

ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING DISTANCE LEARNING

August 11, 2003

1.00 REGULATORY AUTHORITY

- 1.01 These rules shall be known as Arkansas Department of Education Rules Governing Distance Learning.
- 1.02 These rules are enacted pursuant to the State Board of Education's authority under Arkansas Code Annotated §§ 6-47-201, 6-47-302, and Act 1192 of 2003.

2.00 PURPOSE

It is the purpose of these rules to set reasonable guidelines for the implementation of the Arkansas Distance Learning Development Project and the operation of distance learning in the public schools of Arkansas. These regulations rules shall replace any existing regulations or guidelines regarding distance learning. These rules do not apply to professional development activities or courses meeting Arkansas Department of Education Rules and Regulations for Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade.

3.00 DEFINITIONS

For the purpose of these rules:

- 3.01 "Adult Facilitator" is the person responsible for supervising and assisting the students at the receiving site. The adult facilitator must be an adult approved by the school district.
- 3.02 "Appropriately Licensed or Approved Instructor" is a teacher either licensed to teach the content of the required course in a public school in Arkansas or approved by the Department to teach the content through distance learning technology.
- 3.03 "Course Curriculum" is the course design including the instructional content, methods, and student assessments.
- 3.04 "Distance Learning" is the technology and educational process used to provide instruction when the student and primary instructor are not physically present at the same time and/or place.
- 3.05 "Elective Course" is a course that is not used to meet the state requirements for graduation or course offerings.
- 3.06 "Offering Institution" is the school or organization providing the distance learning course.
- 3.07 "Primary Instructor" is the instructor responsible for the course design, instruction, and student assessments.

- 3.08 "Receiving Site" is the local school site where the students are receiving distance learning.
- 3.09 "Required Course" is a course offered by distance learning which may be used by a student to meet one of the state mandated graduation requirements or by a school to meet one of the course offerings required by the state.
- 3.10 "Supplemental Instruction" is instruction used to reinforce or enrich a required course or to provide the student an educational opportunity outside of the normal course structure.
- 3.11 "Technology" is the method (usually electronic or by telecommunications) used for providing the student with materials, instruction, assistance, and a way to interact with the teacher(s) and other students.

4.00 REQUIRED COURSES

- 4.01 The Department of Education must approve all required courses originating from an offering institution located outside the State of Arkansas. The courses must be approved either individually or the Department may approve the institution to offer distance learning courses to public schools in Arkansas.
- 4.02 All distance learning courses originating in Arkansas that are used as a required course shall have an appropriately licensed or approved primary instructor.
- 4.03 All distance learning courses that are used as a required course shall have an adult facilitator to supervise any instructional activity where students meet as a group.
- 4.04 All distance learning courses except concurrent credit courses that are used as a required course shall use a curriculum designed to comply with the Arkansas Curriculum Frameworks and Arkansas Course Content Standards.
- 4.05 An adult facilitator must be present when student achievement assessments used to determine a student's final grade are administered in a distance learning required course. The student achievement assessments shall be designed to assess the degree to which the students have mastered the Arkansas Course Content Standards.
 - 4.05.1 Documentation of student achievement assessments shall be maintained at the receiving site school for a minimum of five years after the final grade for the student has been issued. Documentation shall include the assessment questions, student responses, and the grade for each student assessment and grading period.

- 4.05.2 Student achievement assessment documentation shall be available for review by the Department of Education. In the event that the Department review indicates insufficient student achievement or inadequate curriculum alignment with the curriculum frameworks or course content standards, the course may be disapproved by the Department for use beginning the following school year.

5.00 ELECTIVE COURSES

Distance learning elective courses shall not be subject to the restrictive provisions of these regulations. However, teachers must be licensed or approved by the Department and other related Department regulations or standards of accreditation may apply.

6.00 SUPPLEMENTAL INSTRUCTION

All distance learning supplemental instruction shall be considered an enhancement to the teacher's regular instruction and shall not be subject to the restrictive provisions of these regulations.

7.00 CLASS SIZE

- 7.01 The number of students present at the receiving site(s) shall determine class size.
- 7.02 Class size for synchronous distance learning courses shall be the same as for courses not taught by distance learning as specified in the Arkansas Standards for Accreditation. Class size requirements do not apply to asynchronous distance learning instruction.
- 7.03 Student interaction with the primary instructor or an appropriately licensed teacher(s) shall be available at a ratio of no more than 30 students per class and 150 students each day for both synchronous and asynchronous courses.

8.00 ADULT SUPERVISION

These rules provide minimum distance learning educational supervision requirements only and are not designed to replace legal or other student supervision responsibilities schools have to properly protect and supervise students.

9.00 PILOT PROGRAMS

In an effort to facilitate distance learning opportunities for students and teachers, the Information and Technology Section of the Department of Education may approve on a pilot basis distance learning courses for a maximum of two consecutive years. Continuation of the distance learning course after the pilot phase will be dependent on the course meeting all of the regulations governing distance learning courses.

10.0 ARKANSAS DISTANCE LEARNING DEVELOPMENT PROJECT

In order to improve course offerings available to students throughout the state and demonstrate the efficiency of using distance learning to enhance elementary and secondary education there is hereby established the Arkansas Distance Learning Development Project.

10.01 The project shall have four (4) focus areas:

10.01.1 To help alleviate the increasing shortage of available qualified teachers;

10.01.2 To provide additional course scheduling opportunities of students currently forced to choose between courses that are scheduled infrequently or currently;

10.01.3 To provide an opportunity for students to access an enriched curriculum and additional courses beyond those mandated by the Standards for Accreditation of Arkansas Public Schools; and

10.01.4 To develop and make available online professional development and instructional resources for all teachers and administrators.

10.02 The funding necessary to carry out the provisions of this subchapter may be derived from donations, grants, or legislative appropriation.

10.02.1 The project shall receive from the Public School Fund an amount equal to one-sixth (1/6) of the previous year's base local revenue per student for each student enrolled in a course at the secondary level or each subject at the elementary level on July 15 for the current summer or upcoming school year. The funds shall be transferred from the Public School Fund to the designated distance learning fund and appropriation upon verification of student enrollment by the Information and Technology Section .

10.02.2 The director may solicit and receive donations and grants for the purpose of administering the program.

10.02.3 Fund balances may be carried over from one year to the next to continue the project.

10.02.4 The department may enter into contracts or provide grants to local education agencies, education service cooperatives, or other entities for personnel, facilities, and services necessary to implement this project.

10.03 Students taking courses through this project shall be considered entitled to any public education credits and grades assigned through this project and those credits and grades shall be accepted by all public schools in Arkansas.

10.04 The director shall review the implementation of this program annually and make recommendations to the board to ensure that the purpose of the program is achieved.