

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 643

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 57, TITLE 33, IDAHO CODE, TO PROVIDE FOR AN ONLINE TEACHING CERTIFICATE, TO PROVIDE FOR RULES AND TO PROVIDE DEFINITIONS; AMENDING SECTION 33-1619, IDAHO CODE, TO REDESIGNATE THE SECTION; AND PROVIDING EFFECTIVE DATES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. LEGISLATIVE INTENT. As the mode and method of public school teaching increasingly contains an online or virtual component of instruction, the Legislature acknowledges the need to ensure that those who provide such online or virtual instruction are proficient in the use of online and virtual teaching methods. Consequently, it is the intent of the Legislature to require a teaching certificate for online teaching by teachers and others providing instruction in an online or virtual format to students in Idaho public schools and public charter schools.

SECTION 2. That Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 57, Title 33, Idaho Code, and to read as follows:

CHAPTER 57

IDAHO ONLINE AND VIRTUAL EDUCATION

33-5701. ONLINE TEACHER CERTIFICATE -- RULES.

(1) (a) Every person who is employed as a teacher by any Idaho publicly funded elementary or secondary school or by the Idaho digital learning academy and who holds a certificate issued pursuant to section 33-1201, Idaho Code, and who provides instruction in an online or virtual format shall be granted a certificate for online instruction, provided that such person meets or exceeds the standards for such certificate; and
(b) Every person, employed by a third party, who provides instruction in any Idaho publicly funded elementary or secondary school in an online or virtual format or who is otherwise in online or virtual contact with students in such school, shall be granted a certificate for online instruction, provided that such person meets or exceeds the standards for such certificate and also holds a certificate issued pursuant to section 33-1201, Idaho Code.

(2) The state board of education shall promulgate rules to provide for a certificate for online instruction.

(a) In developing the rules, the board shall collaborate with the following: one (1) person representing the Idaho digital learning academy, one (1) person representing a national online learning association promulgating teaching standards and best practices and one

1 (1) person, employed by a third party, who provides instruction in an
 2 Idaho publicly funded elementary or secondary school in an online or
 3 virtual format. The board may also collaborate with other individuals
 4 as the board deems appropriate.

5 (b) The rules provided for in this subsection (2) shall provide for,
 6 among other things, standards that successful candidates for the
 7 certificate shall meet or exceed relating to online instruction. Such
 8 rules shall also provide that a teacher who has taught online coursework
 9 for no fewer than two (2) semesters, with a minimum of one (1) online
 10 course per semester, while having been certified pursuant to section
 11 33-1201, Idaho Code, or who has been employed as a teacher for the
 12 Idaho digital learning academy for no fewer than two (2) semesters,
 13 shall be deemed to have met online certificate requirements provided
 14 for in this chapter. In addition, the rules promulgated by the board
 15 shall include provisions crediting online teacher training completed
 16 through a provider of online education for purposes of meeting the
 17 requirements of this section. The board may, in its discretion, waive
 18 any online certificate requirements for faculty of any postsecondary
 19 institutions; provided however, that any such faculty shall have on
 20 file with the state department of education the results of a criminal
 21 history check pursuant to section 33-130, Idaho Code.

22 33-5702. DEFINITIONS. For the purposes of this chapter, the following
 23 terms have the following meanings:

24 (1) "Blended program" means instruction that is a combination of online
 25 or virtual instruction and traditional face-to-face instruction.

26 (2) "Online or virtual education coursework" shall meet the criteria as
 27 provided for in section 33-5205(6) (a) through (h), Idaho Code.

28 (3) "Online or virtual instruction" means a course taught at a distance
 29 by an online teacher who is separate from students by distance and/or time.
 30 Online or virtual instruction shall meet the criteria as provided for in
 31 section 33-5205(6) (a) through (h), Idaho Code.

32 (4) "Online teacher" means a person who holds a teaching credential
 33 as provided for in sections 33-1201 and 33-1207, Idaho Code, and who has
 34 a certificate in online education, and who is separated from students by
 35 distance and/or time.

36 (5) "Traditional face-to-face" means a course taught by a person who
 37 holds a certificate pursuant to sections 33-1201 and 33-1207, Idaho Code,
 38 and where the students and teachers are not separated by distance or time.

39 (6) "Virtual education programs" shall meet the criteria provided for
 40 in section 33-5205(6) (a) through (h), Idaho Code.

41 SECTION 3. That Section 33-1619, Idaho Code, be, and the same is hereby
 42 amended to read as follows:

43 ~~33-1619~~ 33-5703. VIRTUAL EDUCATION PROGRAMS. School districts may
 44 offer instruction in the manner described for a virtual school in section
 45 33-5202A, Idaho Code. For programs meeting such definition, the school
 46 district may count and report the average daily attendance of the program's
 47 students in the manner prescribed in section 33-5208(8) (b), Idaho Code.
 48 School districts may also offer instruction that is a blend of virtual and

1 traditional instruction. For such blended programs, the school district may
2 count and report the average daily attendance of the program's students in
3 the manner prescribed in section 33-5208(8)(b), Idaho Code. Alternatively,
4 the school district may count and report the average daily attendance of the
5 blended program's students in the same manner as provided for traditional
6 programs of instruction, for the days or portions of days in which such
7 students attend a physical public school. For the balance of days or
8 portions of days, average daily attendance may be counted in the manner
9 prescribed in section 33-5208(8)(b), Idaho Code.

10 SECTION 4. Sections 1 and 3 of this act shall be in full force and effect
11 on and after July 1, 2010. Section 2 of this act shall be in full force and
12 effect on and after July 1, 2015.