assessment of student academic performance and
- 5 improvement;
- 6 (4) course completion measurements;
- 7 (5) attendance tracking procedures;
- 8 (6) student discipline procedures, including policies regarding
- 9 expulsion and suspension of virtual school students;
- 10 (7) data analysis, management, and reporting;
- 11 (8) guidance counseling;
- 12 (9) participation guidelines for extracurricular activities;
- 13 (10) engagement of parents and communities in online programs;
- 14 (11) provisions for students with special needs, including gifted and
- 15 talented students and English language learners; and
- 16 (12) training in how to use both the hardware and software associated
- 17 with the online program;
- 18 (b) concerning teachers;
- 19 (1) the required amount of teacher participation in the instructional
- 20 program for each course;
- 21 (2) the qualifications of mentor teachers;
- 22 (3) the required elements of a program in online instruction
- 23 necessary to become a virtual teacher, as proscribed in Section
- 24 207(a) of this Act;
- 25 (4) the required amount of professional development yearly required
- 26 of online instructors in technology-based instructional design;
- 27 (5) the elements of an alternative certification program for previously
- 28 certified teachers in other states, territories or the District of
- 29 Columbia of the United States; and
- 30 (6) the required qualifications of non-certified personnel involved in
- 31 any assessment of student work; and
- 32 (c) concerning programs;
- 33 (1) an online program's governance, vision and organization;
- 34 (2) standards-based curricula and data-driven instructional practices;



- 1 (3) technology capacity and support;
- 2 (4) sound financial and accounting practices and resources;
- 3 (5) program evaluation and improvement;
- 4 (6) details of the annual review process;
- 5 (7) approval of private or public outside contractors with public
- 6 school districts for supplemental online instruction;
- 7 (8) approved private or public proctor options;
- 8 (9) appeal procedures for probationary status and contract
- 9 termination determinations; and
- 10 (10) professional development support mechanisms.