S T A T E O F N E W Y O R K

7017

I N S E N A T E

March 8, 2010

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to creating the New York state web academy and virtual charter schools to provide online instruction

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new article 56-A to read as follows:

ARTICLE 56-A

VIRTUAL CHARTER SCHOOLS

SECTION 2900. DEFINITIONS.
2901. NEW YORK STATE WEB ACADEMY.
2902. LICENSURE.
2903. ENROLLMENT.

S 2900. DEFINITIONS. THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. "VIRTUAL CHARTER SCHOOL" SHALL MEAN A CHARTER SCHOOL IN WHICH ALL OR A PORTION OF THE INSTRUCTION IS PROVIDED THROUGH MEANS OF THE INTERNET, AND THE PUPILS ENROLLED IN AND THE INSTRUCTIONAL STAFF EMPLOYED BY THE SCHOOL ARE GEOGRAPHICALLY REMOTE FROM EACH OTHER.

2. "NEW YORK STATE WEB ACADEMY" SHALL MEAN AN ONLINE ACADEMY ESTABLISHED BY THE DEPARTMENT TO PROVIDE STUDENTS THE OPPORTUNITY TO ENROLL IN ONLINE COURSES THEY WOULD NOT OTHERWISE BE ABLE TO TAKE, WHICH IS COMPRISED OF ONLINE COURSES PROVIDED BY VIRTUAL CHARTER SCHOOLS.

S 2901. NEW YORK STATE WEB ACADEMY. 1. THE DEPARTMENT SHALL ESTABLISH THE NEW YORK STATE WEB ACADEMY COMPRISED OF VIRTUAL CHARTER SCHOOLS TO PARTNER WITH SCHOOL DISTRICTS, COOPERATIVE EDUCATIONAL SERVICES, PRIVATE SCHOOLS AND THE CHARTERING ENTITIES OF CHARTER SCHOOLS THROUGHOUT THE STATE, TO OFFER ONLINE COURSES, AT A REASONABLE FEE TO BE DETERMINED BY THE COMMISSIONER, FOR MIDDLE AND HIGH SCHOOL STUDENTS. THE DEPARTMENT SHALL ADD THE ONLINE COURSES TO A SCHOOL DISTRICT'S MIDDLE AND HIGH SCHOOL CURRICULUM.

2. THE BOARD OF REGENTS SHALL, AT A MINIMUM:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD15502-01-0

A. ESTABLISH THE CONTENT OF THE ONLINE COURSES;
B. PROVIDE FOR ONLINE CERTIFICATION FOR NEW YORK STATE CERTIFIED TEACHERS; AND
C. PROVIDE TECHNICAL SUPPORT FOR THE ACADEMY.
3. THE ACADEMY SHALL ASSIST SCHOOL DISTRICTS, COOPERATIVE EDUCATIONAL SERVICES, PRIVATE SCHOOLS AND THE CHARTERING ENTITIES OF CHARTER SCHOOLS IN DEVELOPING THEIR POLICIES FOR ONLINE LEARNING.
4. THE ACADEMY'S ONLINE COURSES SHALL MEET NEW YORK STATE AND NATIONAL STANDARDS.
5. ALL ONLINE COURSES OFFERED BY VIRTUAL CHARTER SCHOOLS SHALL BE OFFERED FOR A REASONABLE COST TO BE DETERMINED BY THE COMMISSIONER.
6. THE DEPARTMENT SHALL PROVIDE FOR A SAFE AND SECURE ONLINE ENVIRONMENT, ENSURE THE CONFIDENTIALITY OF PUPIL COURSEWORK AND RECORDS, AND DEVELOP A PROGRAM OR OTHER MEANS TO VERIFY THE AUTHENTICITY OF A PUPIL'S COURSEWORK.

S 2902. LICENSURE. 1. IN ADDITION TO ANY OTHER CERTIFICATIONS OR LICENSING REQUIRED BY LAW, ALL TEACHERS TEACHING AN ONLINE COURSE, SHALL ENROLL IN AND SUCCESSFULLY COMPLETE A PROFESSIONAL DEVELOPMENT PROGRAM, APPROVED BY THE DEPARTMENT, THAT IS DESIGNED TO PREPARE A TEACHER FOR ONLINE TEACHING PRIOR TO TEACHING SUCH ONLINE COURSE.

2. THIS SECTION SHALL NOT PREVENT TEACHERS ALREADY EMPLOYED TO TEACH SUCH COURSES FROM TEACHING SUCH ONLINE COURSES, PROVIDED, THEY ENROLL IN AND SUCCESSFULLY COMPLETE A PROFESSIONAL DEVELOPMENT PROGRAM, APPROVED BY THE DEPARTMENT, THAT IS DESIGNED TO PREPARE A TEACHER FOR ONLINE TEACHING PRIOR TO TEACHING SUCH ONLINE COURSE, WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS ACT.

S 2903. ENROLLMENT. 1. THE DEPARTMENT SHALL LIMIT THE NUMBER OF STUDENTS ENROLLED IN A VIRTUAL CHARTER SCHOOL THROUGH AN OPEN ENROLLMENT PROGRAM, WHICH INCLUDES AN ONLINE ENROLLMENT APPLICATION FOR PUPILS.

2. THE DEPARTMENT SHALL ENSURE THAT:
A. PUPILS ENROLLED PART-TIME IN ONLINE COURSES HAVE DIRECT CONTACT WITH A TEACHER, EACH WEEK SCHOOL IS SCHEDULED, FOR AT LEAST TWENTY MINUTES FOR EACH ONLINE COURSE;
B. ELEMENTARY SCHOOL PUPILS WHO ARE ENROLLED FULL-TIME IN ONLINE COURSES HAVE DIRECT CONTACT WITH A TEACHER FOR AT LEAST TWO HOURS EACH DAY THAT SCHOOL IS SCHEDULED;
C. HIGH SCHOOL PUPILS ENROLLED FULL-TIME IN ONLINE COURSES HAVE DIRECT CONTACT WITH A TEACHER AT LEAST THIRTY MINUTES EACH DAY THAT SCHOOL IS SCHEDULED; AND
D. ONLY STATE RESIDENTS ENROLL IN THE WEB ACADEMY PROVIDED PURSUANT TO THIS ARTICLE.

S 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.