

Local Development of Policies and Procedures for Online Learning for Minnesota School Districts

Minnesota's Online Learning Option Act of 2003 (OLOA)(M.S. 124D.095) creates the opportunity for any Minnesota school district, charter school, or organization of two or more districts organized under a joint powers agreement to offer online coursework to Minnesota students. Although the statute answers many questions, it raises or leaves open numerous issues that both provider and consumer school districts should address through local policies and procedures. This document is intended to be a comprehensive, but not exhaustive, description of those issues. This guide focuses on policy development and not on program development or instructional design.

| MS 124D.095 | Possible local policy statement | Other questions, policies and considerations |
|--|---|---|
| Subd. 3. Authorization; notice; limitations on enrollment. | | |
| A student age 17 or younger must have the written consent of a parent or guardian to apply. | Applicants to the school district's online learning program shall have the written consent of a parent or guardian. | Producer districts will want to put a signature line on the applications. Consumer districts will want to verify the parental approval. |
| No school district or charter school may prohibit a student from applying to enroll in on-line learning. | The school district shall not prohibit a student from applying to enroll in an online learning program. | Will you offer guidelines, course counseling, or criteria as suggestions for students who are considering online learning? If so, you will need criteria and professional development in online learning for school counselors and others. |
| An on-line learning provider that accepts a student under | Within ten days of a student's acceptance into the online program, the school district shall notify the | For which students will your online program be designed (e.g. high achievers, low |

| | | |
|--|--|---|
| <p>this section must, within ten days, notify the student and the enrolling district if the enrolling district is not the on-line learning provider. The notice must report the student's course or program and hours of instruction.</p> | <p>student and the enrolling district regarding the student's course or program, and the hours of instruction that the student will attempt to complete in the program.</p> | <p>achievers, ALC populations, hospital-bound students, particular grade levels)?</p> <p>Will you allow home-schoolers, private schoolers, or students enrolled in other districts to participate in your program (if so, approval by the MDE is required and funding for new students is limited)?</p> <p>You will need:</p> <ul style="list-style-type: none"> • An application form • An individual or committee charged with creating and reviewing the applications • A set of criteria for reviewing the applications • Application timelines |
| <p>(b) An on-line learning student must notify the enrolling district at least 30 days before taking an on-line learning course or program if the enrolling district is not providing the on-line learning.</p> | <p>The school district shall notify all applicants to the online learning program that they must notify their district of enrollment at least 30 days before taking an on-line learning course or program in order to maintain eligibility for the program.</p> | <p>The district may wish to produce forms for this purpose.</p> <p>Who will receive and record this information?</p> <p>How will the information get to all the people necessary, including those concerned with MARSS and funding?</p> |
| <p>An on-line learning provider must notify the commissioner that it is delivering on-line learning and report the number of on-line learning students it is accepting and the on-line learning courses and programs it is delivering.</p> | <p>The school district shall report to the Minnesota Department of Education that it is delivering online learning, the courses and programs that it is delivering, and the number of online students it is accepting.</p> | <p>How many and which courses or grade levels will your program offer?</p> <p>You will need:</p> <ul style="list-style-type: none"> • A set of course descriptions for selected courses |
| <p>(c) An on-line learning provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards</p> | <p>The school district shall adopt and apply specific standards for accepting and rejecting students' applications. Those standards are listed in a separate document known as "Standards for Accepting and Rejecting Applications for the School District's</p> | <p>What specific standards will you use for accepting or rejecting student applications?</p> <p>Who will review the applications?</p> |

| | | |
|--|---|---|
| for accepting and rejecting students' applications. | Rejecting Applications for the School District's Online Learning Program.” | How will you determine student readiness for online learning (e.g. interviews, self-assessments)? What criteria will you use? |
| (d) An enrolling district may reduce an on-line learning student's regular classroom instructional membership in proportion to the student's membership in on-line learning courses. | The school district may reduce an online learning student's regular classroom instructional membership in proportion to the student's membership in on-line learning courses. | Will you generally require this reduction? Where will students go during this non-instructional time? (e.g. study hall, allowed to go home, resource room, media center) Who is responsible for supervision, and how will that fit into their job assignment and/or contract? |
| Subd. 4. On-line learning parameters. (a) An on-line learning student must receive academic credit for completing the requirements of an on-line learning course or program. Secondary credits granted to an on-line learning student must be counted toward the graduation and credit requirements of the enrolling district. | The school district shall award appropriate academic credit to students who have completed the requirements of an online learning course or program. Secondary credits granted to an online learning student shall be counted toward the graduation and credit requirements of the school district. | MDE defines successful completion as an “F” or above, as long as the grade is on the transcript and the coursework is completed. How will the district handle students who drop online courses after they begin? How long will students in your program have to drop a class? |
| The enrolling district must apply the same graduation requirements to all students, including on-line learning students, | The school district shall apply the same graduation requirements to all students, including online learning students. | Note that this is required by law, and face-time requirement for graduation have not generally been allowed. (Home school and transfer students provide precedent.) |
| and must continue to provide nonacademic services to on-line learning students. | The school district shall provide non-academic services to online learning students. | |
| If a student completes an on-line learning course or program that meets or exceeds a graduation standard or grade progression requirement at the enrolling district, that | The school district shall award credit for a graduation standard or grade progression requirement to any student who completes an online learning course or program that meets or exceeds such a requirement. | |

| | | |
|--|--|---|
| standard or requirement is met. | | |
| The enrolling district must use the same criteria for accepting on-line learning credits or courses as it does for accepting credits or courses for transfer students under section 124D.03 | The school district shall use the same criteria for accepting online credits or courses as it does for accepting transfer students. See district policy *** | |
| subdivision 9. The enrolling district may reduce the teacher contact time of an on-line learning student in proportion to the number of on-line learning courses the student takes from an on-line learning provider that is not the enrolling district. | The school district may reduce the teacher contact time of an on-line learning student in proportion to the number of on-line learning courses the student takes from an on-line learning provider. | |
| (b) An on-line learning student may: | | |
| (1) enroll during a single school year in a maximum of 12 semester-long courses or their equivalent delivered by an on-line learning provider or the enrolling district; | The school district shall permit a student to enroll in a maximum of 12 semester-long online learning courses or their equivalent during a single school year by an online learning provider or the school district. | |
| (2) complete course work at a grade level that is different from the student's current grade level; and | The school district shall permit an online learning student to complete course work at a grade level that is different from the student's current grade level. | |
| (3) enroll in additional courses with the on-line learning provider under a separate agreement that includes terms for payment of any tuition or course fees. | The school district shall permit a student to enroll in, and grant credit for, courses beyond the maximum under a separate agreement that includes terms for payment of any tuition or course fees. | You will need a fee structure and billing process, if applicable. |
| | | |

| | | |
|---|---|---|
| <p>(c) A student with a disability may enroll in an on-line learning course or program if the student's IEP team determines that on-line learning is appropriate education for the student.</p> | <p>The school district shall permit a student with a disability to enroll in an on-line learning course or program if the student's IEP team determines that on-line learning is appropriate education for the student.</p> | <p>What criteria will you use to determine if on-line learning is appropriate for a particular student?</p> <p>How will you inform your IEP teams about the types of students for whom online learning might be appropriate?</p> <p>What kind of oversight or accountability will be in place for any special needs students placed in the on-line program?</p> <p>You will need:</p> <ul style="list-style-type: none"> • Criteria compatible with online learning and special needs students. • A professional development plan for critical IEP team members. • An oversight and accountability plan. • Perhaps a teacher in the OLL program to act as liaison to IEP teams. |
| <p>(d) An on-line learning student has the same access to the computer hardware and education software available in a school as all other students in the enrolling district.</p> | <p>The school district shall allow online learning students the same access to the computer hardware and education software available in a school as all other students in the school district.</p> | <p>Will the needs of the online students require you to make computers more available more than you do currently?</p> |
| <p>An on-line learning provider must assist an on-line learning student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software for on-line learning purposes.</p> | <p>The school district shall assist an online learning student whose family qualifies for the education tax credit to acquire computer hardware and educational software for online learning purposes.</p> | <p>How will you identify those students whose families qualify for the education tax credit?</p> <p>What type of assistance will you offer? (e.g. grants, computer loans, donations)</p> <p>Who will be responsible for coordinating these assistance efforts?</p> <p>How much money will need to be devoted to such assistance?</p> |
| <p>A teacher with a Minnesota license must assemble and</p> | <p>The school district shall provide a teacher with a Minnesota license in the appropriate grade level and</p> | <p>If you are purchasing a commercial curriculum, how will you ensure that your</p> |

| | | |
|--|---|---|
| deliver instruction to enrolled students receiving on-line learning from an enrolling district. The instruction may include curriculum developed by persons other than a teacher with a Minnesota license. | subject area to assemble and deliver instruction to students in the online learning program. | program design meets this requirement? How will your program define “assemble and deliver instruction” to ensure that your courses don’t become merely electronic correspondence courses? |
| (f) An on-line learning provider that is not the enrolling district is subject to the reporting requirements and review criteria under subdivision 7. | The school district shall fulfill all reporting requirements and review criteria required under subdivision 7 of the Online Learning Option Act. | Who will be responsible for these additional reporting requirements? (e.g. OLL program director, MARSS coordinator) |
| Unless the commissioner grants a waiver, a teacher providing on-line learning instruction must not instruct more than 40 students in any one on-line learning course or program. | The school district shall not permit a teacher to provide online learning instruction to more than 40 students in any one online learning course or program. | How many students will your program be able to handle? What class size limits will you apply? (Although OLOA limits class size to 40. Distance education literature suggests a maximum of 15 is most effective for a highly interactive class.)? |
| Subd. 5. Participation in extracurricular activities. An on-line learning student may participate in the extracurricular activities of the enrolling district on the same basis as other enrolled students. | The school district shall permit any on-line learning student enrolled in the district to participate in the extracurricular activities of the district on the same basis as other enrolled students. | |
| Subd. 6. Information. School districts and charter schools must make available information about on-line learning to all interested people. | The school district shall make available information about on-line learning to all interested people. | What information will you make available? How will you tell people it’s available? How will you make your own parents and students aware of your program offering? Will you market to students and parents outside your district? |

| | | |
|---|---|--|
| | | Will you market to non-public school students within your district? |
| Subd. 7. Department of Education. (a) The department must review and certify on-line learning providers. | | |
| The on-line learning courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progression in a single subject. | The school district shall ensure that all online courses and programs are rigorous, aligned with state academic standards, and contribute to grade progression in a single subject. | What course development or course selection criteria or design standards will you use? Will you submit all your courses for approval, or just a sampling? What ongoing documentation will you keep on all courses in order to assure that they are, as required, rigorous, aligned with state academic standards, and contribute to grade progression? |
| On-line learning providers must affirm to the commissioner that on-line learning courses have equivalent standards or instruction, curriculum, and assessment requirements as other courses offered to enrolled students. | The school district shall affirm to the commissioner that on-line learning courses have equivalent standards or instruction, curriculum, and assessment requirements as other courses offered to enrolled students. | What ongoing documentation will you keep on all courses in order to assure that they are, as required, equivalent in standards, instruction, curriculum, and assessment requirements to other courses offered to enrolled students? |
| The on-line learning provider must also demonstrate expectations for actual teacher contact time or other student-to-teacher communication. | The school district shall demonstrate expectations for actual teacher contact time or other student-to-teacher communication. These expectations will be described in the document entitled *** | Will you have a face-time requirement? If so, how will you accomplish that with students outside your district, if applicable? What form will the online or electronic student-teacher communication take (e.g. email, weekly chats, discussion boards, telephone)? Will there be student-to-student communication and interaction? How much? How will you define attendance for your online courses? |
| (b) An enrolling district may | The school district will maintain records that allow | What criteria will you use for reviewing |

| | | |
|---|---|--|
| <p>challenge the validity of a course offered by an on-line learning provider. The department must review such challenges based on the certification procedures under paragraph (a). The department may initiate its own review of the validity of an on-line learning course offered by an on-line learning provider.</p> | <p>the online learning program to defend the validity of its courses to enrolling school districts and to the Minnesota Department of Education.</p> | <p>online courses and comparing requirements to other courses?</p> <p>Who will be charged with making such selections and comparisons?</p> <p>As an enrolling district, what criteria will you use to trigger a challenge on behalf of your district or your students?</p> |
| <p>Subd. 8. Financial arrangements. (a) For a student enrolled in an on-line learning course, the department must calculate average daily membership and make payments according to this subdivision.</p> | | |
| <p>(c) No on-line learning average daily membership shall be generated if: (1) the student does not complete the on-line learning course, or (2) the student is enrolled in on-line learning provided by the enrolling district and the student was enrolled in a Minnesota public school for the school year before the school year in which the student first enrolled in on-line learning.</p> | <p>The school district shall not award credit for the online learning course or program if the student does not successfully complete the course or program.</p> | <p>Will you require individualized learning plans of any kind?</p> |
| <p>Other MN State statutes and federal laws</p> | | |
| <p>Internet Access for Students (MS 125B.15 and CIPA, the federal Children's Internet Protection Act</p> | <p>The school district will insure that all computers supplied by the school district for online learning will have appropriate active Internet filtering and blocking technology. The school district will periodically check all computers, including those that are loaned to students for use outside the school, to insure that the filtering and blocking software is active.</p> | <p>Who will be responsible for this ongoing maintenance?</p> <p>Does your AUP policy need to be updated to include these concerns?</p> <p>What will be the consequences of any inappropriate use or disabling of the filtering software?</p> |

| | | |
|--|---|--|
| COPPA, the Children's Online Privacy Protection Act. | The school district will comply with all provisions of the Children's Online Privacy Protection Act, and will not collect any private student data without the consent of the student's parent or guardian. | How will you collect and distribute private information about students in the program? |
| Teacher contract issues | <p>How will your teacher contracts address online learning?</p> <p>Can online teachers function with different work hours or under a different calendar?</p> <p>Will there be contracted class size limitations lower than the statutory limit of 40? How does this compare to your contract expectations for face-to-face courses? (Keep in mind that research suggests a maximum class size of 15 for a highly interactive online course, and that it can take up to three times longer to prep and teach an online course than a face-to-face course.)</p> <p>If a teacher develops an online course for the district, who owns the course? Does the teacher get any portion of any proceeds from that course? What if the teacher develops it on his/her own time?</p> <p>You will need:</p> <p>A "Meet & Confer" or other forum to discuss and resolve these questions in your district.</p> | |
| Professional development needs | <p>What professional development does your staff need regarding general online learning? (e.g. program structure, online learning teaching techniques, successful online learner characteristics, online course development and instructional design techniques)</p> <p>What resources (time, money, experts) will you devote to this subject?</p> | |

David B. Glick, M.A., M.Ed.

Educational Consulting

540 Dorland Road South

Maplewood, MN 55119

Phone: 651-734-9311

Email: dglick@glickconsulting.com

<http://www.glickconsulting.com>