

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1280 of the Regular Session

State of Arkansas      *As Engrossed: H3/18/13 H3/26/13 H4/4/13*  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1785

By: Representative D. Douglas

## For An Act To Be Entitled

AN ACT TO PROVIDE DIGITAL LEARNING OPPORTUNITIES IN  
PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

### Subtitle

TO PROVIDE DIGITAL LEARNING OPPORTUNITIES  
IN PUBLIC SCHOOLS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 16, is amended to add an additional subchapter to read as follows:

Subchapter 14 - Digital Learning

6-16-1401. Title.

This subchapter may be cited as The Digital Learning Act of 2013.

6-16-1402. Legislative intent.

(a) It is the intent of the General Assembly to:

(1) Provide for the expansion of digital learning opportunities to all Arkansas public school students; and

(2) Remove any impediments to the expansion of digital learning opportunities.

(b) This act does not authorize a government entity to provide directly or indirectly basic local exchange, voice, data, broadband, video, or wireless telecommunication service except as authorized under § 23-17-409(b).



6-16-1403. Digital learning -- Approved provider list.

(a)(1) As used in this subchapter, digital learning means a digital technology or internet-based educational delivery model that does not rely exclusively on compressed interactive video.

(2) Digital learning services may be procured from both in-state and out-of-state digital learning providers.

(b) The Department of Education shall annually:

(1) Publish a list of approved digital learning providers that offer digital learning services; and

(2) Provide a copy of the list of approved digital learning providers to the House Committee on Education and the Senate Committee on Education no later than June 1 each year.

6-16-1404. Digital learning environment.

A digital learning environment shall be composed of:

(1) Access to quality digital learning content and online blended learning courses;

(2) Tailored digital content designed to meet the needs of each student;

(3) Digital learning content that meets or exceeds the curriculum standards and requirements adopted by the State Board of Education that is capable of being assessed and measured through *standardized tests or local assessments*; and

(4) Infrastructure that is sufficient to handle and facilitate a quality digital learning environment.

6-16-1405. Digital learning providers.

(a) To become an approved digital learning provider a digital learning provider shall submit proof that the provider:

(1) Is nonsectarian and nondiscriminatory in its programs, employment practices, and operations;

(2) Demonstrates or partners with an organization that demonstrates successful experience in furnishing digital learning courses to public school students as demonstrated by student growth in each subject area and grade level for which it proposes to provide digital learning courses;

(3) Meets or exceeds the minimum curriculum standards and requirements established by the State Board of Education and ensures instructional and curricular quality through a curriculum and accountability plan that addresses every subject area and grade level for which it agrees to provide digital learning courses; and

(4)(A) Utilizes highly qualified teachers to deliver digital learning courses to public school students.

(B) A highly qualified teacher that delivers digital learning courses under this subchapter is not required to be licensed as a teacher or administrator by the state board.

(b) The Department of Education or state board shall not require as a condition of approval of a digital learning provider that the digital learning provider limit the delivery of digital learning courses to public schools that require physical attendance at the public school to successfully complete the credit for which the digital learning course is provided.

6-16-1406. *Pilot program – Digital learning courses.*

(a)(1)(A) Beginning in the 2013-2014 school year, all public school districts and public charter schools participating in a pilot program shall provide at least one (1) digital learning course to their students as either a primary or supplementary method of instruction.

(B) The Department of Education shall adopt rules to implement the pilot program, the purpose of which shall be to more smoothly implement the requirements under subdivision (a)(2) of this section.

(2) Beginning in the 2014-2015 school year, all public school districts and public charter schools shall provide at least one (1) digital learning course to their students as either a primary or supplementary method of instruction.

(b) All digital learning courses provided by public school districts or public charter schools shall:

(1) Be of high quality;

(2) Meet or exceed the curriculum standards and requirements established by the State Board of Education; and

(3) Be made available in a blended learning, online-based, or other technology-based format tailored to meet the needs of each participating student.

(c) Digital learning courses shall be capable of being assessed and measured through standardized tests or local assessments.

(d) Beginning with the entering ninth grade class of the 2014-2015 school year, each high school student shall be required to take at least one (1) digital learning course for credit to graduate.

(e) The State Board of Education shall not limit the number of digital learning courses for which a student may receive credit through a public school or a public charter school and shall ensure that digital learning courses may be used as both primary and secondary methods of instruction.

*SECTION 2. DO NOT CODIFY.*

(a) Before the Ninetieth General Assembly convenes in 2015, the House Committee on Education and the Senate Committee on Education shall implement a comprehensive study in collaboration with the Department of Education, the Department of Information Systems, and Arkansas service providers on methods to establish and maintain the necessary infrastructure and bandwidth to sufficiently facilitate and deliver a quality digital learning environment in each school district and public charter school.

(b) The final report shall be delivered to the Speaker of the House of Representatives and the President Pro Tempore of the Senate no later than December 1, 2014.

*/s/D. Douglas*

**APPROVED: 04/16/2013**