

## Online Learning Option Act

***Minnesota school districts and charter schools may offer K-12 students online courses and earn additional revenue***

The Online Learning Option Act ([Minn. Stat. § 124D.095](#)) allows Minnesota school districts, intermediate districts, school districts operating under a joint powers agreement, and charter schools to offer online courses for credit to Minnesota K-12 public school students and some nonpublic students. Districts and charter schools providing online courses can earn additional state revenue for the online courses taken by students not enrolled in that district or charter school. Aid paid to a district or charter school enrolling a student is reduced and paid to another district or charter school providing online learning courses outside the enrolling district or charter school. State payments for online learning were \$10,249,000 in fiscal year 2006, \$16,580,000 in fiscal year 2007, and \$24,898,000 in fiscal year 2008.

Nonpublic school students, including homeschool students who receive core curriculum instruction at a public school site, can generate shared time aid for online courses if they use computers at the public school (districts that provide instruction in core curriculum at a public school building to nonpublic school students are eligible to receive shared time aid).

Enrolling districts may proportionately reduce the classroom instruction of students taking online learning courses from an online learning provider. Online learning providers may limit student enrollment based on locally adopted acceptance standards. Out-of-state and nonschool district vendors cannot be online learning providers but may help providers design online courses. Districts and charter schools that provide online learning courses to their enrolled students do not receive online learning aid for those students.

***Online learning providers must offer rigorous courses aligned with academic standards and provide teacher contact time***

The state Department of Education must certify online learning providers and may charge providers a certification fee of up to \$250. Online learning providers must offer:

- rigorous courses aligned with state academic standards that enable students to progress in a subject;
- online courses with standards or instruction, curriculum, and assessment requirements equivalent to other courses offered to enrolled students; and
- actual teacher contact time or other student-to-teacher communication.

Certified providers may receive payment for all online courses they offer unless challenged by an enrolling district or the department. The department must publish a list of certified online learning providers, courses, and programs.

***Students may take up to 50 percent of their courses per term online***

Minnesota K-12 public school students may apply to enroll in supplemental online learning courses offered in place of course periods during the regular school day or may apply to enroll full-time in an approved online learning program that offers comprehensive education and grade level advancement in some or all K-12 grades.

Students who take supplemental online learning courses must meet the grade level and graduation requirements of their enrolling district, which must transfer any of the student's earned academic credits for courses that meet or exceed local graduation standards and provide the student with nonacademic services. Students who enroll full-time do so under the state's open enrollment program or an agreement between school boards or in an online learning charter school.

Students under 18 must have their parents' permission to enroll and must give a reason for enrolling in online learning. Students do not need the permission of their enrolling district or charter school to take online learning courses given by another district or charter school. Online learning providers that accept nonenrolled students must notify the students and the students' enrolling district within ten days. The notice must include information about the online learning course content and assessment, academic credits, and start date, and confirm that the course meets the student's graduation plan. Accepted students and their parents must notify the online learning provider within ten days of the student's intent to enroll and must affirm that they understand the expectations of the course or program.

Enrolled students taking online learning courses:

- may take up to 50 percent of their full schedule of courses per term;
- must complete course work at a grade level commensurate with their ability; and
- may enroll in additional online courses under a separate fee agreement.

Students with disabilities may enroll in online courses consistent with their individualized education plan.

Districts and charter schools cannot discriminate against students taking online courses and must provide such students with the same access to computer hardware and education software as all other students. Online learning providers must help participating students whose families qualify for the education tax credit to acquire computer hardware and educational software. Nonpublic school students, students taking summer school classes, students enrolling in classes beyond full-time status, and students not residing in Minnesota are ineligible for public funding of online learning courses and programs. Students who do not qualify for public funding may enroll on a tuition basis with an online learning provider.

***Licensed Minnesota teachers deliver online learning***

Licensed Minnesota teachers must assemble and deliver instruction to students taking online learning courses. Teachers providing online learning instruction are limited to 40 students per course unless the commissioner of education waives this requirement. Actual teacher contact time or other similar communication is an expected online learning component.

**For more information:** Contact legislative analyst Lisa Larson at 651-296-8036.

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