

Chapter 41

Virtual Education

STATEMENT OF REASONS

During the 2017 General Session, SEA0057 modified several aspects of virtual education provided by Wyoming school districts. This act set forth the requirement for the Wyoming Department of Education (WDE) to work in consultation with the virtual education advisory committee established by W.S. 21-2-202(a)(xxxi)(F) and the data advisory committee established under W.S. 21-2-203(d) to develop a methodology for computing average daily membership (ADM) for students participating in virtual education programs. The changes to the ADM calculation for virtual education, and required rulemaking associated with this change, necessitated revisions to Chapter 41 Virtual Education rules.

The implications of not adequately meeting the requirements of virtual education laws could result in harmful consequences to school districts such as, but not limited to, potential loss of funding, a change in accreditation status or not being approved for virtual education program renewal. The Chapter 41 Rules revisions include critical areas of concern to increase district understanding of all virtual education statutory requirements. A summary of the Chapter 41 rules revisions to aid districts in understanding their responsibilities follows:

- Definitions for “full-time” and “part-time” virtual education and the corresponding district responsibilities replace the obsolete terms and responsibilities of “resident district” and “nonresident district.”
- Virtual education teacher definition and minimum requirements were included to ensure teachers are correctly identified and meet the certification or permit requirements pursuant to W.S. 21-7-303 and the rules and regulations of the Wyoming Professional Teaching Standards Board.
- The process to become a virtual education program and how to enroll and withdraw students has been updated.
- The implementation of a virtual education coordinator in each district has been included to facilitate communication, data collection, reporting and dissemination of timely and accurate information.
- A definition and description of “course and services agreement” has been added to be consistent with W.S. 21-4-502(c) and to replace memorandum of understanding.
- “District-assigned learning coach” or “family-designated learning coach” definitions and roles have been included to provide support for students taking virtual education courses in a traditional brick and mortar or home setting.
- Requirements for vendors selling virtual education courses in Wyoming to provide districts with assurances that all courses are aligned to Wyoming Content and Performance Standards, taught by teachers with appropriate Wyoming certification, and, if applicable, delivered by a program accredited by an appropriate accrediting entity. Virtual education vendor assurances also include data security and student data privacy

requirements are met, and background checks are conducted for all staff who may come in contact with Wyoming virtual education students who are minors.

- The recourse available to school districts should a letter of intent for application to become a virtual education program provider be denied.
- The need for all reporting systems used for virtual education student records to meet data security, student privacy and data collection protocols and requirements.

At the suggestion of the State Board of Education, the WDE collected district input on the Chapter 41 revisions to address concerns and recommendations districts may have prior to the rules being submitted for promulgation. The WDE also worked closely with the Virtual Education Advisory Committee throughout the Chapter 41 revisions process taking all feedback and input from the Committee members into consideration. The process of collecting input during revisions was helpful to the WDE and will hopefully prevent issues from arising during regular rules promulgation.