
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 983 Session of
2013

INTRODUCED BY AUMENT, GREINER, V. BROWN, RAPP, CUTLER, KAUFFMAN,
WATSON, ROCK, LAWRENCE, HICKERNELL, DENLINGER, COHEN,
GINGRICH AND HEFFLEY, MARCH 13, 2013

REFERRED TO COMMITTEE ON EDUCATION, MARCH 13, 2013

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for online education
6 initiative.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

12 ARTICLE XV-H

13 ONLINE EDUCATION INITIATIVE

14 Section 1501-H. Definitions.

15 The following words and phrases when used in this article
16 shall have the meaning given to them in this section unless the
17 context clearly indicates otherwise:

18 "Approved online course." An online course which has been
19 approved by the department for use by school entities under this

1 article.

2 "Approved provider." A nonprofit or for-profit organization,
3 business, institution of higher education or school entity that
4 has been approved by the department to provide specifically
5 approved online courses to school entities under this article.

6 "Department." The Department of Education of the
7 Commonwealth.

8 "Institution of higher education." The term includes any of
9 the following:

10 (1) A community college operating under Article XIX-A.

11 (2) A university within the State System of Higher
12 Education.

13 (3) The Pennsylvania State University.

14 (4) The University of Pittsburgh.

15 (5) Temple University.

16 (6) Lincoln University.

17 (7) Any other institution that is designated as "State-
18 related" by the Commonwealth.

19 (8) Any accredited private or independent college or
20 university.

21 (9) Any private licensed school as defined in the act of
22 December 15, 1986 (P.L.1585, No.174), known as the Private
23 Licensed Schools Act.

24 "Online course." A course of study that uses technology in
25 order to provide a significant portion of its curriculum and to
26 deliver a significant portion of instruction to students through
27 the Internet or other electronic means. The term shall include
28 all services and materials related to such course.

29 "Provider." A nonprofit or for-profit organization,
30 business, institution of higher education or school entity which

1 has submitted one or more online courses to the department for
2 approval and use under this article.

3 "School entity." A school district, joint school district,
4 charter school, cyber charter school, intermediate unit or area
5 vocational-technical school.

6 "Secretary." The Secretary of Education of the Commonwealth.
7 Section 1502-H. Clearinghouse for online course offerings.

8 (a) Duty to establish.--Within one year of the effective
9 date of this section the department shall establish a central
10 clearinghouse of online courses for students enrolled in grades
11 three through twelve and which clearinghouse shall be accessible
12 by school entities. In establishing the clearinghouse the
13 department shall:

14 (1) Establish an application process for providers to
15 submit their online course offerings for review by the
16 department.

17 (2) Review the online course offerings submitted by
18 providers and approve those that:

19 (i) are aligned to the State academic standards for
20 education;

21 (ii) provide a detailed and quality curriculum and
22 accountability plan;

23 (iii) possess an assessment component for
24 determining student proficiency; and

25 (iv) have been adapted to the age, development and
26 needs of the students.

27 (3) Create an online database that catalogs approved
28 providers and the approved online courses submitted by those
29 providers, and make the database available to school
30 entities.

1 (4) At least annually, update the database of approved
2 providers and online courses by adding or removing approved
3 providers and online courses as necessary to provide
4 extensive, quality online course options to school entities.

5 (5) Construct the database required in paragraph (3) in
6 such a way as to:

7 (i) provide school entities with sufficient
8 information on each approved online course; and

9 (ii) ensure ease of communication between a school
10 entity and an approved provider to facilitate the
11 purchasing of approved online courses.

12 (b) Fees, approval periods and purchasing.--The review,
13 approval and purchase of online courses shall be administered by
14 the department as follows:

15 (1) The department may establish an administrative fee,
16 not to exceed \$500, for the purpose of reviewing each online
17 course submitted by a provider. Beginning in the 2016-2017
18 school year and each year thereafter the fee shall be subject
19 to annual adjustment in accordance with section 120.

20 (2) If, after a review of an online course under the
21 provisions of subsection (a)(2), the department decides to
22 withhold approval, the department shall notify the provider
23 of the reason approval was withheld so that the provider may
24 make the necessary adjustments for resubmittal of the online
25 course. Any online course that has been resubmitted for
26 review shall be subject to the administrative fee provided
27 for in paragraph (1).

28 (3) Each online course approved under subsection (a)(2)
29 shall be authorized by the department for use by school
30 entities under the provisions of this article for a period of

1 five years.

2 (4) Upon the expiration of a five-year period of
3 approval, a formerly approved online course must be
4 resubmitted to the department for review and reapproval. The
5 department may establish an administrative fee, not to exceed
6 \$250 for the purpose of reviewing an online course for
7 reapproval. Beginning in the 2016-2017 school year and each
8 year thereafter the fee shall be subject to annual adjustment
9 in accordance with section 120.

10 (5) The department may withdraw approval of an online
11 course at any time if the department determines that the
12 online course is no longer adequately aligned with the State
13 academic standards or no longer provides a detailed and
14 quality curriculum and accountability plan.

15 (6) The department shall notify a provider immediately
16 following the approval of each online course submitted by the
17 provider. Upon receiving such notification the approved
18 provider may enter into contracts with school entities for
19 the provision of the approved online course, but in doing so,
20 the approved provider may not charge a school entity a
21 purchase price of more than \$400 per participating student
22 per course per school year.

23 Section 1503-H. Participation by school entities.

24 (a) General rule.--Beginning in the 2015-2016 school year
25 and each year thereafter, each school entity shall offer its
26 students in grades three through twelve the opportunity to
27 participate in the online courses approved by the department
28 under this article. In providing this opportunity a school
29 entity shall:

30 (1) Establish policies and procedures for student

1 eligibility and participation, including a policy on the
2 selection of approved online courses made available to
3 students by the school entity from the clearinghouse
4 established in section 1502-H. The policies and procedures
5 established by a school entity shall be consistent with the
6 regulations adopted pursuant to section 1504-H, and shall be
7 made accessible to parents and students and posted on the
8 school entity's publicly accessible Internet website.

9 (2) Ensure that parents and students are made aware of
10 the opportunity for online learning under this article and
11 make information about available online courses easily
12 accessible to parents and students.

13 (3) Contract with approved providers for the provision
14 of approved online courses.

15 (b) School entity online courses and programs.--The
16 following shall apply to school entities which offer their own
17 online courses and programs:

18 (1) The school entity may use any online courses or
19 programs available through the school entity to fulfill the
20 requirement in subsection (a) if the online course or program
21 offerings available through the school entity:

22 (i) are aligned to the State academic standards for
23 education;

24 (ii) provide a detailed and quality curriculum and
25 accountability plan;

26 (iii) possess an assessment component for
27 determining student proficiency; and

28 (iv) have been adapted to the age, development and
29 needs of the students.

30 (2) If the online courses or programs available through

1 the school entity are not offered to students in one or more
2 grade levels, then the school entity shall fulfill the
3 requirement in subsection (a) for students in those grade
4 levels.

5 Section 1504-H. Regulations.

6 (a) General rule.--Within one year of the effective date of
7 this section, the State Board of Education shall promulgate
8 final-omitted regulations pursuant to the act of June 25, 1982
9 (P.L.633, No.181), known as the Regulatory Review Act, necessary
10 to implement this article.

11 (b) Consultation.--In promulgating the regulations required
12 under subsection (a), the State Board of Education shall consult
13 with school directors, school administrators, school business
14 officials, teachers, providers, parents and students.

15 Section 1505-H. Report.

16 The secretary shall submit a report on the clearinghouse and
17 the participation of school entities to the Governor, the
18 chairman and minority chairman of the Education Committee of the
19 Senate and the chairman and minority chairman of the Education
20 Committee of the House of Representatives. The report shall be
21 submitted no later than June 30, 2020, and shall at a minimum
22 include all of the following information:

23 (1) The number of students participating in online
24 courses approved under this article.

25 (2) The number of approved providers.

26 (3) The number of approved online courses.

27 (4) A description of the types of online courses
28 available through the clearinghouse.

29 (5) An assessment of the academic impact the online
30 courses approved under this article have had on the

1 participating students.

2 (6) An assessment of the financial costs to school
3 districts for participating in the online courses approved by
4 the department under this article.

5 Section 1506-H. School entity online course or program.

6 Nothing in this article shall be construed to prevent a
7 school entity from establishing its own online course or program
8 in accordance with this act.

9 Section 2. This act shall take effect in 60 days.