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About ExcelinEd

Founded by former Governor Jeb Bush in 2008, the mission of the Foundation for Excellence in Education (ExcelinEd) is to ignite a movement of reform state by state to transform education for the 21st century. ExcelinEd’s unique contribution is working with decision makers on developing, adopting, and implementing education reform policies.

About Digital Learning Now

Digital Learning Now is a national initiative under ExcelinEd with the goal of advancing state policies that will create a high-quality digital learning environment to better equip all students with the knowledge and skills to succeed in this 21st-century economy. The policy framework stems from the belief that access to high-quality, customized learning experiences should be available to all students, unbounded by geography or artificial policy constraints.

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I’ve had the great fortune to visit hundreds of schools and see work in action before, during and after my time as governor. Throughout this 20-year period, I’ve watched the same situation repeat itself: Teachers are tasked with educating a room full of eager students, but experience frustrations from the limitations of a traditional classroom.

There is a wide range of student ability in each classroom, but teachers have been forced to teach to the middle. Even as they see students struggling, needing just a little more time to master a topic, they themselves lack the time to give them much-needed guidance. Meanwhile, they see advanced students complete assignments effortlessly, but don’t have the time to cultivate their gifts and encourage them to push forward.

Fortunately, this is changing. I am encouraged by the many new, innovative classrooms, programs, and schools that have infused technology into learning, creating unique learning experiences for each student, tailored to his or her need. 2013 has seen state lawmakers breaking down old, artificial policy barriers that needlessly kept students in lock-step with each other. As this Digital Learning Report Card highlights, more states are allowing students to customize their education in a way that best meets their learning style, and empowers them with the knowledge and skills necessary to succeed in college and the workplace.

While school choice options are steadily expanding, allowing more blended-learning and virtual options to flourish, bold state lawmakers have decided to go even bigger: Several states now are providing students choices down to the individual course level. These course choice programs give students flexibility in choosing individual courses, providers, and course format. Unheard of just four years ago, forward-thinking policymakers, teamed with diligent education agencies, have expanded course choice, making millions of students eligible in states such as Texas, Louisiana, and Utah.

This Report Card recognizes the work that has been done to make students the center of education. But it has a second mission: It lays a path forward for states as they provide high-quality digital options for all students. It is a resource for states to assist each other as they work together, sharing lessons learned and helping each other avoid pitfalls.

The heart of education is oftentimes lost in the conversation about education. I’m proud to see a growing number of states put a renewed focus on children. We need to continue their hard work and ensure each child has the opportunity to achieve their own maximum potential.

Sincerely,

Jeb
Executive Summary
State policy can remove barriers to innovative approaches or it can stifle them with restrictions, red tape, and reinforcement of traditional, unsustainable approaches. It can accelerate reform or it can further entrench the status quo. Without changing state policy, innovative tools and models will fail to scale. More importantly, our system will not be able to meet the needs of today’s students for the challenges they will face in a rapidly changing world.

Digital Learning Now created the Digital Learning Report Card to evaluate each state’s progress in advancing reforms aligned to the 10 Elements of High-Quality Digital Learning. The intent is to provide an annual summary of state laws and policies to better understand what states are doing to create a policy ecosystem that embraces new education models, promotes the use of technology to meet the needs of all children, and breaks down the barriers that constrain student-centric innovations.

The Report Card is also intended to drive discussion and debate around the best approach states can use in their unique circumstances to leverage technology to improve student outcomes. By building awareness, Digital Learning Now hopes to mobilize parents, students, teachers, school leaders, education entrepreneurs, other education reform leaders, and policymakers behind the spirit of the 10 Elements and demand progress for their students.

The Digital Learning Report Card does not evaluate school models, blended learning systems, or the quality of online instruction. Rather, it evaluates the policy climate that affects those outcomes. Quality is imperative and several of the measures explore the policies states have in place to hold next generation models of learning accountable for improving student outcomes.

The Report Card clearly shows that states are rising to the challenge of supporting next generation models of learning. In 2013, states debated more than 450 digital learning bills with 132 signed into law. This builds on a record year in 2012 when state lawmakers introduced nearly 700 bills and signed 152 into law.

As we said in 2012, what is of paramount importance in digital learning policy is not technological issues but rather ensuring that the technology is used to accelerate important education reforms, better equip teachers with the tools and support they need to succeed, and guaranteeing that students are receiving the engaging, high-quality education they need and deserve in order to be ready for college and careers. The moral imperative before us is the urgency to reform a system of education to better serve the needs of students and prepare them for the jobs and world they will face.

Background on Digital Learning Now
Digital Learning Now is a national initiative under the Foundation for Excellence in Education with the goal of advancing state policies that will create a high-quality digital learning environment to better equip all students with the knowledge and skills to succeed in this 21st-century economy. The policy framework stems from the belief that access to high-quality, customized learning experiences should be available to all students, unbounded by geography or artificial policy constraints.

In 2010, former Florida Governor Jeb Bush and former West Virginia Governor Bob Wise co-chaired the convening of the Digital Learning Council to define the policies that will integrate current and future technological innovations into public education. The Digital Learning Council united a diverse group of more than 100 leaders from education, government, philanthropy, business, and technology to develop a roadmap of reform for local, state, and federal policymakers. The Digital Learning Council was commissioned to identify a set of policy elements needed to support digital learning based on the following guiding principles:

- **Aspirational**: The elements are bold. When achieved, the elements will transform education for the digital age.
- **Comprehensive**: The elements encompass technology-enhanced learning in traditional schools, online and virtual learning, and blended learning models that combine online and on-site learning.
- **State-focused**: The elements are directed toward state laws and policies with the recognition that federal and local governments also play a role in providing a high-quality education.
- **Measurable**: The elements can be measured.
- **Long-term**: The elements create a roadmap for states to achieve a high-performing education system for the long-term. States should be measured based on their progress toward achieving the elements.

During the fall of 2010, the Digital Learning Council defined the elements and identified the actions that need to be taken by lawmakers and policymakers to foster a high-quality, customized education for all students. This includes technology-enhanced learning in traditional schools, online and virtual learning, and blended learning that combines online and on-site learning.

This work produced a consensus around the 10 Elements of High-Quality Digital Learning that identified specific issues and policies states need to address in order to support emerging next generation models of learning.
### 10 Elements of High-Quality Digital Learning

| 01 | **Student Eligibility:** All students are digital learners. |
| 02 | **Student Access:** All students have access to high-quality digital content and online courses. |
| 03 | **Personalized Learning:** All students can customize their education using digital content through an approved provider. |
| 04 | **Advancement:** Students progress based on demonstrated competency. |
| 05 | **Quality Content:** Digital content, instructional materials, and online and blended learning courses are high quality. |
| 06 | **Quality Instruction:** Digital instruction is high-quality. |
| 07 | **Quality Choices:** All students have access to multiple high quality providers. |
| 08 | **Assessment and Accountability:** Student learning is the metric for evaluating the quality of content and instruction. |
| 09 | **Funding:** Funding creates incentives for performance, options, and innovation. |
| 10 | **Delivery:** Infrastructure supports digital learning. |
Background on Digital Learning Report Card
To gauge states’ progress, Digital Learning Now identified 41 actionable metrics that examine state laws, administrative rules, and other policy levers that identify what is needed to ensure the 10 Elements are addressed. These metrics, divided among the 10 Elements, provide states with a framework of the policies that should be in place in order to create an environment that supports a broad system of digital learning.

In 2011, Digital Learning Now released the Roadmap for Reform: Digital Learning, a comprehensive guide to specific policies based on the 10 Elements of High-Quality Digital Learning. In 2012, the Digital Learning Report Card incorporated numerous suggestions and feedback received from state officials and thought leaders, including improvements to make the metrics used in measuring the 10 Elements more specific and actionable, simplified metrics to eliminate potential duplication and confusion, and leveraging existing data to minimize the data collection burden on states.

The 2013 Digital Learning Report Card continued to make improvements based on feedback from 2012. Emphasis was put on amplifying state voices, refining metrics to create a broader picture of digital learning across the nation, and improving presentation for advocacy and measurement.

The Report Card also recognizes the hard work states—legislators, governors, state chiefs, dedicated staff, and many others—are making toward achieving the 10 Elements. Multiple levels of partial credit are identified as states push forward in creating an environment where digital learning can thrive.

These report cards have been instrumental in helping to spur policy changes as well as offer a roadmap for the reforms needed to help make personalized learning a reality for all students. Digital Learning Now’s extensive network of policy experts, state leaders, and innovators provides a powerful facilitator to help state leaders develop, implement, and scale innovations to improve education.
Introduction
For the student in 2014, learning begins before the first bell and ends long after they walk out of the schoolhouse.

Whether editing wikis, turning in homework for a MOOC, or learning Arabic by chatting with their language partner from Marrakesh, students know that what happens in the four walls of their classroom is only one part of their academic life.

State education policy should enhance the connected life of the student, not restrict it. When students walk into the classroom, antiquated policy restrictions on time and place should not hamper their ability to receive the best instruction and content that the 21st Century can offer. While many students now experience the benefits of digital learning, countless others are still left behind.

State and local governments are emerging as the new battlegrounds for innovative models of learning. We have seen this before. From cities such as Washington, D.C. trying to ban services like Uber to state legislators voting to ban next generation vehicles like Tesla, new innovations are confronting barriers created by policy and regulation.

Across the country, legislators are considering new laws that will either restrict or accelerate new Internet-based models of learning. Policy can help accelerate reforms and scale innovation, or it can protect the status quo and further entrench old models. Policy shapes the regulatory environment in which online providers operate, how schools can award credit, and how funding decisions are made. Policy can also limit these disruptive models through geographic or enrollment caps, or by restricting the use of funds to purchase digital content.

New models of learning such as online schools, blended learning, and competency-based learning are encountering legacy regulations and laws designed to protect the traditional approaches to learning. State policy can free up funds to flow to digital content or it can reinforce print resources. Policy can open up new models of learning, or it can shut them out, just as Illinois did this last session when it passed a law banning the creation of any new virtual schools. Sometimes, legislation does both. In Texas, the legislature passed a bill that gave 2.5 million students the option of taking up to three courses online while simultaneously freezing the launch of any new full-time online school.

**The Promise of Digital Learning**
November 6, 2013

Watch Video

The opportunity for policymakers and education leaders is to usher in the next generation of education in America. The Internet and new technologies can be a catalyst for rethinking the way we organize learning, provide instruction, and meet the needs of students, teachers, and parents. Digital learning can:

- Personalize learning for each student’s unique needs. Teachers have longed for the ability to differentiate instruction for students and now can thanks to technology that helps to individualize the lessons, activities, and instruction for students.

- Empower teachers, parents, and leaders with secure, protected real-time data and analytics to adjust instruction, match the right interventions to the right students at the right time, and glean new insight into student learning.

- Expand access to the best content, resources, and learning opportunities, thereby increasing choices available to students, regardless of location. The best way to scale resources to meet the new challenging Common Core State Standards or courses such as AP is leveraging online platforms.

- Equip teachers with productivity tools to help them manage instruction, find the right content for their class, and save time spent on repetitive, mundane paperwork. The connected learning models are also redefining the teaching profession with new career opportunities and jobs that didn’t exist a decade ago.

- Enable new models of schools, instruction, and interventions. Schools are flipping classroom models to have students watch lectures after school in order to provide more interactive classroom discussion during the school day. New blended learning schools and classrooms are taking the best of online learning and creating new approaches to teaching and learning.

- Engage students through rich content, games and simulations that can boost motivation and persistence. A playlist of powerful learning experiences for homework (or summer work) holds the promise of extended learning time. Dynamic grouping and online connections makes learning more (not less) social.

The emerging models of learning that are student-centric, flexible, and results-based are demonstrating success in some of our most challenging and chronically underperforming school systems. Often, these schools are taking advantage of the innovations offered by blended learning technology platforms and combining them with the regulatory freedom offered under charter school laws, seat time requirements, and other teacher reforms to develop entirely new models of education.

It is important to examine state policy and evaluate whether it is accelerating or restricting next generation approaches to education. Such efforts help to identify opportunities for reform, best practices that can be replicated, and important trends that need to be better understood. The framework outlined in this report intends to provide the flexibility that allows these innovative models to be tested, refined, and expanded.
Year in Review
In 2013, states sought to keep students at the center of digital learning policies. Legislation addressed such issues as student access to high quality courses, the careful and effective use of data, and flexibility to allow student advancement based on competency rather than seat time. It is clear that the promise of a customized education through digital learning has caught the attention of the policymakers who debated more than 450 bills and enacted 132 into law.

"In Florida, we are trying to expand access for students, while helping to demystify digital learning for the public so that they are more comfortable with these new models of learning," said Florida State Representative Manny Diaz, Jr., co-sponsor of HB 7029, a key piece of legislation that was passed in 2013 to expand online options for students to include Massive Open Online Courses (MOOCs). "We don’t want to replace teachers, but we do want to enhance their ability, and allow them to reach more students outside of their own schools and different learners inside their own classrooms."

The 10 Elements are based on the belief that high-quality digital learning can improve instruction and expand the options for students in every school setting. Whether it’s Algebra I at a personalized pace, assessments pinpointing comprehension rather than completion, or teachers empowered with instantaneous feedback from every student in their classroom, the power of digital learning is transforming classrooms across America.

Advances

Arkansas and Nevada made huge gains on the Report Card in 2013. Arkansas emphasized increasing student eligibility for digital learning, making huge strides in policy with HB 1785 in April. The bill clearly establishes an approved provider list for digital learning and ensures that — in the 2014-2015 school year — every student will have the opportunity to take at least one digital learning course.

Among other policy shifts, Nevada focused on removing access restrictions to digital learning with SB 58. Under the leadership of Governor Brian Sandoval and State Superintendent of Public Instruction Dale Erquiaga, the state stands poised to focus on education in 2014.

“All students deserve access to high quality digital learning. We serve a diverse population of students and must modernize our education system in Nevada to ensure that all students in all districts receive equal opportunity and access. We’re excited about the progress we’ve made in the Digital Learning Now Report Card over the last year, but we know the work isn’t done. We remain committed to building an education system where students in rural Pershing County can have the same opportunities as those in Clark County. State policy must not stand in the way of students receiving the individualized instruction they need and deserve."

Dale Erquiaga
Nevada State Superintendent of Public Instruction

On the ground, states continued to build on existing policy and expand meaningful digital learning opportunities for students.
“In Rhode Island, digital instruction is transforming the way we think about schools, classrooms, teaching, and learning,” said Deborah A. Gist, Rhode Island Commissioner of Elementary and Secondary Education. “Twelve of our school districts are offering students a total of 235 online courses, four districts are offering hybrid or blended-learning opportunities, and two new blended-learning schools opened this fall. In our two Innovation Powered by Technology model schools, students and teachers are creating learning environments that others are emulating. In many classrooms across the state, we see teachers and students who are working in small teams and one on one, using technology to create and collaborate and to meet the individual learning needs of every student. We are eagerly welcoming technology into the classroom – and into the hands of our teachers and students!”

Course Choice

Few states illustrated the promise and challenges of implementing digital learning during 2013 more starkly than Louisiana’s Course Choice program.

Before the ink dried on 2012’s HB 976, Louisiana Governor Bobby Jindal and State Superintendent of Education John White knew that the success of course choice—while providing students across Louisiana with access to high-quality academic and career preparation course offerings—would require quality planning, sound execution, and relentless persistence.

The law creating Louisiana’s Course Choice program made students eligible to a wide range of courses composed of online, blended, and face-to-face course offerings. Students attending C, D, or F rated schools could enroll in any academically appropriate course, and the course tuition would be paid by public education funding. Students in A and B rated schools would receive public funding if they enrolled in courses not offered by their school.

As 2013 began, the Louisiana Department of Education (LDE) Course Choice team was hard at work completing months of preparation for the first year of registration and instruction. The LDE developed and implemented a comprehensive four-stage process to recruit, review, and approve course providers. 94 course providers submitted applications, but only 42 ultimately received approval to offer courses. The process signaled that the LDE was serious about setting a high bar for provider quality.

“Course Choice offers a broad range of new opportunities to students who previously didn’t have access to these course offerings. St. James Parish became a course provider to help school districts with fewer resources offer courses that their students otherwise wouldn’t have been able to take.”

Dr. Alonzo Luce
St. James Parish Schools Superintendent

The LDE also worked with a company called Agilix to customize and then license their online registration system, providing Course Choice with a multi-functional web-based system that allowed parents, students, and educators to shop for course offerings. When registration opened in March 2013, the LDE experienced a flood of thousands of enrollment requests.

The most challenging aspect of the program proved to be the funding mechanism. ‘Funding followed the student’—the legislation indicated that each student could take up to five course choice courses. Each course was funded with up to 1/6th of 90% of that student’s funding formula. The rest of that student’s funding remained with the school district to compensate for facility overhead, as well as computer access and supervision for the student working on Course Choice courses during the school day.
Almost immediately this new and innovative funding formula was challenged in court, one of several lawsuits filed to overturn Governor Jindal’s education reform legislation. In May 2013, all debate came to a sudden stop, as the Louisiana Supreme Court ruled 6-1 that the funding mechanism for Louisiana Course Choice, as well as the state’s widely heralded scholarship or “voucher” program, authorized in HB 976 was unconstitutional.

This decision was widely misunderstood. The ruling explicitly stated that the course choice program itself was constitutional, but that the per-pupil allocation must go to public schools. The remedy was simply using set aside funding for the program. The LDE set it up as a limited-enrollment state-funded pilot program, rebooted the program with $2 million from a state legal settlement fund, and brought an overhauled registration system back online within weeks.

The response was a surge in enrollments driven by a user-friendly portal and the availability of LDE counselors to answer questions and provide support during the registration process. Within days of reopening registration, the available funding was exhausted by another rush of student enrollments.

With a long waiting list of students hoping to participate in course choice, the LDE (in an analogy offered by Superintendent White) “looked under the sofa cushions to find loose change,” and scraped together the funding necessary to enroll more than 2,700 students who requested options available through the pilot.

Course instruction began as scheduled in August, and students have been hard at work ever since. Students are enrolled in AP courses and world languages, Algebra and Civics, welding, pipefitting, and electrical, as well as a range of college courses. Course providers include national online stalwarts like Amplify and Edgenuity, as well as Louisiana providers like Associated Builders and Contractors, Bard Early College, Louisiana School for Mathematics, Science, and the Arts, and St. James Parish.

“St. James became a course provider to meet the needs of students across the state,” said Superintendent Dr. Alonzo Luce of St. James Parish Schools. “We already let students in neighboring parishes utilize our facilities and our online courses—ours was an effective platform, sharing is just a smart, better use of resources. Course Choice enabled us to open our doors to students across the state.”

While the first year of instruction is ongoing, the LDE Course Choice team evaluated a new slate of course providers. Louisiana’s Board of Elementary and Secondary Education (BESE) has approved 17 additional course providers with innovative course offerings such as occupational therapy, career readiness, advanced manufacturing, and agricultural sciences.

While Louisiana continues to develop a constitutional and sustainable funding formula for this program, it has built a strong platform for innovation, a marketplace of courses, and a demand for traditional schools to be hubs of opportunity and options for students. Louisiana, and the talented team at the LDE, has shown a willingness to adapt, learn, and keep students the focus of its policy implementation.

“Students, parents, and educators in Louisiana are seeing the value of Course Choice,” said Superintendent John White. “This is about expanding access for all students, whether in rural or urban areas, to the high-quality educational options they need and deserve. Whether taking welding classes or a foreign language, we believe that the parents and students of Louisiana will continue to embrace and benefit from this platform of opportunity.”

**Course Choice is on the move nationwide.**
One of the big stories in 2013 was the broad and sustained education coalition that came together in Texas to pass HB 1926 in May. The legislation establishes a course choice marketplace and expands student eligibility to three courses per year for students in grades 6-12 (an estimated 2.5 million students). It allows provider approval to take place on a rolling basis throughout the year and gives Texas the ability to enter into reciprocity agreements with other states, providing students the opportunity to access an even broader range of courses.

"HB 1926 encourages the expansion of online courses so that all students in Texas have a wider range of course options, reduced costs, and are better able to obtain an education that best suits them, regardless of the school district they attend," said Texas State Senator Glenn Hegar.

Despite offering online learning since 2003 and the Texas Virtual School Network (TxVSN) since 2007, due to issues around funding and legislative priorities, Texas had been slow to embrace course choice and enhanced online options for students. In the 2013 legislative session, education reforms - including improving digital learning options - were a priority.

It was a hard legislative fight with tremendous pushback that required compromises for legislators to get their bill across the finish line. The result was a weakened final bill that limits the number of courses a student can take each year, caps the price of courses at $400 per course, allows districts the ability to deny students the opportunity to enroll if the course is “substantially similar,” and prohibits authorizing new full-time virtual schools. The final prohibition could be waived by the state’s education commissioner, and three virtual schools have been authorized under that power. Passage of HB 1926 required the strong leadership of Texas State Representative Ken King, Senator Hegar, and a host of education allies. The potential of this bill will only be realized with successful implementation by Texas Education Agency in 2014.

"The passage of House Bill 1926 is an important step in promoting equal educational opportunities for all Texas school children through the Texas Virtual School Network (TxVSN)," said Representative King. "Although the bill passed with some restrictions that were not originally stipulated in the bill, it is an excellent platform to expand the TxVSN."

In Michigan, HB 4228 allows nearly 1 million students in grades 5-12 to take up to two courses per academic term. While this policy change opened the door to course choice, advocates in Michigan are taking a pragmatic approach to the implementation and communications strategy of this policy change.
“We can’t just turn the policy faucet and expect students to take online courses,” said Jamey Fitzpatrick, President of the Michigan Virtual University, which is overseeing the program. “We need to help parents and students with this new process, dispel myths, and give them real information.”

Rolling out in March of 2014, public service announcements will be featured on television, on radio, and at cinemas, communicating directly with parents and students about their rights under the new law.

“HB 4228 is a large policy lever,” said Fitzpatrick. “But it only works if parents and students are informed. If the information about the new policy is stuck on page 20 in 3-point font of the student handbook for their district, that’s not going to help at all. We want to make these new options easy and obvious for all parents and districts.”

“Long a school choice innovator, Wisconsin’s new Course Options program has the potential to offer tremendous new opportunities to students across the state,” said Michael Brickman, former policy adviser for Governor Scott Walker and national policy director with the Thomas B. Fordham Institute. “Rather than forcing parents to choose between schools, Course Options will allow them to select from a menu of courses ranging from foreign languages to advanced placement to real university and tech college courses, all offered by a variety of trusted providers.”

Recognizing the opportunity for states to learn from each other’s experiences, members of the American Legislative Exchange Council recently drafted a model bill, the Course Choice Program Act, to assist legislators as they wrestle with course choice policy details. The model policy takes best practices from states such as Louisiana, Utah, and Texas, adding in innovative programs such as pay-for-performance funding and quality requirements based on student outcomes. Strong parental notification requirements are a core feature of this model bill to ensure students and parents are in the driver’s seat. Finally, the model legislation ensures that legislators are provided with a robust annual report, informing them of course choice utilization, success, and potential areas for improvement.

Data Backpacks

Flexible course options for students will only help deliver effective learning that can be easily understood and accessed by parents if a student’s educational record is equally flexible. Under the current education system in most states, when a student walks into the classroom only the most basic information follows. Due to the transient nature of students in America and the static nature of our records, administrators and teachers have little visibility into the past performance of the student.

In Wisconsin, a section in the annual budget, AB 40, provides the framework for expanding course choice by giving students the right to enroll in two courses at any time.
And when it comes to the rights of parents to see the profile and learning history of their children, even that little data can be inaccessible.

In 2012, Digital Learning Now and Getting Smart proposed the idea that states should shift from static records to portable ones, creating a data backpack to help administrators, teachers, and parents track student learning levels, preferences, motivations, and personal accomplishments.

“This is data Local Education Agencies currently have,” said Utah State Senator Howard Stephenson, one of the key champions of SB 82, noting that administrators maintain the data, but parents didn’t have access to their child’s record. “The information was only kept private from parents. We want to give parents as much access as school administrators and allow them to see and validate the data on their own children.”

A key advocate for the bill’s passage was Parents for Choice in Education (PCE). While in communication with parents and coordinating with legislators “we found that parents went back to their old report cards for their students,” said Judi Clark, Executive Director of PCE. “We wanted to get past these silos controlled by six people and transition to a system where each parent and teacher had the power to be involved.”

The bill rolls out the Student Achievement Backpack over three years, expanding and streamlining access in 2014 and 2015, before finally expanding access to parents and guardians in 2017.

As states wrestled with student privacy legislation, Utah led the way in advancing the concept that parents should have access to their child’s academic records in the same way patients have the right to access their electronic medical records.

Competency-Based Learning

Connected learning in the 21st century must be measured on mastery and knowledge rather than traditional notions of seat-time and semesters. The student is the center of the learning process, and when they master the material, they should be able to move to the next level. If students need more time, they should not be pushed along to a new lesson before they fully understand each topic. Mastery of subject area is based on whether students have gained skills, knowledge, and abilities—not based on how much time has passed.
States continue to address the regulatory barriers preventing adoption of student-centric learning. New Hampshire led by crafting a groundbreaking competency-based learning system by passing SB 48 which directed the department to develop a new accountability model which will emphasize content mastery rather than seat time.

The legislation states, “students best learn at their own pace as they master content and skills, allowing them to advance when they demonstrate the desired level of mastery rather than progressing based on a predetermined amount of seat time in a classroom will assure that students will reach college and career readiness.”

Iowa made meaningful progress towards taking competency-based learning to the classroom with the passage of HF 215. The bill set up a task force to study competency-based instruction models and develop a draft strategic plan and proposed timeline for statewide implementation of competency-based learning for consideration by the legislature. The final release of this task force detailed 13 recommendations built off its five principles for competency-based education:

- Students advance based on proficiency
- Competencies include explicit, measurable, and transferable learning objectives that empower students
- Assessment is meaningful and a positive learning experience for students
- Students receive rapid, differentiated support based on their individual learning needs
- Learning outcomes emphasize competencies that include application and creation of knowledge along with development of important skills and dispositions

The task force’s recommendations focused on the need for writing model competencies and monitoring and reporting student learning in a competency-based system.

As part of a larger bill addressing online learning options, Florida expanded competency-based learning in HB 7029. The bill requires the Florida Department of Education to identify measures of quality in student outcomes, completion and achievement rates tied to each delivery model, and measures for students to demonstrate competency, whether that be sub-assessments combined to equal a whole assessment, or the opportunity to use MOOCs or other module-driven segments.

This component pairs with the creation of a course catalog, the expansion of providers, and the inclusion of MOOCs for Algebra I, Civics, and Geometry.

“I wanted to make it easier for high quality providers to serve students in Florida, ensuring that everyone had access to a user-friendly catalog of those courses,” said Representative Manny Diaz, Jr., one of the co-sponsors of the bill. “Previously, we did not have a user-friendly
set up. We had other providers besides Florida Virtual School, but it was hard for anyone to know that was the case. We also put in place the framework for MOOCs and while it may be a little ahead of its time, we would do a disservice to our students if we didn’t open up access to the great courses out there at Harvard or MIT.‘

Arizona’s SB 1293 initiates a pilot program to explore what funding competency and outcomes might look like, with participating schools receiving half of the per student funding at enrollment and the other half upon completion. The pilot also includes a performance-based component where districts could earn more based upon student success.

Texas also advanced competency-based learning with the passage of SB 1365, allowing students in grades 6-12 to earn credit for courses after successfully passing exams selected by the school district board of trustees.

In Oklahoma, SB 559 establishes alternative methods for high school students to demonstrate mastery of the state academic content standards. This is a meaningful step in allowing students to advance based on mastery rather than just the end of a course. Focusing on student learning and having the classroom experience centered and built around those needs are critical to advancing high quality digital learning.

**Pushbacks**

While progress was made in bringing high quality digital learning to students, there were some setbacks. In Illinois, HB 494 places a one year moratorium on the establishment of charter schools with virtual-schooling components in all school districts except for Chicago. This moratorium went into effect in April 2013 and extends to April 1, 2014.

Despite the research around virtual and digital learning and the numerous states utilizing these tools to individualize learning and empower students, proponents of the HB 494 argued that more research is needed before the state could allow new charter schools to leverage virtual learning. The bill called for a commission to conduct “a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report will include policy recommendations for virtual schooling.”
PERSONALIZED LEARNING PLATFORMS TO MATH APPS FOR TABLETS

These new resources support teaching and learning but also raise important questions around how sensitive data is protected, used, and under what conditions it is shared.

While there is a patchwork of state and federal privacy laws related to children, including COPPA, CIPA, and FERPA, states must bridge the gap to clearly define the rights of students, districts, and education providers.

Georgia Governor Nathan Deal responded to statewide concerns over data privacy by issuing an executive order prohibiting the federal government from collecting a broad range of personally identifiable data on students and their families.

“The executive order aims to send a clear and unambiguous message that Georgia will maintain local control over curriculum while working diligently to achieve high educational standards and protect student privacy.”

Nathan Deal
Governor of Georgia

In February, the state charter school commission recommended that legislators extend the ban on new virtual schools up till Dec. 31st, 2016 or until new policies were developed and existing laws amended.

2013 also saw a pushback against the use of student data in states across America at an unprecedented level. Some groups expressed concern over possible commercialization of student data, the security with respect to the sensitive data kept by teachers, and what data local school districts shared with vendors and state departments of education and the federal government. These concerns cannot be dismissed lightly. The connected learning experience can only take place with trust and security as central components.

The expanding array of education opportunities enabled by digital technology and broadband networks necessitates a renewed commitment to establishing trust with teachers, parents, and students to ensure that sensitive information is securely protected. Teachers and students have access to new tools and resources ranging from online gradebooks to online courses,
In May, Oklahoma passed HB 1989, clearly defining protocols around the use, transfer, and protection of student data. In September, the legislation was expanded and turned into a piece of model legislation by the American Legislative Exchange Council. The resulting legislation, The Student Data Accessibility, Transparency and Accountability Act, provides solid principles to help guide states in developing a 21st-century trust framework that embraces stronger privacy and security audits while also establishing the right for parents to have access to their child’s records.

Importantly, the model legislation establishes a Chief Privacy Officer position at the state department of education, which has the responsibility to ensure compliance with all state and federal privacy laws, conduct outreach to schools, and respond to parent concerns, including launching investigations. Chief Privacy Officers have become critical senior staff positions in corporate America, law enforcement, and government—it is time for education to adopt this role too. Another critical component of the model bill is an expansion of the rights of parents to view—and correct if needed—their child’s educational record.

The effective and careful use of data has transformed our society. It has made society more productive and efficient in all stages of life. The thoughtful use of data in school can increase the effectiveness of teachers and ensure each student is receiving the personalized instruction they deserve. But these new opportunities must be coupled with new safeguards.

Parents should clearly understand the rights of their students and the steps that their state is taking to protect them. Policies taken by security-minded states like Oklahoma paved the way for the development of this stringent model legislation. Legislators and parents should be spurred on and examine their own state’s safeguards for data.

Innovation
The year closed on a high note as Ohio announced in December the first round of grants from its $250 million Straight-A-Fund. Many of the winning grants propose new and exciting ways to leverage digital learning.

The Straight-A-Fund sprung from the two year state budget, HB 59, and allows Ohio’s public, chartered non-public, and community schools, as well as colleges and universities to enter a competitive grant process together or separately. The fund is geared towards grants that would meet the learning needs of students, reduce the cost of running a school or school district, and drive more dollars to the classroom.
Over 1000 letters of interest and 570 completed proposals were submitted by the deadline, seeking over $867 million in funding. When the final grants were approved, a number of applications sought new ways to leverage connected blended learning networks, blended learning professional development, and a wide range of innovative proposals. Whether this model of funding innovation will be sustainable and yield actual results is yet to be seen, but the creativity and possibility for change is promising.

As part of HB 4228, which expanded course choice in Michigan, the state renewed its commitment ($9.4 million in funding) to the Michigan Virtual Learning Research Institute, established by Governor Rick Snyder in 2012. The Institute is focused on researching the effectiveness of online learning. Currently examining three years of data and more than 184,000 enrollments delivered virtually—whether Michigan Virtual School, cyber, or blended courses—the Institute is committed to providing tangible evidence and support of the benefits of digital learning in Michigan.

“We need to teach people how to fish,” said Jamey Fitzpatrick. “We want to push the K-12 system into the 21st century. We passed the first online learning requirement in 2006. No one should be surprised where Michigan is at in 2014.”

Finally, in Georgia, Governor Deal’s Digital Learning Task Force delivered its findings. The task force, established in 2012, offered offering concrete recommendations and found that, “digital learning has the potential to leverage technology to transform our educational system by providing students, parents, and educators more flexibility over the time, place, path, and pace of learning.” Recommendations encouraged the state to advance more robust broadband connections for its schools, remove barriers to online learning and adopt competency-based and blended models of learning.

“Georgia students need 21st-century skills to succeed in our economy, and digital learning can help provide those skills,” said Governor Deal. “The Digital Learning Task Force recommendations provide a strong framework for digital learning that address both the infrastructure and implementation, with the ultimate goal of increasing student achievement and broadening choices for Georgia students and parents.”
THE 10 ELEMENTS
of High-Quality Digital Learning
All students have a right to a high-quality education. In the 21st century, a high-quality education must include digital learning.

Students who are eligible for public school should be eligible for publicly funded digital learning. Establishing criteria for eligibility, such as previous attendance in a public school, only limits, delays, and diminishes opportunities for learning.

Requiring students to take a high-quality college prep online course ensures students are better prepared to succeed in life after graduation in the digital age. A robust offering of digital content and online courses expands options and ensures students acquire knowledge and gain skills from the experience of digital learning.

Only 3 states (Alabama, Florida, and Michigan) currently have a graduation requirement of taking an online course. Virginia is the 4th state, with the requirement beginning with students entering 9th grade in the fall of 2013 and North Carolina will require it for the graduating class of 2020.

**Metrics**

1. All students must be provided opportunities to access online courses throughout their entire K-12 experience.

2. All students must complete at least one online course to earn a high school diploma.

3. Student eligibility in digital-learning environments is not based on prior-year enrollment in the public school system.
Student Eligibility (Cont.)
All students are digital learners.
Digital learning opens the virtual door to a high-quality education. Where technology has created unprecedented access to a high-quality education, policies that arbitrarily limit or control access threaten to erect barriers where the walls have already come down. Moreover, restricting access based on geography, such as where a student lives, is counterproductive in the digital world where learning can occur anywhere and everywhere.

Capacity and quality – not arbitrary caps on enrollment or budget – should be the only factors in limiting access to digital learning. With digital learning, teachers can provide one-on-one instruction and mentoring to many students across the nation. Artificially limiting class size, prescribing teacher-student ratios, or restricting a teacher’s ability to serve students at multiple schools ignores the freedom and flexibility that comes with digital learning.

Best of all, students can experience blended learning. Students can learn in an online or computer-based environment part of the day and in a traditional classroom, even one-on-one tutoring, for part of the day – essentially the best of both worlds combined into one education. Blended learning offers a powerful new way to combine the best of face-to-face instruction with the advantages of online courses and adaptive learning platforms.

The vast majority of states have flexibility for blended-learning class sizes. Of those who have flexibility with class sizes, half still have restrictive overall student-teacher ratios that still must be followed. Only 22 states allow for students throughout the state to enroll in online learning courses without enrollment caps or restricted by geographic boundaries.

**Metrics**

4. **Digital learning environments, including online and blended-learning schools, courses, and models, have flexibility with class-size restrictions and student-teacher ratios.**

5. **No school district may restrict student enrollment in a full-time online school or in a part-time individual online course through enrollment caps or geographic boundaries.**

6. **All students may enroll in an unlimited number of part-time individual online courses.**

7. **No school district may restrict a student’s ability to enroll in an online course based on course offerings (substantially similar courses).**
Student Access (Cont.)

All students have access to high-quality digital content and online courses.
Personalized Learning

All students can customize their education using digital content through an approved provider.

Digital learning allows for a customized educational experience. In today’s world, learning doesn’t have to start when a student enters the classroom and end when the school bell rings. Students can access digital learning virtually whenever and wherever they are – both physically and figuratively.

Access to a comprehensive catalog of online courses means a student in rural Indiana or inner-city Detroit can learn Mandarin Chinese, forensic science, or college-level calculus – regardless of whether their school offers these courses in a classroom.

With personalized learning, students can spend as little or as much time as they need to master the material. Self-paced programs mean high-achieving students won’t get bored and can accelerate academically, while students who struggle can get additional time and tutoring to gain competency and the confidence that comes with it.

Digital learning can extend the school day or school year and connect students with community resources with little or no additional cost. Flexible scheduling allows students to take full advantage of their peak learning times to complete lessons.

Twenty-two states allow all students to enroll with more than one online course provider simultaneously. Only two states require that students enroll in courses only at the beginning of the year.

Metrics

8. All students may enroll with more than one online course provider simultaneously.

9. All students may enroll in and begin a part-time individual online course on a rolling or frequently scheduled basis throughout the year.
Personalized Learning (Cont.)

All students can customize their education using digital content through an approved provider.
Grade-level promotion has historically been dictated by birthdays, attendance, and minimum achievement. Instructional pacing, aimed at the middle of the class, may be too fast or too slow for some students who become frustrated, disengaged, and unmotivated.

Digital learning offers the potential for students to study at their own paces and advance based upon competency and mastery of the material—it is student-centered, not school-centered. In this environment, seat time requirements and the all-too-common practice of social promotion become obsolete. A student will spend as much time as necessary to gain competency. Additionally, digital learning adapts to situations where a student is ahead in one subject and behind in another.

Making high-stakes assessments, which are used to trigger progression, available when students are ready will accelerate student learning.

Only 18 states allow students to take end-of-course exams multiple times per year, beyond just one time per semester. Eighteen states currently restrict end-of-course exams to only one time per year. Thirteen states still keep districts as the gatekeeper for all online course credits, allowing them to reject credit earned in other districts or through online course providers.

Only 10 states require that credits must be awarded based on students’ mastery of content and skills, rather than on seat-time. Twenty seven states allow all district and state-approved providers to accept credits from all other districts and state-approved providers. Ten states still do not have any statewide end-of-course exams and six states only offer their end-of-course exams once per year.

### Metrics

10. All students must demonstrate proficiency on standards-based competencies to advance/earn credit for a grade/course and to advance to the succeeding grade/course.

11. All students advance/earn credit based on competency and are not required to complete a defined amount of instructional/seat time.

12. All students are provided multiple opportunities during the year to take end-of-course exams.

13. All districts and state-approved providers in the state accept credits from all other districts and state-approved providers.
Advancement (Cont.)

Students progress based on demonstrated competency.
The dynamic nature of digital content and its varied uses requires a fresh and innovative approach to ensuring high-quality content. Like print content, digital content should be aligned to state academic standards or Common Core State Standards, for what students are expected to learn. However, digital content should not be held to a higher standard than print content. Freedom for interactive engagement that results in higher student retention and achievement should be encouraged.

States should abandon the lengthy textbook adoption process and embrace the flexibility offered by digital content. Tablets, eBook readers, and apps are offering new ways to distribute enhanced content. Digital content can be updated in real time without a costly reprint. The ongoing shift from online textbooks to engaging and personalized content, including learning games, simulations, and virtual environments, makes the traditional review process even less relevant.

Transitioning to digital content will improve the quality of content, while likely saving money in production that can be dedicated to providing the infrastructure for digital learning.

Only five states place additional burdens on the approval process and procurement processes for digital content, beyond those for print content. All but four states allow instructional material funding be used for purchasing digital content, instructional materials, devices, and systems.

### Metrics

14. All digital content and instruction must be aligned with state standards or Common Core State Standards.

15. No additional burdens are placed on the approval and procurement processes for digital content beyond those for print content.

16. Instructional material funding may be used for purchasing digital content, instructional materials, devices, and systems.
Quality Content (Cont.)

Digital content, instructional materials, and online blended learning courses are high quality.
Great teachers cultivate great students – wherever they live or learn. Digital learning erases physical barriers that have prevented the widespread connection between effective teachers and eager students. Statutory and administrative practices that stop instruction – at the classroom door, school campus, state border, or even the nation’s border – limit access to quality educators.

A retired NASA scientist in Cape Canaveral who is qualified to teach physics in the Sunshine State should be able to teach students in any state in the country. A digital educator in one school should be able to teach students in multiple schools in-state or out-of-state.

Preparation and professional development programs should educate teachers and administrators on how to engage students, personalize learning, teach online, and manage learning environments using today’s new technology tools and services. Educators should be prepared for specific roles – traditional, blended, or online – and then certified based on demonstrated performance. Performance-based certification will become increasingly important as the number and type of roles for learning professionals expands.

Breaking down the barriers to digital instruction can improve the quality of education, while at the same time reducing costs. Teachers can serve students across the state or nation from one location. Digital learning lends itself to innovative staffing plans and formation of an opportunity culture that is appealing enough to attract and retain top teaching talent, and to maximize impact and minimize cost.

Forty four states accept performance-based alternatives routes for teacher certification. Only 10 states allow nationwide teacher reciprocity, but 26 additional states allow reciprocity for 40-48 other states. Twenty seven states use student-performance data to evaluate the effectiveness of teachers.

### Metrics

17. State accepts alternative routes for teacher certification.

18. State allows reciprocity among other states for certification of teachers.

19. There is a formal statewide definition for “teacher of record.”

20. Teachers are permitted to be “teacher of record” in multiple schools.

21. Student-performance data is used to evaluate the effectiveness of teachers.

22. Professional development in digital learning is available to teachers teaching an online or blended learning course.
Quality Instruction (Cont.)

Digital instruction is high quality.
Quality Choices
All students have access to multiple high-quality providers.

In the digital age, innovative learning programs are rapidly evolving and providers can be located anywhere. Regulations should reflect this new paradigm.

To maximize the potential of digital learning, states must provide a rich offering of providers that can cater to the diverse and distinctly unique needs of different students. States should set common-sense standards for entry, have a strong system of oversight and quality control, and foster a robust competitive environment where students can choose the provider who best meets their learning needs. Unnecessary administrative requirements, such as having a brick-and-mortar office in the district or state, create obstacles that prevent high-quality providers from participating.

Public, not-for-profit, and private for-profit organizations provide different benefits to the education consumers—both the students and the taxpayers. Public providers were pioneers in digital learning and provide a record of proven success in providing supplemental education in partnership with school districts. Not-for-profits extend access and often make contributions to open education resources. Private providers have the capital to invest in development of high-quality content, can administer comprehensive school management services, and offer collaborative opportunities with their national network of students.

Consumers of education—students and parents—often provide the best feedback on the quality of providers. A publicly available database that fosters a feedback loop, similar to tools used by Amazon or eBay, would help parents and students make informed decisions about digital learning.

Thirty five states maintain a public website that provides information and links to all digital learning opportunities, although it is important to note that these website range enormously in terms of quality. Some are simply static PDFs while others are dynamic, interactive services. Half of states allow eligible statewide providers to appeal decisions or revise and resubmit their applications after a denial. Twenty four states have a clearly defined criteria, process, and timeframe for authorizing eligible online providers.

**Metrics**

23. Statewide digital-provider authorization includes:
   a. full-time online schools
   b. part-time individual online course providers
   c. virtual charter schools

24. Based on eligible statewide full-time and part-time online providers (see Question 23), the criteria, process, and timeframe for authorizing online providers are clearly defined.

25. Based on eligible statewide online providers (see Question 23), digital providers, are allowed to appeal decisions or revise and resubmit their
Quality Choices (Cont.)

All students have access to multiple high-quality providers.

26. Based on eligible statewide online providers (see Question 23), multiple opportunities during the year are available for full-time online providers, part-time individual online course providers, and virtual charter schools to apply for approval.

27. Based on eligible statewide online providers (see Question 23), approval of full-time online schools, part-time individual online course providers, and virtual charter schools lasts for three or more years.

28. State maintains a public website that provides information and links to all digital learning opportunities, including all approved full-time online schools, part-time individual online course providers, and virtual charter schools.
Administering assessments digitally has multiple benefits. Tests can be administered and scored quickly and efficiently. Computerized scoring provides the opportunity for a cost-effective method to create better tests beyond multiple choice, including simulations and constructed responses. Getting the result of tests faster can improve instruction as well as expedite rewards and consequences, which in turn strengthens accountability for learning. Adaptive assessments can more precisely diagnose student weaknesses and capture richer growth measures.

Learning management systems, digital curricula, and online summative and formative assessments have the distinctive capability of collecting real-time data on the progress of each student against learning objectives. Instant feedback for students and personalized analytics for teachers provide the support for continuous improvement and competency-based progress.

History has proven that inputs, such as teacher certification, programmatic budgets, and textbook reviews, do not guarantee a quality education. In fact, these regulatory processes often stifle innovation and diminish quality. Policymakers should resist attempts to create a checklist of inputs and, instead, focus on developing an accountability framework that is based on outcomes. States should hold schools and online providers accountable using student learning to evaluate the quality of content or instruction. Providers and programs that are performing poorly should have their approvals revoked.

While conversion to digital assessments requires an initial investment, transitioning to a digital system can save money in the long run and also provide richer, more authentic assessments.

All states have in place a plan to require online assessments in core subjects in the upcoming years. The Partnership for Assessment of Readiness for College and Careers (PARCC) and the Smarter Balanced Assessment Consortium are developing a valid, reliable, and fair system of next-generation assessments that assess students’ knowledge of mathematics and English language arts/literacy from third grade through high school. They will be aligned to the Common Core State Standards, developed by governors and chief state school officers and adopted by more than 40 states. Thirteen states close poor performing schools or courses based on outcomes-based performance data.
Assessment and Accountability (Cont.)

Student learning is the metric for evaluating the quality of content and instruction.

29. State-mandated assessments in core subjects, including annual assessments, end-of-course exams, and high school exit exams, must be administered digitally.

30. Based on eligible statewide digital providers (see Question 23), outcomes-based student-performance data is used to evaluate the quality of full-time online providers, part-time individual online courses, and virtual charter schools.

31. Based on eligible statewide digital providers (see Question 23), poor performing providers are not renewed or lose their ability to serve students statewide as determined by outcomes-based performance data.
Funding

How money is spent is as important as how much money is spent on education. Funding should fuel achievement and innovation, not reward complacency and bureaucracy.

Paying for success will yield success. Right now, the majority of education funding rewards attendance. Schools get paid when students show up, regardless of what or how much students learn or achieve. Under that framework, it’s no wonder achievement is stagnant.

Moreover, digital learning can actually save money in the long run. Full-time virtual schools can save money on facilities or transportation compared to traditional schools. Supplemental programs offering individual course enrollments can offer even bigger savings to states and districts. As digital learning grows, economies of scale will drive costs down. Partners within states or across state lines can further increase the purchasing power.

Given fiscal challenges faced by governments across the country, states need to be innovative to meet the challenge of providing access to digital content. To build a quality digital learning environment, states will have to spend smarter – not necessarily more. Geographically unbounded digital learning provides incentive for states to develop an equalized and weighted funding formula that better matches resources with individual student needs, regardless of ZIP code.

Twenty states ensure that funding follows the student to the school or course of their choice. In the majority of states, public funds are not available to private school and homeschool students. Only five have final funding delivered to providers based on performance or demonstrated competency of the student.

Metrics

32. Public funds are available for online learning to:
   a. all district public school students.
   b. all charter public school students.
   c. all private school students.
   d. all home education students

33. State funding for digital learning is provided through the public per-pupil school funding formula.

34. Funding is provided on a fractional, per course basis to pay providers for part-time individual online courses.

35. Funding follows the student to the school or course of their choice.
Funding (Cont.)
Funding creates incentives for performance, options, and innovation.

36. The same per-pupil funding with the same payment process is provided to all full-time online schools, part-time individual online course providers, and virtual charter schools, regardless of whether the provider is public, charter, not-for-profit, or for-profit.

37. Providers receive final funding payment upon course completion based on student daily attendance, performance, and competency.
The proliferation of mobile phones and Internet-access devices underlines the potential of mobile learning. Students are already using mobile devices to communicate, access, and share information, conduct research, and analyze data. These devices are the gateway to digital learning.

Digital learning also supports educators in better identifying and meeting student needs by providing them real-time data on student performance, expanded access to resources to individualize instruction, and online learning communities to gain professional development support.

States can adopt a variety of approaches to accelerate the shift to digital content, online assessment, and high-access environments that take advantage of student-owned devices. While local choice and options should be empowered, states can use purchasing power to negotiate lower-cost licenses and contracts for everything from digital content to access devices and mobile Internet services. Equipment and services can be provided based on financial need. Public-private partnerships can also become a tool to build and sustain the infrastructure for digital learning.

Thirty seven states report that all schools have either high-speed broadband Internet access or there is a plan in place for high-speed broadband Internet access in all schools. This year, two states (Arkansas and Delaware) have achieved all of Data Quality Campaign’s 10 State Actions to Ensure an Effective Data Use.

**Metrics**

38. All schools have high-speed broadband Internet access.

39. All teachers are provided with Internet-access devices.

40. All students have access to Internet-access devices.

41. All of the Data Quality Campaign’s 10 State Actions to Ensure Effective Data Use are implemented.
Delivery (Cont.)

Infrastructure supports digital learning.

DElivery in the United States

Grading Key

A  B  C  D  F

ME  VT  NH  MA  CT  RI  NJ  DE  MD
The following table shows the legislative bills considered during each calendar year, the number that died, and the number that were enacted.
2013 Legislative Highlights
## Select Enacted Legislative Highlights and Alignment to the 10 Elements

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Selected 2013 State-Enacted Law Summaries

The following are brief summaries of digital learning legislation that passed in 2013. For more detailed summaries, visit the "In Plain English" section of the Digital Learning Now website. Subscribe to our mailing list for occasional updates.

Alabama

- **Alabama HB 166** ([Open States](https://www.openstates.org/bills/al/2013/HB166) or [Alabama Legislature](https://www.leg.state.al.us/)) is an education appropriations bill for the fiscal year ending September 30, 2014. It allocates $20.2 million for an At-Risk Student program, including $750,000 for the Alabama Student Information Management System (ASIMS). The legislation also provides funding for District Technology Coordinator positions.

Alaska

- **Alaska HB 65** ([Open States](https://www.openstates.org/bills/ak/2013/HB65) or [Alaska Legislature](https://legislature.alaska.gov/billstatus)) is the state appropriations bill for the fiscal year 2013-2014. It allocates $1.1 million for Alaska’s Learning Network.

Arizona

- **Arizona SB 1293** ([Open States](https://www.openstates.org/bills/az/2013/SB1293) or [Arizona Legislature](https://www.leg.state.az.us/billstatus)) establishes a four-year simulated outcome-based funding pilot program and allows school districts and charter schools to submit applications to the State Board of Education to participate.
Arkansas

- **Arkansas HB 1535** (Open States or Arkansas Legislature) amends The Free Textbook Act of 1975 to repeal a prohibition on including the equipment needed to use technology-based materials in the definition of instructional materials, among other changes.

- **Arkansas HB 1785** (Open States or Arkansas Legislature) expands access to blended learning and digital learning opportunities for students by creating a pathway to a new requirement that every student be provided with one digital learning course. It eliminates seat time for digital learning courses and sets up an approval process and public list of approved digital learning providers.

- **Arkansas SB 66** (Open States or Arkansas Legislature) establishes the District of Innovation program to encourage new or creative alternatives to the existing instructional and administrative practices in Arkansas schools in order to improve academic performance and learning for all students.

- **Arkansas SB 233 (Act 1309)** (Open States or Arkansas Legislature) raises the cap at any K-12 open-enrollment public charter virtual school from 500 students to 3,000 students. Students in the 2,500 additional slots must have been enrolled in an Arkansas public school for the first three quarters of the prior school year. The legislation also maintains funding for distance learning and technology grants, and appropriates $3 million for technology development and research grants.

California

- **California SB 185** (Open States or California Legislature) expands access to digital instruction material for schools, allowing districts to negotiate the price of instructional material, forces publishers to offer “unbundled content” for purchase and authorizes school districts to create a district-wide online digital database for classroom use. The bill took effect January 1, 2014.
Colorado

Colorado SB 139 (Open States or Colorado Legislature) ensures that all high school students in Colorado have access to taking at least one supplemental on-line course each year by designating a single Boards of Cooperative Educational Service (BOCES) to contract and administer online courses with non-profit providers. It also requires annual parent, teacher, and student satisfaction surveys and provides guidelines for collecting and reporting data related to student participation and performance in on-line classes.

Colorado SB 213 (Open States or Colorado Legislature) was a wide-reaching education reform bill that sought to restructure the state’s education funding system. It would have equalized online program funding with the statewide base per pupil funding, considered on-line students when calculating charter school funding, and established the Education Innovation Grant Program to fund innovative initiatives. Though signed into law by Governor Hickenlooper, an amendment required to fund the law was rejected in a statewide vote.

Connecticut

Connecticut HB 6358/Public Act No. 13-108 (Open States or Connecticut Legislature) allows students to earn academic credit towards graduation through non-traditional methods, by demonstrating mastery based on competency and performance standards adopted by the state Board of Education. It also increases education funding for education.

Connecticut HB 6704 (Open States or Connecticut Legislature) establishes the state’s budget for the fiscal years 2014 and 2015. It expands previously enacted K-12 education reforms as well as science and technology programs at the University of Connecticut. It also appropriates funds for longitudinal data systems and implementation of the Common Core State standards.

Delaware

Delaware HB 200 (Open States or Delaware Legislature) is the state’s appropriations bill. It provides funding for the Delaware Center for Education Technology and Technology Block Grants.
Florida

- **Florida HB 7009** (Open States or Florida Legislature) increases accountability and transparency for charter schools while offering charters flexibility and allowing them to grow. It establishes the District Innovation School of Technology Program. It also stipulates that full implementation of on-line assessments of state standards is contingent upon verifying the technology capacity of all public schools and districts.

- **Florida HB 7029** (Open States or Florida Legislature) expands the market of online courses in Florida, including Massive Open Online Courses (MOOCs) and removes limits on which students can register for online classes. The legislation requires the Florida Department of Education to create an online course catalog for digital learning courses that provides data relating to access to the course, completion rate and a way of feedback for student and teacher.

- **Florida SB 1076** (Open States or Florida Legislature), the Career and Professional Education Act, creates new types of high school diploma designations, changes the funding formula for virtual institutions, revises graduation requirements, and focuses on integrating technology skills and industry certifications into programs in order to prepare students for high-demand, high-skill careers. In addition, the bill authorizes a preeminent state university to establish an on-line university.

- **Florida SB 1388** (Open States or Florida Legislature) revises the statewide instructional materials process, providing districts with increased flexibility in adopting and purchasing instructional materials, including digital and electronic materials.

- **Florida SB 1500** (Open States or Florida Legislature), the General Appropriations Act, establishes Florida’s budget for the 2013-2014 fiscal year. There are several provisions in the budget relating to digital learning, however, two of those provisions were vetoed by Governor Rick Scott.

- **Florida SB 1514** (Open States or Florida Legislature) is a budget conforming bill that addresses issues relevant to virtual schools and online courses, among others. It amends specific statutory provisions related to education necessary to conform the statutes to the appropriations made in the General Appropriations Act for the 2013-2014 fiscal year.

- **Florida SB 1664** (Open States or Florida Legislature) deals with teacher preparation and governance by the State Board of Education (SBOE), expanding the current state-approved teacher preparation program to include a competency-based certification program and links a teachers evaluations to the test scores of the students that they teach.

Georgia

- **Georgia HB 283** (Open States or Georgia Legislature) contains revisions to Title 20 of the Georgia Code, the state’s basic law for education. It establishes a new grant program for technology capital.
Idaho

- **Idaho HB 65** (Open States or Idaho Legislature) amends and adds to existing education law. It establishes provisions relating to public school technology and to the funding for this technology, among other actions.

- **Idaho HB 221** (Open States or Idaho Legislature) adds to and amends existing law relating to public charter schools. It contains provisions relating to petitioning to establish a new public virtual charter school and guidelines for authorization of public virtual charter schools.

- **Idaho HB 275** (Open States or Idaho Legislature) provides that a district may utilize up to 15% of certain moneys to pay another school district or public charter school for certain services or to defray certain costs and provides that a district may employ 9.5% fewer positions than funded without a reduction in the number of funded positions being imposed.

- **Idaho SB 1028** (Open States or Idaho Legislature) ends the pilot phase for the Mastery Advancement Program and removes language limiting the availability of the program to school districts, as well as the duration of the program.

- **Idaho SB 1091** (Open States or Idaho Legislature) re-establishes a long-term funding formula for the Idaho Digital Learning Academy (IDLA), funds the creation of a portal for on-line classes, establishes advanced opportunities for high school students through dual credit and advanced placement courses, and makes changes to the "8 in 6 Program," involving online courses.

- **Idaho SB 1199** (Open States or Idaho Legislature) details the funding and structure for two programs that are funded for one year in Idaho’s 2013-14 school budget. SB 1200. One program provides grant funding to school districts for differential pay based on excellence in achievement. The second program provides grant funding for technology pilot projects designed to improve student academic growth.

- **Idaho SB 1200** (Open States or Idaho Legislature) is the fiscal year 2014 appropriation to the Public Schools Educational Support Program. It contains several specific expenditures for educational technology resources, including $10.4 million designated for classroom technology and wireless infrastructure. $3,000,000 is appropriated for technology pilot projects, and $150,000 is appropriated for professional development.

Illinois

- **Illinois HB 208** (Open States or Illinois Legislature) is an education appropriations bill for fiscal year (FY) 2014. Funding remained at similar levels to the previous year. This bill includes State and District Technology Support (formerly known as Technology for Success) and the School Technology Revolving Loan Program.

- **Illinois HB 494** (Open States or Illinois Legislature) places a one year moratorium on the establishment of charter schools with virtual-schooling components in all school districts except for Chicago. The moratorium is in place from April 1, 2013 until April 1, 2014. It does not apply to such charter schools existing or approved prior to April 1, 2013, or to the renewal of their charters. By March 1, 2014, the State Charter School Commission will submit a report to the General Assembly on the effects of virtual schooling.
Indiana

**Indiana HB 1338** (Open States or Indiana Legislature) focuses on increasing charter school accountability, as well as access to high quality charter schools. Legislation also supports virtual charter schools and ensures that students attending virtual schools are not disadvantaged.

Iowa

**Iowa HF 215** (Open States or Iowa Legislature) introduces a range of new education reforms including teacher leadership, mentorship and professional development programs. It establishes a competency-based instruction task force and a competency-based education grant award. The bill also appropriates $1.5 million per year for administering the state online learning initiative.

**Iowa HF 604** (Open States or Iowa Legislature) appropriates funds for fiscal years 2013-2014 and 2014-2015 from the General Fund of the State to the Department of Education, along with other departments and commissions, and contains several provisions relating to digital learning.

Kansas

**Kansas HB 2201** (Open States or Kansas Legislature) establishes the telecommunications study committee, which will study the creation of a state broadband fund to support the availability of advanced telecommunications capability throughout the state. It also authorizes the Board of Regents to fix, charge, and collect user fees for services provided by the Kan-Ed program in accordance with a plan developed by the Board.

**Kansas HB 2261** (Open States or Kansas Legislature) extends school districts’ “fund flexibility” to enable them to spend unencumbered funds from certain programs on general operating expenses, with the intent that the majority of these funds be spent in the classroom or for instruction. It also removes a cap on the amount of money that may be kept in a contingency reserve fund.

Kentucky

**Kentucky SB 61** (Open States or Kentucky Legislature) establishes a program to give public school students the option to graduate from high school early and qualify for an early graduation scholarship that may be used at a Kentucky community college, technical college, four year public university, or four year private, non-profit university.

**Kentucky SB 75** (Open States or Kentucky Legislature) amends the Kentucky Revised Statutes regarding the minimum number of school instructional days. It establishes that virtual learning is an alternative method of instruction that may be used in granting equivalent instructional days.
About 75% of bills are passed between April and the end of June. Bills are active for an average of 85 days across the U.S., with the quickest passing in less than 24 hours and the slowest passing in 315 days.
Bill Timeline Cont.
75% of Bills Are Passed in April-June

**Bill Timeline Cont.**

**Louisiana**

**Louisiana HB 1 (Act 14)** ([Open States](https://www.openstates.org) or [Louisiana Legislature](https://www.louisiana-legislature.gov)) is the state’s budget for the fiscal year (FY) 2013-14. This bill protected the Louisiana Course Choice program by finding alternative means of funding the program after the Supreme Court ruled the original funding method was unconstitutional. It invests an additional $69 million in K-12 education, half of which is dedicated to teacher pay raises. The budget also protects prior education reforms, including the Louisiana Scholarship Program and changes to teacher tenure. New education funding also includes $3 million to the Louisiana Virtual Charter School.

**Louisiana SR 167** ([Open States](https://www.openstates.org) or [Louisiana Legislature](https://www.louisiana-legislature.gov)) is a Senate resolution requesting the Department of Education to establish a study group to conduct an expense analysis of replacing textbooks with e-books, implementing cloud technology, and related training.
Maine

Maine LD 1509 (Open States or Maine Legislature) establishes the Digital Literacy Fund Z130. The fund will provide support for the development of a technical assistance program that designs instructional materials for promoting digital literacy and teacher professional development and training in the use of online learning resources. The program will also provide for the implementation of a new clearinghouse containing information on the use of online learning resources.

Maryland

Maryland HB 100 (Open States or Maryland Legislature) provides that $3,500,000 of the General Fund Appropriation be made for the purpose of the Digital Learning Innovation Fund will not to be expended until the MD Department of Education reports on the standards used to allocate the funds. The report must include a list of the projects proposed to receive funding in the grant’s first year.

Maryland HB 813 (Open States or Maryland Legislature) establishes a task force to study the impact on expanding credited and uncredited courses for students with intellectual and developmental disabilities.

Maryland SB 283 (Open States or Maryland Legislature) establishes that the Maryland Advisory Council for Virtual Learning must consist of certain members, including two representatives of virtual learning providers, one school teacher engaged in digital instruction, and one parent of a student participating in digital learning opportunities. Among other things it also establishes the terms for membership within the Council.

Maryland SB 461 (Open States or Maryland Legislature) requires that the development, review, and approval process of certain online courses and services must also include an assessment regarding the accessibility of the course to individuals with disabilities, including the blind.
Massachusetts

- **Massachusetts HB 3539** (Open States or Massachusetts Legislature) establishes a pilot college and career readiness program for the 2013-2014 school year that includes among other things, a requirement that the students receive online education services necessary for the student to demonstrate postsecondary and workforce readiness.

Michigan

- **Michigan HB 4228** (Open States or Michigan Legislature) appropriates funds for a wide range of education reforms and expansions in digital learning, including course choice, expanding ease of access for 957,825 students wishing to enroll in online learning (allowing students to enroll in up to two online courses). It also increases for the Michigan Virtual University and expands its offerings to include professional development and support for at least 500 teachers.

- **Michigan HB 4328** (Open States or Michigan Legislature) is the state’s budget bill for the fiscal year 2013-14. It increases funding for School Improvement Plans, support for new charter schools, and increased rates for information technology. It eliminates funding for the charter school office, deletes a reporting requirement for online schools, and did not incorporate a proposed catalog of online learning courses. It also bars the Department of Education from spending appropriated funds to implement the Common Core State Standards or the Smarter Balanced Assessments.

Minnesota

- **Minnesota HF 630** (Open States or Minnesota Legislature) is the omnibus K-12 Education Policy and Finance Bill. It adds ways to demonstrate proficiency to fulfill graduation requirements, sets forth guidelines for adopting computer-adaptive testing in grades 3-7, and makes changes to the Online and Digital Learning Council.
Mississippi

- Mississippi HB 369 (Open States or Mississippi Legislature) allows for new charters to be established by a statewide authorizer board for "D" & "F" districts, but only with the consent of districts that are rated "C" or above.

Missouri

- Missouri HB 2 (Open States or Missouri Legislature) appropriates funds to the state Board of Education and the Department of Elementary and Secondary Education for Fiscal Year 2014.

Montana

- Montana HB 210 (Open States or Montana Legislature) appropriates $300,000 from the general fund to the Office of Public Instruction for the Montana Digital Academy, for the fiscal year ending June 30, 2013. This funding was necessary to cover expenses associated with greater than projected enrollments.

Nevada

- Nevada SB 58/Chapter 321 (Open States or Nevada Legislature) revises provisions governing the manner in which distance education is provided. This legislation allows eligible students to directly enroll in any distance learning programs without being required to obtain permission from their home district. It also allows for unlicensed employees to supervise distance education students.
New Hampshire

- New Hampshire HB 2 (Open States or New Hampshire Legislature) rejects lack of state funding as a sole reason for denying charter school applications. This bill directs the state to pay tuition directly to virtual charter schools for all applicable students.

- New Hampshire SB 48 (Open States or New Hampshire Legislature) represents a shift in thinking on the existing chapter on school performance and accountability. It moves away from traditional models and towards a system which would prepare students for college and career through the use of clear learning outcomes and competency-based learning. It would also change the references to schools in need of improvement to priority schools and focus schools.

New Jersey

- New Jersey SB 2057 (Open States or New Jersey Legislature) prohibits school districts from using any district-provided electronic device, such as a computer, tablet, or phone, to violate a student’s privacy.

- New Jersey SB 3000 (Open States or New Jersey Legislature) is the state’s appropriations bill for fiscal year 2013-2014. The bill appropriates $1.7 million to establish an Education Innovation Fund and $1.7 million for a Statewide Longitudinal Data Systems Research Grant.
New Mexico

New Mexico HB 2 (Open States or New Mexico Legislature) is the General Appropriation Act of 2013. The bill appropriates $1,500,000 to establish a science, technology, engineering and mathematics initiative (STEM). The initiative will provide stipends to incentivize qualified teachers to teach STEM courses.

North Carolina

North Carolina HB 23 (Open States or North Carolina Legislature) directs the State Board of Education to develop and implement digital competency standards as part of teacher preparation and licensure by the 2017-2018 school year. This bill recognizes that digital learning is an integral part of all 21st Century teaching and works to integrate it into mainstream teacher preparation.

North Carolina HB 44 (Open States or North Carolina Legislature) establishes that the North Carolina General Assembly will transition from funding for textbooks, both traditional and digital, to funding for digital materials, including textbooks and instructional resources, to provide educational resources that remain current, aligned with curriculum, and effective for all learners by 2017.

North Carolina HB 334 (Open States or North Carolina Legislature) allows a county to use state lottery funds for digital learning expenses, such as school connectivity, digital textbooks and instructional resources, digital devices, and associated ongoing professional development for teachers.

North Carolina SB 168 (Open States or North Carolina Legislature) requires all students preparing to teach are proficient in using digital and other instructional technologies to provide high-quality, integrated digital teaching and learning to all students.

North Carolina SB 402 (Open States or North Carolina Legislature), the Appropriations Act of 2013, changes the funding formula for the North Carolina Virtual Public Schools (NCVPS) program, supports access to advanced courses offered on-line, directs the State Board of Education to study the authorization and oversight of virtual charter schools, and establishes the Education and Workforce Innovation Program.
North Dakota

North Dakota HB 1013 (Open States or North Dakota Legislature) clarifies the state funding formula for districts to pay for virtual education.

Ohio

Ohio HB 59 (Open States or Ohio Legislature) is a two-year state budget that gives schools $15 billion, a four-percent increase over current appropriations. The bill awards $675,000 in FY2015 to traditional public and charter schools for participation in an electronic textbook pilot project. The bill caps growth on charter e-schools. It allows e-schools to provide career-technical education.

Oklahoma

Oklahoma HB 1071 (Open States or Oklahoma Legislature) defines a virtual education provider offering full-time enrollment to students from other districts to be considered a site within the school district of the student. The provider is then subject to the state’s accountability system. The bill also directs the virtual education provider and the school district to identify full-time students who do not live in the district where the provider is located and provide data on the performance of those students to the Department of Education.

Oklahoma SB 169 (Open States or Oklahoma Legislature) establishes guidelines for virtual education providers offering full-time virtual education to students who are not residents of the school district with which the provider is contracted. It makes these providers subject to the state accountability system. It also requires providers and districts to identify and provide academic performance data for these students to the State Department of Education.

Oklahoma SB 267 (Open States or Oklahoma Legislature) amends the Statewide Virtual Charter School Board legislation to detail new rights and responsibilities for the Board. It directs the Board to oversee operations and authorization of statewide virtual charter schools and provides direction on virtual charter school funding. It also stipulates that school districts will not be permitted to offer full-time virtual education to non-resident students.

Oklahoma SB 419 (Open States or Oklahoma Legislature) defines supplemental online courses as any instruction that is not substantially a repeat of a course that the student has already completed. This definition applies regardless of whether a course is similar or identical to the instruction offered in the school district.
Oregon

**Oregon HB 2426** ([Open States](https://www.openstates.org) or [Oregon Legislature](https://leg.or.gov)) requires school districts to develop policies to govern the use of personal electronic devices in district schools, to determine whether there are free online resources when adopting textbook lists, and to provide professional development related to online resources for specified district employees.

**Oregon HB 3093** ([Open States](https://www.openstates.org) or [Oregon Legislature](https://leg.or.gov)) requires that a public charter school’s annual audit submitted to the state’s Department of Education must also be submitted to its sponsoring school district. A public charter school’s sponsor may terminate its contract due to a failure to maintain a sound financial management system. The bill also sets forth the circumstances in which a for-profit entity may employ employees at a virtual public charter school.

South Carolina

**South Carolina HB 3752** ([Open States](https://www.openstates.org) or [South Carolina Legislature](https://www.sclowerhouse.state.sc.us)) expands virtual learning in South Carolina. This legislation would remove limits on the number of online credits a student might be awarded under the virtual school program.

South Dakota

**South Dakota HB 1164** ([Open States](https://www.openstates.org) or [South Dakota Legislature](https://www.legis.state.sd.us)) establishes a classroom innovation grant program. The grant will provide funding for classroom innovation using technology to enhance student learning. The bill appropriates $500,000 for the distribution of the grants.

Tennessee

**Tennessee SB 157** ([Open States](https://www.openstates.org) or [Tennessee Legislature](https://tnlegislature.com)) establishes a total initial enrollment cap for virtual schools, with certain exceptions, and establishes other requirements related to virtual schools.
Texas

- **Texas HB 1926** (Open States or Texas Legislature) enacts an online course choice program for Texas, heavily utilizing the state virtual school network, which will act as a marketplace for high-quality online courses that have gone through an approval process. It expands student eligibility from only high school students to grades 6-12 and allows those students to take up to three courses online, funded by utilizing per-pupil funding, with a cap of $400 per course, directed toward the individual course provider of their choice.

- **Texas HB 3662** (Open States or Texas Legislature) establishes the Texas Workforce Innovation Needs Program. The Program will provide selected school districts and institutions the opportunity to establish innovative college and career programs. The applicant’s plan should focus on student learning through either competency-based learning or incorporating career and technical courses into dual enrollment or the early college education program. Applicants will be selected by the commissioner.

- **Texas SB 1365** (Open States or Texas Legislature) advances competency based learning by allowing students in grades 6-12 to earn credit for courses after successfully passing exams selected by the school district board of trustees.

Utah

- **Utah HB 139** (Open States or Utah Legislature) establishes a STEM (Science, Technology, Engineering, and Mathematics) Action Center Board tasked with creating a STEM Action Center program. It also appropriates funding for education related instructional technology and professional development in the STEM areas.

- **Utah HB 393** (Open States and Utah Legislature) focuses on competency-based learning, requiring that, before the 2014 General Session, the State Board of Education make recommendations on a possible funding formula for competency-based education. The bill also allows a school district or charter school to establish competency-based education programs and assessments that would result in course credit if the student demonstrates competency in the subject.

- **Utah SB 43** (Open States or Utah Legislature) amends existing legislation to require the State Board of Education to establish a task force to study and make recommendations to the Board on how to improve financial and economic literacy education in the public school system.

- **Utah SB 82** (Open States or Utah Legislature) creates the first “Student Data Backpack,” providing access to parents, guardians and authorized LEA users to the learning profile of a K-12 student in a secure electronic format called the “Student Achievement Backpack.” It consolidates data currently collected on the student into the Utah Student Record Store and allows data to follow the student securely from school to school, throughout the learning cycle of the student.
Utah Cont.

**Utah SB 162** (Open States or Utah Legislature) makes several changes to the guidelines for charging partial tuition for concurrent enrollment courses, where students can earn college credits while still in high school. The bill removes a provision allowing the waiver of partial tuition when a student elects not to receive higher education credit; allows an institution of higher education to charge a student partial tuition for technology-intensive concurrent enrollment courses and gateway career and technology education courses; and eliminates a provision allowing a student to pay a reduced partial tuition rate for each subsequent concurrent enrollment course the student takes after the student pays the partial tuition for the first concurrent enrollment course.

**Utah SB 175** (Open States or Utah Legislature) modifies provisions regarding the assessment of high school students’ college readiness, among them, replacing the basic skills competency test with college readiness assessments and requiring an online preparation program for the college admissions test.

**Utah SB 260** (Open States or Utah Legislature) amends provisions and appropriates funds for public school early education programs, including the K-3 Reading Improvement Program and the Enhanced Kindergarten Program. The bill appropriates a total of $4,700,000 from the Education Fund to the State Board of Education for program administration and to fund the Early Intervention Interactive Computer Software Program. It also reduces the ongoing appropriation to the K-3 Reading - Diagnostic Assessment System by $2,200,000, for a net appropriation of $2,500,000.

**Utah SB 284** (Open States or Utah Legislature) modifies provisions relating to the deployment of whole-school one-to-one educational technology in public schools and appropriates funds to support this legislation.

**EIE13 STRATEGY SESSION—EDUCATION’S NEW NORMAL: MASS ACCESS TO THE BEST COURSES AND TEACHERS IN THE WORLD THROUGH TECHNOLOGY**

November 9, 2013

Watch Video

http://bit.ly/1dVXzYf
Vermont

Vermont SB 130 (Open States or Vermont Legislature) establishes statewide dual enrollment and early college programs. The bill amends the state’s high school completion program by allowing students to pursue pathways to graduation that include applied or work-based learning opportunities, including internships. It also calls for career exploration to no later than seventh grade for all students.

Virginia

Virginia HB 1500 (Open States or Virginia Legislature) is a state budget bill amending the 2012 Acts of Assembly, which appropriated funds for the 2012-2014 fiscal years, and providing a portion of revenues for those years.

Washington

Washington HB 1076 (Open States or Washington Legislature) expands participation in innovation academy cooperatives by allowing students whose home district does not offer the innovation academy to transfer into a district that offers those cooperative schools. The bill discriminates against online-only classes and stipulates that a student must enroll in classes other than just online.

Washington HB 1472 (Open States or Washington Legislature) requires high schools to approve AP computer science courses to be counted towards math and science requirements for graduation.

Washington HB 1872 (Open States or Washington Legislature) establishes a comprehensive initiative to increase learning opportunities and improve educational outcomes in the STEM disciplines (science, technology, engineering, and mathematics) through multiple strategies and statewide partnerships.

Washington SB 5496 (Open States or Washington Legislature) sets forth guidelines for authorizing approval of online school programs in private schools.

Washington SB 5946 (Open States or Washington Legislature) makes changes to the Alternative Learning Experience (ALE) programs, defining three types of ALE courses and setting forth guidelines for how these courses should be administered and funded.
**West Virginia**

- **West Virginia HB 2014**  ([Open States](https://openstates.org) or [West Virginia Legislature](https://westvirginialegislature.gov)) is the budget appropriations bill for fiscal year 2014. The budget bill includes $2.5 million for 21st Century Learners, $800,000 for technology initiatives, and $4.5 million for 21st Century Assessment and Professional Development.

- **West Virginia HB 3157**  ([Open States](https://openstates.org) or [West Virginia Legislature](https://westvirginialegislature.gov)) amends the education system and seeks to restore the authority, flexibility, and capacity of schools and school systems to improve student learning. It promotes the hiring of technology specialists and increases funding for instructional technology.

- **West Virginia SB 359**  ([Open States](https://openstates.org) or [West Virginia Legislature](https://westvirginialegislature.gov)) is a comprehensive education reform bill.

**Wisconsin**

- **Wisconsin AB 40**  ([Open States](https://openstates.org) or [Wisconsin Legislature](https://wisconsinlegislature.gov)) establishes the two-year state budget, investing an additional $380 million in new state dollars will be invested in public education, expanding course choice options in the state, offering new digital resources for students, parents and teachers as well as protecting digital learning from over-regulation.

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**SIE13 STRATEGY SESSION - A CUSTOMIZED EDUCATION: EXTREME CHOICE THROUGH DIGITAL LEARNING**

November 9, 2013

Watch Video

http://bit.ly/1gUb9u
Appendix A: Methodology

For the 2013 Digital Learning Report Card, states were graded based on their progress toward achieving the 10 Elements of High-Quality Digital Learning. Each state was awarded 11 grades: one grade for each of the 10 Elements of High-quality Digital Learning and one overall grade.

The 10 Elements were evaluated equally, with each Element comprised of multiple metrics. States earned points based on how far along they were in achieving each Element’s metrics. This progress was then presented as a percentage for each of the 10 Elements and converted into a letter grade (see conversion chart below). The points each state could earn for each metric was awarded based on a standardized grading rubric.

The overall grade for each state was calculated by averaging the equally weighted grades of the 10 Elements.

Rubric

Using state input from last two years, we updated the grading rubric from 39 to 41 metrics within the 10 Elements. This rubric allowed for an objective evaluation of policies across all states. The two new questions in Elements 1 and 2 were included to better understand student eligibility based on prior year enrollment and student access to courses based on similar courses in a district.

Additional partial credits were included in the 2013 rubric to better capture how states are progressing towards each metric and Element. The grading rubric was built in a way that enabled Digital Learning Now to award partial credit consistently across the states to recognize the multiple steps states have made toward creating an environment that supports comprehensive digital learning, even if the metric has yet to be fully met.

Process

States were provided an online survey to complete, looking at all 41 metrics within the 10 Elements of High-Quality Digital Learning. The grading rubric was built into the survey, with text boxes available for comments, citations, and sourcing for all answers.

In an effort to provide consistent data, we prepopulated several of the survey’s with data from the 2012 survey to better understand how states were changing and progressing annually. States were provided their personalized survey, with the opportunity to adjust those prepopulated answers. After states submitted initial results for the survey, their responses were assessed, adjusting credits awarded where appropriate in order to present the clearest and more comprehensive picture of each state’s digital learning policies. Preliminary state profile summaries were provided to each state to comment on and refine their answers further. Various technical consultations were provided by experts from Digital Learning Now, Getting Smart, iNACOL, Clayton Christensen Institute for Disruptive Innovation, and Data Quality Campaign.

Grading

Each of the 10 Elements of High-Quality Digital Learning is weighted equally for the overall state grade. Because of this equal weighting of the elements, the 41 metrics that comprise this survey may carry different weights, based on how many metrics are in each element.

Ex. Element 1 is composed of three metrics, making metrics number 1, 2 and 3 are each worth 33.3 percent of Element 1’s grade. Element 2 is composed of four metrics, making metrics number 4, 5, 6, and 7 each worth 25 percent of Element 2’s grade.
This example shows that metric 1 carries more weight in the overall grade than metric 4 carries. However, it is important to keep in mind the metrics are used to evaluate each of the 10 Elements, and those remain weighted equally in developing the overall state score and grade.

Each metric is worth up to 4 points. The total possible value for each Element is as follows:

- Element 1 – Metrics 1, 2, 3 = 12 points
- Element 2 – Metrics 4, 5, 6, 7 = 16 points
- Element 3 – Metrics 8, 9 = 8 points
- Element 4 – Metrics 10, 11, 12, 13 = 16 points
- Element 5 – Metrics 14, 15, 16 = 12 points
- Element 6 – Metrics 17, 18, 19, 20, 21, 22 = 24 points
- Element 7 – Metrics 23, 24, 25, 26, 27, 28 = 24 points
- Element 8 – Metrics 29, 30, 31 = 12 points
- Element 9 – Metrics 32, 33, 34, 35, 36, 37 = 24 points
- Element 10 – Metrics 38, 39, 40, 41 = 16 points

After data collection was completed, the percentage of points met out of possible points was calculated for each of the 10 Elements and converted that into a letter grade using the scale listed below. Those 10 Element scores were then averaged for each state in order to calculate the overall grade.

<table>
<thead>
<tr>
<th>Grade</th>
<th>Low Percentage</th>
<th>High Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>95%</td>
<td>100%</td>
</tr>
<tr>
<td>A-</td>
<td>90%</td>
<td>94%</td>
</tr>
<tr>
<td>B+</td>
<td>87%</td>
<td>89%</td>
</tr>
<tr>
<td>B</td>
<td>83%</td>
<td>86%</td>
</tr>
<tr>
<td>B-</td>
<td>80%</td>
<td>82%</td>
</tr>
<tr>
<td>C+</td>
<td>77%</td>
<td>79%</td>
</tr>
<tr>
<td>C</td>
<td>73%</td>
<td>76%</td>
</tr>
<tr>
<td>C-</td>
<td>70%</td>
<td>72%</td>
</tr>
<tr>
<td>D+</td>
<td>67%</td>
<td>69%</td>
</tr>
<tr>
<td>D</td>
<td>63%</td>
<td>66%</td>
</tr>
<tr>
<td>D-</td>
<td>60%</td>
<td>62%</td>
</tr>
<tr>
<td>F</td>
<td>0%</td>
<td>59%</td>
</tr>
</tbody>
</table>
Appendix B:

Additional Resources

ExcelinEd

http://excelined.org/

The ExcelinEd website contains a policy library featuring policy briefs, model legislation, reformer profiles, and videos around seven reform actions in education. The searchable database has information on college and career readiness, digital learning, effective teachers and leaders, K-3 reading, outcome-based funding, school choice, and standards and accountability. Visit for resources on Common Core State Standards, education reform news and an interactive nation’s report card tool.

DLN Smart Series Papers

http://www.digitallearningnow.com/dln-smart-series/

The Digital Learning Now Smart Series is a collection of interactive papers that provide specific guidance for policy makers and education leaders regarding the adoption of the Common Core State Standards and the shift to personal digital learning. The recently released ebook “Navigating the Digital Shift” offers updated versions of the papers originally released in the DLN Smart Series including contributions from 11 authors representing leading organizations such as Public Impact, the International Association for K-12 Online Learning (iNACOL), CompetencyWorks and The Learning Accelerator.

The Smart Series is a project of Digital Learning Now in association with Getting Smart. These organizations have come together to accelerate the shift to high-quality digital learning for all students by addressing a different implementation challenge with each white paper. Topics include:

- **Data Backpacks: Portable Records and Learner Profiles**: http://bit.ly/1mxaJMM
- **Getting Ready for Online Assessments**: http://bit.ly/1hmVOTT
- **The Shift from Cohorts to Competency**: http://bit.ly/1bJQhH4
- **Funding Students, Options, and Achievement**: http://bit.ly/1gf05aW
- **Improving Conditions and Careers**: http://bit.ly/1aXUqnJ
- **Online Learning: Myths, Reality, and Promise**: http://bit.ly/1egVDsL
- **Smart Series Guide to EdTech Procurement**: http://bit.ly/1fRAL1g
DLN Smart Series Videos

Digital Learning Now has released a series of five videos complementing the Smart Series ebook and white papers. Videos feature policy experts including Governor Bush, President of the Alliance for Excellent Education and former West Virginia Governor Bob Wise, Michael Horn of the Clayton Christensen Institute for Disruptive Innovation, and Sal Khan of Khan Academy, as well as students and teachers from Mooresville Graded School District and schools across the nation.

- Funding the Shift to Digital Learning: http://bit.ly/1hPXKqK

Summit Videos

The Foundation for Excellence in Education hosted three panels on digital learning during the National Summit on Education Reform in October 2013.

  - Moderator: Michael Horn (Clayton Christensen Institute for Disruptive Innovation)
  - Panelists: Ken Bradford (Asst. Superintendent, Louisiana Department of Education), Susan Patrick (President, iNACOL), and Senator Howard Stephenson (Utah State Senator)

  - Moderator: John Bailey (Executive Director, Digital Learning Now)
  - Panelists: Anant Agarwal (President, edX), Erin Knight (Senior Director of Learning and Badges, Mozilla), and Hadi Partovi (President and Co-founder, Code.org)

  - Moderator: Tom Vander Ark (CEO, Getting Smart)
  - Panelists: Janet Barresi (Oklahoma State Superintendent of Education and Chiefs for Change member), Jose Ferreira, (founder and CEO, Knewton), and Aimee Guidera (founder and executive

Organizations

Alliance for Excellent Education
http://all4ed.org/
The Alliance for Excellent Education is a Washington, DC–based national policy and advocacy organization dedicated to ensuring that all students, particularly those who are traditionally underserved, graduate from high school ready for success in college, work, and citizenship. The Alliance focuses on America’s six million most at-risk secondary school students—those in the lowest achievement quartile—who are most likely to leave school without a diploma or to graduate unprepared for a productive future.

Aspen Task Force
http://www.aspentaskforce.org/
The Aspen Institute Task Force on Learning and the Internet is a national conversation led by 20 of the most innovative and talented minds in technology, public policy, education, business and online safety. The Task Force aims to better understand how we can optimize the web to improve learning.

Chiefs for Change
http://chiefsforchange.org/
Chiefs for Change is a bipartisan coalition of current and former state education chiefs who believe that American public education can be dramatically improved and share an urgency to achieve that goal. Together, they provide a strong voice for bold reform on the federal, state and local level.

Clayton Christensen Institute for Disruptive Innovation
http://www.claytonchristensen.com/
The Education Program at the Clayton Christensen Institute examines K–12 and higher education issues through the lens of disruptive innovation. Its research aims to transform monolithic, factory-model systems into student-centered designs that educate every student successfully and enable each to realize his or her fullest potential. The Institute offers a wide range of white papers, policy briefs, case studies, and videos around innovations in the education sector.

Data Quality Campaign
http://www.dataqualitycampaign.org/
The Data Quality Campaign (DQC) is a nonprofit, nonpartisan, national advocacy organization based in Washington, DC. Launched in 2005 by 10 founding partners, DQC now leads a partnership of nearly 100 organizations committed to realizing the vision of an education system in which all stakeholders—from parents to policymakers—are empowered with high-quality data from the early childhood, K–12, postsecondary, and workforce systems to make decisions that ensure every student graduates high school prepared for success in college and the workplace. DQC supports state policymakers and other key leaders to promote the development and effective use of statewide longitudinal data systems. DQC
provides a wealth of analysis around state data systems, policy guidance, data 101 resources, and other tools to help advance the strategic use of data to improve education.

**Getting Smart**

http://gettingsmart.com/

Getting Smart is a community passionate about innovations in learning. The group believes the shift to personal digital learning holds promise for improved student achievement in the developed world and access to quality education in the emerging economy. Getting Smart are advocates for better K-12 education as well as early, post-secondary and informal learning opportunities for all students. They attempt to accelerate and improve the shift to digital learning by covering important events, trends, products, books, and reports. Getting Smart: How Personal Digital Learning Is Changing the World by Tom Vander Ark, a well-known education expert, examines the facets of educational innovation in the United States and abroad. Vander Ark makes a convincing case for blended learning and personal digital learning.

**iNACOL**

http://www.inacol.org/

The International Association for K-12 Online Learning (iNACOL) is a non-profit organization focused on research; developing policy for student-centered education to ensure equity and access; developing quality standards for emerging learning models using online, blended, and competency-based education; and supporting the ongoing professional development of classroom, school, district and state leaders for new learning models. iNACOL represents a cross-section of K-12 education from school districts, charter schools, state education agencies, non-profit organizations, research institutions, corporate entities and other content and technology providers. Resources include:

- Keeping Pace with K-12 Online Learning: An Annual Review of Policy and Practice
- iNACOL Quality Assurance
- CompetencyWorks

**The Learning Accelerator**

http://learningaccelerator.org/

The Learning Accelerator is a non-profit organization whose mission is to transform K-12 education by accelerating the implementation of high-quality blended learning in school districts across the U.S. The “What is Blended Learning?” video provides a good overview of concepts around blended learning and examples of different models.

**The One-To-One Institute**

http://www.one-to-oneinstitute.org/

One-to-One Institute grew out of Michigan’s successful, statewide one-to-one initiative, Freedom to Learn. One-to-One Institute is a national non-profit committed to igniting 21st century education through the implementation of one-to-one technology in K-12 settings. Our mission is to transform education. We believe that by personalizing learning through universal, uninterrupted access to technology students will take ownership of their learning and maximize their potential. One-to-One Institute offers professional learning, consultancy, expertise and hands-on experience in all aspects of developing learning environments that meaningfully integrate technology. Based on the latest research and our experience in hundreds of 1:1 environments, OTO has crafted a set of best practices for leadership, infrastructure and instruction to help ensure that your program is successful and sustainable.
State Education Technology Directors Association

http://www.setda.org/

Founded in 2001, the State Educational Technology Directors Association (SETDA) is a non-profit, national member association that serves, supports, and represents the interests of U.S. state and territorial educational technology leadership. SETDA provides a wide range of resources to assist states with advancing digital learning:

- The State Education Policy Center (SEPC)
- The Broadband Imperative
- National Trends and State Profiles
- Online Assessment
- Interoperability
APPENDIX B: ADDITIONAL RESOURCES

Resources

Michael and Susan Dell Foundation Blended Learning Case Studies
http://www.msdf.org/programs/urban-education/initiatives/united-states/blended-learning/

The Michael and Susan Dell Foundation produced a series of helpful case studies around blended learning models used at Alliance College-Ready Public Schools, FirstLine Schools, KIPP LA Schools, Rocketship Education, and Summit Public Schools. Each case study provides a background on the school, the instructional model, the operations model, the financial model, and lessons learned.

Next Generation Learning Challenges
http://nextgenlearning.org/

Next Generation Learning Challenges (NGLC) accelerates educational innovation through applied technology to dramatically improve college readiness and completion in the United States. Their website can help identify projects, find resources, and also identify lessons learned from the grantees.

Project 24
http://www.all4ed.org/project24

The Alliance for Excellence in Education launched Project 24 to help school districts address seven areas:
- Academic supports
- Budget and resources
- Curriculum and instruction
- Data and assessments
- Professional learning
- Technology and infrastructure
- Use of time

The “24” in Project 24 represents the next twenty-four months, during which the nation’s education landscape will change greatly as states and districts implement college- and career-ready standards for all students, utilize online assessments to gauge comprehension and learning, deal with shrinking budgets, and contend with the demands of states’ waivers from key provisions of the No Child Left Behind Act.

Project RED
http://www.projectred.org/

Project RED conducted the first and only national study of education technology to focus on student achievement and financial implications. In our research of nearly 1,000 schools, we discovered a replicable design for successfully introducing technology into the classroom- one that leads to improved student performance and cost benefits.