

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO. _____

Distance education.

Sponsored by: Senator(s) SDRAFT

A BILL

for

1 AN ACT relating to public schools; providing a definition;
2 clarifying the distance learning plan for students
3 participating in distance education in nonresident
4 districts; requiring a distance education screening
5 process; granting rulemaking authority; and providing for
6 an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 21-2-202(a)(xxxi) by creating a new
11 subparagraph (F), 21-3-110(a) by creating a new paragraph
12 (xxx) and 21-13-330(f) by creating a new paragraph (v),
13 (g)(intro), (h) and by creating a new subsection (k) are
14 amended to read:

1

2 **21-2-202. Duties of the state superintendent.**

3

4 (a) In addition to any other duties assigned by law,
5 the state superintendent shall:

6

7 (xxxi) By rule and regulation and in
8 consultation with the state board of education and the
9 Wyoming professional teaching standards board, provide
10 guidance and oversight of distance education by:

11

12 (F) Establishing a student screening
13 assessment process for determining if distance education is
14 educationally appropriate as required under W.S.
15 21-13-330(k), and include an appeals process for students
16 not qualifying under the established assessment process.

17

18 **21-3-110. Duties of boards of trustees.**

19

20 (a) The board of trustees in each school district
21 shall:

22

1 (xxx) Establish policy allowing student
2 participation in distance education programs which are in
3 compliance with W.S. 21-13-330, whether delivered within
4 the district or through agreement with a nonresident
5 district. The policy shall include provisions for student
6 monitoring, instructional support, assessments and a point
7 of contact within the district for distance education, as
8 required under W.S. 21-13-330(g).

9
10 **21-13-330. Distance education; program content;**
11 **distance learning plan required; students within ADM of**
12 **resident district; agreements with districts authorized.**

13
14 (f) As used in this section:

15
16 (v) "Qualified student" means a student who has
17 passed the distance education screening process required
18 under subsection (k) of this section.

19
20 (g) A resident school district providing distance
21 education for any qualified student shall:

22

1 (h) Each qualified student participating in distance
2 education offered by the school district of residence or by
3 a nonresident district shall be included within the average
4 daily membership (ADM) of the resident district as computed
5 under the education resource block grant model pursuant to
6 W.S. 21-13-309(m)(iv), regardless of the origination of the
7 district providing the distance education program for the
8 student. The membership for a distance education student
9 shall be prorated at less than one (1.0) ADM if the number
10 of distance education courses in which enrolled are less
11 than the regularly scheduled courses for that school, but
12 the distance education program membership may be combined
13 with any nondistance education membership to result in a
14 larger fractional ADM of not to exceed one (1.0) ADM. A
15 resident district ~~may~~ shall through agreement provide for a
16 qualified student to participate full time or part time in
17 distance education offered by a nonresident school district
18 ~~whereby the student is counted among the membership of the~~
19 ~~nonresident district~~ if the nonresident district complies
20 with the requirements specified in this subsection and
21 subsection (g) of this section. ~~and the resident district~~
22 ~~removes the participating student from its membership for~~
23 ~~the period of time the student participates full time in~~

1 ~~the distance education program of the nonresident district.~~

2 The resident and nonresident districts shall complete a

3 distance learning plan appropriate to the learning

4 capabilities of the qualified student and ensure the plan

5 is in compliance with criteria established by the

6 department of education under W.S. 21-2-202(a)(xxxi)(D).

7 In addition, the resident and nonresident districts shall

8 establish an agreement accompanying the plan which

9 specifies the amount of funding the resident district shall

10 provide to the nonresident district for the distance

11 education provided to the qualified student by the

12 nonresident district. If a qualified student is

13 participating full time or part time in distance education

14 provided by the nonresident district, the student shall

15 otherwise be considered a student of the resident district

16 and may, to the same extent as other resident district

17 students, participate in activities and other educational

18 programs offered by the resident district which are not

19 included in the distance education program.

20

21 (k) Before participating in any distance education

22 program, each student shall be assessed through the

23 screening process established in accordance with rules and

1 regulations of the state superintendent of public
2 instruction under W.S. 21-2-202(a)(xxxi)(F). The
3 screening assessment process shall determine if distance
4 education is educationally appropriate for the student.

5

6 **Section 2.** This act is effective July 1, 2011.

7

8

(END)