

Multidivision Online Provider Legislation and Application Process

Frequently Asked Questions (FAQ)

What is a multidivision online provider?

The *Code of Virginia* § 22.1-212.23 defines a multidivision online provider as: "(i) a private or nonprofit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division; (ii) a private or nonprofit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in grades K through 12 through those school boards; or (iii) a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division. However, "multidivision online provider" shall not include (a) a local school board's online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division; (b) multiple local school boards that establish joint online courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school divisions; (c) local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education; or (d) local school boards providing online courses or programs through a private or nonprofit organization that has been approved as a multidivision online provider." See <http://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.23/>.

Our school division operates a virtual school program for our students; however, we do have some out-of-district students who take our classes. Do we now need to apply as a multidivision online provider?

The *Code of Virginia* § 22.1-212.23 definition of a multidivision online provider includes the following: "a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division. However, "multidivision online provider" shall not include (a) a local school board's online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division; (b) multiple local school boards that establish joint online courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school divisions; (c) local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education; or (d) local school boards providing online courses or programs through a private or nonprofit organization that has been approved as a multidivision online provider." See <http://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.23/>.

We use content from an outside vendor to provide virtual programs to students in our division only. Do we apply as a multidivision online provider? Or does our vendor need to apply?

No. Neither the school division nor the vendor would need to apply as a multidivision online provider when the virtual program is provided only to students in one division.

The *Code of Virginia* § 22.1-212.23 states that multidivision online providers are private or nonprofit organizations that enter into contracts with local school boards to provide online courses or programs through that school board.

The *Code* defines an online course as: “A course or grade-level subject instruction that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods and (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both.”

The *Code* defines a virtual school program as “A series of online courses with instructional content that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods; (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both; (iii) is delivered as a part-time or full-time program; and (iv) has an online component with online lessons and tools for student and data management.”

Can local school boards contract with a multidivision online provider that offers virtual school programs that have not been approved by the Superintendent of Public Instruction?

Not under the requirements of the multidivision online provider legislation.

Our school already has a contract in place with an online program provider. Can we continue to use this provider?

Beginning with the fall of 2011, school divisions may only enter contracts with approved multidivision online providers in order to provide virtual programs in accordance with the multidivision online provider legislation. The complete list of approved multidivision online providers is available on the Department of Education Web site.

Can providers offer full-time or part-time programs?

School divisions may chose the online or blended learning program and provider from the approved provider list that is most appropriate for their students.

Can providers offer blended learning programs?

Blended learning courses or programs deliver content, instruction, and support by blending the Internet and face-to-face interaction. Other computer-based methods may also be used, in addition to a local teacher, mentor, or parent. School divisions may chose the online or blended learning program and provider from the approved provider list that is most appropriate for their students.

Can school divisions charge tuition for virtual courses?

A resident student of a division may not be charged tuition for a virtual course offered by that division during the regular school year.

Tuition may be charged to students who reside outside of the school division.

Can school divisions charge tuition for virtual courses offered during summer term or that a student takes outside the school day?

Per the Code of Virginia 22.1-5, in the discretion of the school board, tuition may be charged to persons of school age who reside in the school division and who are enrolled in summer programs, exclusive of required remediation as provided in § 22.1-253.13:1, or in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

In addition, tuition may be charged to students who reside outside of the school division.

Can school divisions prohibit parents from enrolling their child in an approved online course during summer session if the course is being offered in the local school division?

No. Parents may choose to enroll their students in approved online courses. According to the Standards of Accreditation in *8 VAC 20-131-60*, school divisions should accept the completed course as transfer credit.

What is the approval process time frame?

Each year, the application window opens for 30 calendar days. At that time, the review process begins. Approved providers are notified within 45 business days of the close of the application period.

The application window has already closed. Will there be another opportunity for us to submit courses for approval that we are currently developing?

The next application window will be during the winter of 2014-2015 for organizations that wish to apply for the 2015-2016 school year.

Who reviews the multidivision online provider applications?

Applications have been reviewed by teams selected by VDOE and whose members have expertise in curriculum, instruction, online learning, counseling support, assessment and accountability, finance, staff quality, data collection and use, and technology and technical support. The applications were reviewed based on the Criteria for Approving Multidivision Online Providers. See http://www.doe.virginia.gov/instruction/virtual_learning/virtual_schools/providers/application/criteria_for_multidivision_provider.pdf

Is there an appeals process for providers who are denied initial approval?

If the Superintendent of Public Instruction denies approval of an application, the applicant may submit a revised application within 30 business days of notification. The applicant is not required to submit a revised application. The Superintendent of Public Instruction will review any changes and either approve or deny the resubmitted application within 45 business days from the receipt of a resubmitted application.

An applicant whose application has been denied by the Superintendent of Public Instruction, either upon the original submission of the application or upon submission of a revised application, may appeal the decision of the Superintendent of Public Instruction to the Virginia Board of Education.

See

http://www.doe.virginia.gov/instruction/virtual_learning/virtual_schools/providers/application/procedures.pdf for more information about the appeal process.

Once a provider receives approval, do they reapply each year?

Approval is granted for a three-year period; however, an oversight committee of the Virginia Department of Education will conduct selected monitoring reviews of approved providers and their approved courses each year. The intent of the monitoring process is to provide oversight through periodic review of previously approved programs and to intervene when programs no longer meet the Criteria for Approving Multidivision Online Providers, including possible revocation of approved programs.

A multidivision online provider that no longer meets the Criteria for Approving Multidivision Online Providers is placed on provisional status (they may continue to serve Virginia students currently enrolled in the multidivision online program but cannot enroll new students or enter into new multidivision online provider contracts) and must address the concerns of the oversight committee and the Superintendent of Public Instruction within 40 business days of receipt of notification. If the provider does not address the concerns to the satisfaction of the Superintendent of Public Instruction, the approval status of the provider may be revoked by the Virginia Board of Education at the end of the academic year or provisional status may be extended.

What courses will be available in the fall?

Providers will be approved generally according to the “Criteria for Approving Multidivision Online Providers”, but each course that a provider offers to Virginia students must be aligned with the Virginia Standards of Learning (SOL) and each course must be approved individually. Providers must submit SOL course correlation documentation that will be used in the approval process for each course. The list of approved courses is available on the Department’s Web site.

If a parent enrolls a student in a virtual course offered by a multidivision online provider that is approved by the Superintendent of Public Instruction, does that guarantee that he will receive credit toward graduation?

Students should enroll in virtual courses via their local school counselors to ensure that courses meet graduation requirements. The *Code of Virginia* § 22.1-212.27 states: “Any

Revised March 13, 2013

Revised May 5, 2016

student enrolled in any online course or virtual program offered by a local school division shall be enrolled in a public school in Virginia as provided in § 22.1-3.1. A student's parent or guardian shall give written permission prior to the enrollment of the student in any full-time virtual program offered by a local school division.” See

<http://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-212.27/>.

What are the requirements for teacher licensure for online providers?

The *Code of Virginia* § 22.1-212.26 requires that “Teachers who deliver instruction to students through online courses or virtual school programs shall be licensed by the Board of Education and shall be subject to the requirements of § 22.1-296.1 and § 22.1

296.2 [that the teacher has not been convicted of a felony or certain misdemeanors, and has not been the subject of a founded case of child abuse or neglect] applicable to teachers employed by a local school board. More information on these requirements may be found at

<http://www.doe.virginia.gov/teaching/licensure/index.shtml>.