

State of Rhode Island and Providence Plantations

RI Board of Regents for Elementary and Secondary Education

Public Notice of Proposed Rule-Making

Virtual Learning Education in Rhode Island

Pursuant to the provisions of Title 16-60-4 of the General Laws of Rhode Island, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the RI Board of Regents for Elementary and Secondary Education, hereby gives notice of its intent to adopt the Board of Regents Regulation Governing Virtual Learning Education in Rhode Island.

The purpose of this regulation is to ensure that all students have access to high-quality online learning opportunities, to foster the development and implementation of a wide array of customized learning opportunities and interventions for students, to provide reliable access to the Internet and to the technology tools that students will need to participate in virtual learning, and to coordinate PK-12 policies and initiatives on virtual learning with the policies and initiatives in institutions of higher education and with work of other agencies.

The proposed regulation is available for public inspection in person at the RI Department of Elementary and Secondary Education, 255 Westminster Street, Providence, RI and can be requested by email at Angela.Teixeira@ride.ri.gov or by calling Angela Teixeira at 401-222-8435.

In the development of the proposed regulation consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

All interested parties are invited to submit written comments concerning the proposed regulation by June 8, 2012, to Angela Teixeira at RI Department of Elementary and Secondary Education, 255 Westminster Street, Providence, RI 02903, or at Angela.Teixeira@ride.ri.gov or by calling Angela Teixeira at 401-222-8435 or by faxing 401-222-6178.

STATE OF RHODE ISLAND

R.I. Department of Elementary and Secondary Education

**Regulations of the Board of Regents
Governing Virtual Learning Education in Rhode Island**



DRAFT FOR PUBLIC COMMENT

MAY 2012

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26 **DEFINITIONS**

27 As used in these regulations, the following words and terms have the following meaning,
28 unless the context indicates another or different meaning or intent:

29 (a) Acceptable use policy (AUP) – a policy that outlines the responsibilities of students,
30 teachers, staff and others as they use the computers, software applications, and Internet
31 when using the school or district computers or internet connections. AUPs also outline
32 the consequences for failure to adhere to this policy.

33 (b) Asynchronous learning - communication exchanges that occur in elapsed time between
34 two or more people. Examples are email, online discussion forums, message boards,
35 blogs, podcasts, wikis, etc.

36 (c) Blended learning – learning opportunities in which a student learns, at least in part, at a
37 supervised brick and mortar location away from home and, at least in part, through
38 online delivery with some element of student control over time, place, path, and/or
39 pace.

40 (d) Brick and mortar site – the physical location where teachers and students are
41 interacting and the location for some of the computers that students are using to
42 connect to the Internet and online sources.

43 (e) Commissioner – the commissioner of elementary and secondary education.

44 (f) Common Core Standards – standards adopted by a majority of states, including Rhode
45 Island, that are robust and relevant to the real world, reflect the knowledge and skills
46 that young people need for success in college and careers, and provide a consistent,
47 clear understanding of what students are expected to learn.

48 (g) Course – a connected series of lessons and learning experiences that:

- 49 1. Establish expectations defined by recognized standards,
50 2. Provide students with opportunities to learn and practice skills, and
51 3. Include assessments of student knowledge and skills adequate to determine
52 proficiency at the level of academic rigor required by relevant content standards.

53 (h) Dual Enrollment – the concurrent earning of college credits while enrolled in high
54 school.

55 (i) High speed broadband Internet access – infrastructure that provides connections to the
56 Internet which allows transfer of large quantities of complex digital content at sufficient
57 speeds to ensure fast and reliable delivery of data and content.

58 (j) Individual Learning Plans (ILP) - a planning and monitoring tool that customizes and
59 directs students' goals and development in three domains: academic, career, and
60 personal/social.

61 (k) Online (or distance learning) – education in which instruction and content are delivered
62 primarily over the Internet.

63 (l) Online courses – an “online course” is one in which more than half of the content is
64 delivered by a teacher from a different location than that of the student.

- 65 (m) Online school program – programming delivered by a school district or cooperative of
66 school districts, and provides an online, comprehensive and sequential program of
67 courses or grade-level coursework and instruction in which more than half of the
68 program is delivered online and more than half of the instruction is delivered online by
69 a teacher from a different location than that of the student.
- 70 (n) Open enrollment – students may enroll in online content and programming outside of
71 those online opportunities provided by the district of residence.
- 72 (o) Synchronous learning - Online learning in which the participants interact at the same
73 time and in the same space.
- 74 (p) Virtual learning – learning opportunities that make use of technology to enhance the
75 teaching and learning experience.
- 76

DRAFT

77 **1.0 AUTHORITY, SCOPE AND PURPOSE**

78 The Board of Regents for Elementary and Secondary Education (Board of Regents)
79 pursuant to its delegated statutory authority under the Rhode Island General Law Chapter
80 §16-60, promulgate these Regulations of the Rhode Island Board of Regents Governing
81 Virtual Learning Education (Regulations).

82 The Board of Regents recognizes that a variety of learning options, including online courses
83 and programs, are critical for 21st Century learners. The Board of Regents also recognizes
84 that online learning provides opportunities for students to access curriculum and
85 specialized courses in a flexible learning environment that might not otherwise be available.

86 The purpose of these Regulations is to establish comprehensive and coherent policies
87 governing Virtual Learning Education in Rhode Island. These Virtual Learning Education
88 Regulations promote and support customized learning experiences for all learners through
89 quality and engaging online content and programs and by allowing learners some element
90 of control over the time, place, pace, and path of their learning.

91 These Regulations will help ensure that future technologies and innovative online learning
92 activities can be integrated into existing practices in ways that continue to empower both
93 educators and learners. The Virtual Learning Education Regulations are framed around
94 four regulatory principles: 1) All learners in Rhode Island will have access to high quality,
95 rigorous, and relevant online learning opportunities; 2) virtual learning education in Rhode
96 Island will support all learners in meeting academic and career goals; 3) Rhode Island will
97 support reliable access to the Internet and technology tools necessary for virtual learning;
98 and 4) the Rhode Island Department of Education (RIDE) will coordinate these Virtual
99 Learning Education Regulations with policies developed by higher education institutions
100 and other state agencies.

101 **2.0 ROLES AND RESPONSIBILITIES**

102 **2.1 RIDE Responsibilities and Functions**

103 The responsibilities of RIDE include but are not limited to:

- 104 1) Ensuring that existing and future state policies do not limit or prohibit students
105 from engaging in online learning opportunities;
- 106 2) Ensuring open enrollment for all learners to provide greater access to quality
107 online content;
- 108 3) Promoting state policies to support a move to competency-based learning;
- 109 4) Reviewing and communicating the national standards that will guide the
110 development or purchase of quality online content, instruction and
111 programming;
- 112 5) Providing information to the educational community relating to online learning
113 content, instruction, programming and other online resources;
- 114 6) Promoting flexible student funding that supports access to online learning
115 opportunities;

- 116 7) Supporting statewide efforts to ensure adequate resources for bandwidth and
117 infrastructure; and
118 8) Supporting opportunities for statewide efficiencies to increase access to
119 technology and online learning.

120 **2.2 LEA Responsibilities and Functions**

121 LEAs shall support student access and engagement in a variety of online learning
122 opportunities such as online courses or online programs suitable for meeting the unique
123 learning needs of individual students. Responsibilities of LEAs include but are not limited
124 to:

- 125 1) Ensuring that all online content, regardless of the source, is rigorous, of high
126 quality, and, where appropriate, aligned to adopted state and LEA standards;
- 127 2) Providing professional development on the utilization and integration of virtual
128 learning opportunities into curriculum and instructional strategies;
- 129 3) Ensuring appropriate placement of students in online learning programs or
130 courses;
- 131 4) Communicating the criteria and procedures for enrolling and remaining
132 enrolled in online learning opportunities;
- 133 5) Communicating to students and parents or guardians acceptable online course
134 work that will meet state and local graduation requirements;
- 135 6) Clearly identify online coursework opportunities that meet post-secondary,
136 college, or military enrollment requirements;
- 137 7) Ensuring the safety of all students in the online environment by adopting and
138 upholding acceptable use and internet safety policies or protocols; and
- 139 8) Creating and adopting a local virtual learning policy that provides all students
140 with access to online learning and that clearly communicates all of the above
141 and any other LEA procedures related to virtual learning education.

142 Recognition of virtual learning opportunities as fulfilling coursework graduation
143 requirements is a local decision and shall be predicated on alignment to state adopted
144 standards and other relevant national and industry standards. Local graduation policies
145 must not limit access or prohibit approved online coursework from fulfilling graduation
146 requirements.

147 **3.0 CUSTOMIZED LEARNING**

148 **3.1 Personalized learning opportunities**

149 Technology can address the issues of relevance and engagement by providing a highly
150 personalized learning experience that builds upon learning styles, interests, and abilities
151 and allows students to work at their own pace. LEAs should incorporate online learning
152 opportunities as part of a comprehensive and personalized learning experience to meet
153 student interests, goals, and needs.

154 **3.1.1 Individual Learning Plans**

155 The Regents Secondary Regulations, the Basic Education Program, and the Regents Career
156 and Technical Regulations require each student to engage in the development of learning
157 plans that reflect his or her academic and career goals. Individual Learning Plans (ILP) and
158 the ILP process are designed to help each student reach his or her academic and career
159 goals. Quality online learning allows students to meet these goals through a wide variety of
160 courses, instructional strategies, curriculum, and relevant content. LEAs shall utilize
161 appropriate technology and online learning opportunities to help student achieve their
162 goals and prepare them for success in college and careers. Individual Learning Plans
163 should reflect each student’s engagement in virtual learning opportunities.

164 **3.1.2 Elements of student control**

165 All learners should be given the opportunity to choose a learning experience that supports
166 their learning style and allows them to progress at their own pace. Technology and online
167 learning programs provide students with some control over their learning because they
168 can engage in online content anytime, anywhere and can progress through the content at
169 their own rate. LEA virtual learning policies shall provide some level of flexibility for
170 student choice and shall allow for students to demonstrate achievement in self-paced
171 online coursework based on proficiency level rather than seat time.

172 **3.2 Online delivery models**

173 Digital learning programs can be offered synchronously and/or asynchronously to
174 customize the learning environment that meets learner needs and learning styles. The level
175 of teacher involvement in these programs varies as well; with teachers playing supporting
176 roles in some courses and taking more direct instructional roles in others.

177 **3.2.1 Role of teachers**

178 The role of teachers and the level of teacher involvement with their students vary
179 depending on the delivery model in use. In the blended learning classroom, the roles of
180 teachers and students are often quite similar to their roles in a traditional classroom. As
181 learning becomes more student-centered, the roles of teachers and students often change
182 and teachers become facilitators of learning and students gain some control and choice
183 over their learning experiences. Instructional technologies and quality online content
184 enable educators to develop customized learning experiences for students.

185 **3.2.2 Spectrum of delivery models**

186 There are several models for delivery of online learning ranging from blended learning
187 models that integrate online learning with face-to-face instruction in a brick and mortar
188 school to fully online learning experiences. These regulations do not limit the use of other
189 models for online learning. LEAs retain the flexibility to choose appropriate online delivery
190 models.

191
192 Blended learning occurs in a variety of venues and models and may incorporate online
193 content in the form of a lesson, a single course, or an entire curriculum. A blended
194 classroom or course provides flexibility and availability of programming that expands
195 learning beyond the day or school year. In a blended learning environment, teachers
196 facilitate students’ learning with direct instruction.

197
198 Virtual charter schools represent a more extensive online learning experience where
199 students may complete most of their course work online at locations other than a school
200 building. Virtual charter schools may also allow students to complete all required
201 coursework online. Virtual charter schools must adhere to the Board of Regents
202 Regulations Governing Rhode Island Public Charter Schools.
203

204 The intent of these Regulations is to ensure that all students have access to quality online
205 learning opportunities and to support LEAs in their role of identifying the online learning
206 activities that best meets each student’s needs and goals.

207 **3.3 Access and Opportunity**

208 The advent of digital learning requires investments in computer hardware, communication
209 networks, and technical support services. Decisions regarding spending on infrastructure
210 and quality content at both the state and LEA level shall be made with these needs in mind,
211 ensuring access to quality online learning for all learners.

212 **3.3.1 Access to quality content, instruction and programming**

213 LEAs shall have flexibility to make decisions regarding the development, adoption or
214 purchase of quality online content and programming based on local data and information
215 about student needs. Section 4.0 contains details regarding quality assurance for content,
216 instruction and programming.

217 **3.3.2 24/7 access**

218 Online learning opportunities provide the flexibility necessary for instruction and learning
219 to occur anytime and anywhere. Providing anytime, anywhere access to online coursework
220 will meet the needs of students who, for a variety of reasons, may not be able to “fit” their
221 learning into a traditional school schedule. Local policy shall not prevent student access to
222 quality online learning that occurs both within and outside of the traditional school setting.

223 **4.0 QUALITY ASSURANCE**

224 Learners in Rhode Island are assured access to quality instruction and learning
225 opportunities through these Virtual Learning Education Regulations as well as, the Rhode
226 Island Basic Education Program, the Regents Secondary Regulations, Regulations of the
227 Board of Regents Governing Career and Technical Education in Rhode Island, the Rhode
228 Island Teaching Standards and the Education Evaluation Program. The Regents Regulations
229 for Virtual Learning Education will complement and enhance existing regulations by
230 promoting students access to quality online learning opportunities as part of each student’s
231 pathway.

232 Nationally recognized, research-based standards and best policy and practices will form
233 the basis of RIDE developed guidance to LEAs and other educational organizations to
234 ensure the quality of online content, instruction and programming.

235 RIDE shall regularly review and revise guidance documents as necessary to reflect
236 promising practices and technology advances and innovations.

237 **4.1 Content**

238 Online content is the high quality academic material delivered through technology. It is
239 what students learn and ranges from new engaging, interactive software to classic
240 literature delivered through video lectures and games.

241 All content whether online or in print must be aligned to common state standards, national
242 and/or technical standards and reflect the guaranteed and viable curriculum available for
243 all students. Online content shall also reflect the scope, rigor, and depth of quality content
244 available through more traditional means. Online content shall be evaluated for
245 effectiveness and LEAs seeking to adopt online content should require data on the
246 effectiveness of that content including information such as student completion and
247 achievement. Locally developed content must be aligned to state adopted standards and
248 should follow nationally recognized standards for quality online content.

249 **4.2 Instruction**

250 To ensure that teachers are effective in supporting student success in online learning
251 opportunities, whether through a blended learning model or a completely online model,
252 teachers must be knowledgeable in online instructional strategies and pedagogy.
253 Technology and online resources provide tools to support teachers in developing engaging,
254 relevant and customized learning opportunities. Training and professional development
255 opportunities focused on effective online instructional strategies and pedagogy through a
256 coordinated K-12 and higher education effort are critical to better prepare teachers to
257 support students in online learning environments.

258 Virtual Learning Education guidance documents will provide educators and administrators
259 with national models of teacher training and preparation programs that are effective in
260 preparing teachers for online learning.

261 **4.3 Programming**

262 It is expected that LEAs will embrace new technologies and virtual learning opportunities
263 to develop innovative blended learning models. As LEAs develop online learning programs,
264 they shall utilize nationally recognized best practices such as those included in RIDE Virtual
265 Learning Education guidance. Development of effective programs will include at a
266 minimum descriptions of online program leadership, instruction, content, student support
267 services and evaluation for effectiveness. Program design considerations must be made to
268 ensure equity and access.

269 **5.0 SYSTEMIC SUPPORTS FOR VIRTUAL LEARNING EDUCATION**

270 These Regulations seek to promote collaboration with higher education and state agencies
271 to establish connected and coherent statewide policies. Higher education, cross agency and
272 business partnerships can more effectively secure sufficient resources to ensure necessary
273 technology infrastructure and to promote virtual learning opportunities for all learners in
274 Rhode Island.

275 **5.1 Statewide policy**

276 Building a high quality education system is an investment in the future of all Rhode Island
277 students and in the future of Rhode Island's economy. Virtual Learning Education is a long-
278 term strategy that will support a quality education system, preparing students for post
279 secondary education and successful entry into the workforce. The development of a
280 coherent statewide system for online learning will require a coordinated statewide effort
281 with higher education and other state agencies.

282 These Regulations authorize the Commissioner to coordinate RIDE's efforts with higher
283 education and other state agencies to ensure the establishment of coherent statewide
284 virtual learning policies and to promote collaborations that result in efficiencies of scale
285 that support those policies.

286 **5.2 Resourcing, support, coordination, and articulation**

287 The potential and inevitable impact of online learning across K-12, adult education, higher
288 education, and workforce development necessitates that resources and supports be
289 coordinated across the state.

290 The Commissioner shall ensure that RIDE continues to seek new and innovative funding
291 solutions to ensure all learners have access to quality online content.

292 The Commissioner shall ensure that RIDE participates in statewide efforts to support
293 Virtual Learning Education with a focus on ensuring all students have access to quality
294 online learning opportunities and ensuring efficiencies gained by coordinating resources.

295 Coordinated statewide efforts can ensure purchasing power to maintain necessary
296 infrastructure and acquire regular upgrades and negotiated lower costs for devices and
297 online content and programming.

298 Publicly available information regarding quality providers will support educators,
299 administrators, families and students to make informed judgments about online content
300 and programs. This information must be coordinated between RIDE and higher education
301 to ensure that families and students are aware of acceptable course work that meets both
302 graduation requirements and higher education acceptance and dual enrollment credit
303 recognition.

304 The Commissioner shall ensure that RIDE coordinates its efforts with higher education, the
305 legislature, and other key stakeholders to ensure the development of a comprehensive
306 statewide policy framework and to coordinate resources focused on providing all learners
307 access to quality online learning opportunities.