

**TITLE 777. STATEWIDE VIRTUAL CHARTER SCHOOL BOARD
CHAPTER 15. OKLAHOMA SUPPLEMENTAL ONLINE COURSE CERTIFICATION**

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

777:15-1-1. Purpose [AMENDED]

777:15-1-3. Application for course certification [AMENDED]

777:15-1-5. Course review requirements [AMENDED]

777:15-1-6. Course review and certification process [AMENDED]

777:15-1-7. Certified courses remaining in good standing [AMENDED]

777:15-1-9. SVCSB responsibilities [AMENDED]

AUTHORITY:

70 O.S. § 3-145.8(D).

ADOPTION:

June 24, 2021

EFFECTIVE:

Immediately upon Governor's approval.

EXPIRATION:

Effective through September 14, 2022, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:

777:15-1-1. Purpose [AMENDED]

777:15-1-3. Application for course certification [AMENDED]

777:15-1-5. Course review requirements [AMENDED]

777:15-1-6. Course review and certification process [AMENDED]

777:15-1-7. Certified courses remaining in good standing [AMENDED]

777:15-1-9. SVCSB responsibilities [AMENDED]

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

The Statewide Virtual Charter School Board affirmed the finding of an emergency for the proposed rule changes at its public meeting on June 24, 2021 because the rule changes are necessary to address a compelling public interest.

More specifically, the amendments are necessary to prevent the expiration of the rules in place from last year's finding of emergency and the inability to complete the follow-up permanent rulemaking process due to the pandemic and weather issues.

GIST/ANALYSIS:

The Statewide Virtual Charter School Board makes publicly available a list of supplemental online courses which it has reviewed and certified to ensure that the courses are high quality options and are aligned with the subject matter standards approved by the State of Oklahoma. In conjunction with the Office of Management and Enterprise Services, the SVCSB negotiates with online course providers to offer a state rate price to school districts for supplemental online courses. These rules have been proposed for the purpose of implementing policy and procedures pursuant to Oklahoma Statute Title 70, Section 3-145.3.

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PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTIONS 253(F):

CHAPTER 15. OKLAHOMA SUPPLEMENTAL ONLINE COURSE CERTIFICATION

777:15-1-1. Purpose

The Statewide Virtual Charter School Board (SVCSB) makes publicly available a list of supplemental online courses which it has reviewed and/or certified to ensure that the courses are high quality options and are aligned with the subject matter standards approved by the State of Oklahoma. In conjunction with the Office of Management and Enterprise Services (OMES), the SVCSB negotiates with online course providers to offer a state rate price to school districts for supplemental online courses. These rules have been adopted for the purpose of implementing policy and procedures pursuant to Oklahoma Statute Title 70, Section 3-145.3.

777:15-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Course provider" means an entity that meets eligibility requirements and provides an online course to Oklahoma school districts.

"Course review" means the process conducted by content and pedagogical experts to ensure courses recommended for certification by the SVCSB meet the established standards.

"Oklahoma Online Course Catalog" means a publicly available listing of courses certified (or pending review) by the SVCSB available through approved Course Providers.

"Online course" means an educational course in which instruction and content are delivered primarily over the Internet. A student and teacher are in different locations for a majority of the student's instructional period, most instructional activities take place in an online environment, the online instructional activities are integral to the academic program, consistent communication between a student and a teacher and among students is emphasized, and a student is not required to be located on the physical premises of a public school district. An online course is the equivalent of what would typically be taught in one semester.

"Receiver district" means an Oklahoma public school district that has students enrolled in the district who take one or more online courses.

777:15-1-3. Application for course certification

(a) To have a course(s) listed in the Oklahoma Online Course Catalog, Course Providers must first be approved as vendors through the Oklahoma Management and Enterprise System (OMES) and enter into a contract with the state. ~~Potential vendors must respond to the Request for Proposals (RFP) released by the SVCSB through OMES and provide all required documentation according to the deadline listed in the RFP solicitation.~~

(b) ~~Once the solicitation period has closed~~ online provider is registered as a state vendor, OMES and the SVCSB will negotiate and enter into a contract with the approved vendor to provide online courses at a state rate ~~all submitted materials will be reviewed for compliance by the SVCSB and OMES. Entities meeting the minimum criteria established in the RFP will be approved as vendors for the State of Oklahoma.~~

777:15-1-4. Pricing

Each course offered through the Oklahoma Online Course Catalog must be offered at a price that does not exceed the lowest price at which the course is offered for use or sale to any state, public school, or school district in the United States. The price of any course or item or service for the course must

automatically be reduced to the extent that, and at the same time as, the price is reduced or offered for a lesser fee elsewhere in the United States. A course or item or service for the course must be provided free of charge or at a price discount to the same extent that it is provided to any state, public school, or school district anywhere in the United States.

777:15-1-5. Course review requirements

(a) Online Course Providers must supply the following at the time of course review:

- (1) The name of the institution or organization providing the online content;
- (2) Course title and subject code (using appropriate course title and subject code as established by the Oklahoma State Department of Education's approved Subject Codes for the appropriate academic year);
- (3) Number of students who may be admitted to the course per instructor;
- (4) Explanation of the alignment between Oklahoma content standards and course content and assignments;
- (5) Protocols established to monitor student engagement and course progression, including guidelines to address non-responsive students;
- (6) Description of procedures for reporting students' course progression, grade and other student information to the local school district;
- (7) Instructor credentials and qualifications; and
- (8) Course NCAA eligibility status. Recognition of course by external entity (e.g., NCAA, College Board Authorized, AdvancED certification); and
- ~~(9) Course syllabus that includes:~~
 - ~~(A) course title;~~
 - ~~(B) course description;~~
 - ~~(C) course credits;~~
 - ~~(D) objectives that clearly state, in measureable terms, what the students will know or be able to do at the end of the course;~~
 - ~~(E) assignments/assessments;~~
 - ~~(F) instructional strategies and student expectations, including any synchronous attendance requirements;~~
 - ~~(G) time requirements;~~
 - ~~(H) grading policy;~~
 - ~~(I) contact policies for communication between teacher and students and teacher and parents;~~
 - ~~(J) resources and materials required;~~
 - ~~(K) technology requirements, including the Learning Management System (LMS) utilized;~~
 - ~~(L) accommodation and accessibility statement; and~~
 - ~~(M) course outline (i.e. list of units/modules in sequential order).~~

(b) At the time of the course review, guest access to the course will be required for the reviewers. If substantive changes are made to a course since its last certification, it must be submitted for review regardless of its current status in the review cycle. Substantive changes would include altering the intended course outcomes, significantly changing instructional strategies or assessment protocols used in the course as a whole, or any revision that impacts standards alignment. Only courses certified (or pending review) by the Statewide Virtual Charter School Board will be accepted into the Oklahoma Online Course Catalog.

(c) Course Providers whose courses have undergone review and approval by a recognized third-party entity must provide the results of those reviews. Depending on the results of the external review, a course may be recommended for state certification with no additional review or with a modified review process (e.g. review only for alignment to state standards).

(ed) Course Providers of Advanced Placement (AP) courses must provide the results of their College Board AP Course Audit and Authorization. No other course evaluation will be conducted for AP Courses. If a course is authorized by the College Board as an AP course, it is automatically listed as "state-

certified" in the Oklahoma Online Course Catalog. Online Providers must provide evidence annually of AP Authorization Renewal.

777:15-1-6. Course review and certification process

(a) All approved vendors will have the online courses they submitted ~~as part of the RFP published on the OSOCP website~~ in the Oklahoma Online Course Catalog and reviewed according to the schedule adopted by the SVCSB.

(b) Course reviews will be conducted by content experts and pedagogical experts selected by the SVCSB. Courses will be evaluated using rubrics to determine alignment with the current academic standards approved by the State of Oklahoma (or nationally/ internationally accepted content standards set for courses whose content is not included in state standards) and national standards for quality in online course design, the International Association for K-12 Online Learning (iNACOL) National Standards for Quality Online Courses. The rubric published in the most current National Standards for Quality Online Courses will be used as part of the Course Review, along with a rubric to measure the presence of each of the academic standards for the content area. Course Providers whose courses have undergone review and approval by a recognized third-party entity must provide the results of those reviews. Depending on the results of the external review, a course may be recommended for state certification with no additional review or with a modified review process (e.g. review only for alignment to state standards). Online Course Providers of Advanced Placement (AP) courses must provide the results of the AP Course Audit and Authorization. No other course evaluation will be conducted for AP Courses. Online Providers must provide evidence annually of AP Authorization Renewal.

(c) If results of the initial review suggest that a course will not be recommended for certification, the Course Provider will be contacted with the review results and will have fifteen (15) calendar days to revise material or provide additional information pertinent to the review. These revisions will be examined by the course reviewers and, if appropriate, the rubric scores will be modified. Once the course review is complete, results of the evaluation will be presented to the Statewide Virtual Charter School Board (SVCSB). The SVCSB will consider the evidence and vote whether to certify or not certify the course. The decision will be made on a simple majority vote. If the SVCSB votes to not certify a course, the course will be removed from the Oklahoma Online Course Catalog and the Course Provider will be notified of the reasons the course was not certified. The Course Provider may revise the course and resubmit for additional Course Review and certification consideration. Resubmitted courses will be reviewed after all submitted courses have undergone an initial review. Courses approved will be certified for a five-year period. After which, Course Providers must apply for renewal. Certified courses will be identified as such and have their course review ratings published in the Oklahoma Online Course Catalog available on the OSOCP website. Courses pending review will be identified as such ~~and have the date of their scheduled review published~~ in the Oklahoma Online Course Catalog.

777:15-1-7. Certified courses remaining in good standing

(a) To remain in good standing and have a course(s) continuously listed in the Oklahoma Online Course Catalog through the entirety of the approval period, Course Providers agree to:

- (1) Maintain their vendor status.
- (2) Notify the SVCSB of any additions, deletions or changes to certified courses by completing the online form located on the OSOCP website.
- (3) Serve all enrolled students, regardless of number enrolled in a section so that Receiver Districts have reliable course options for students.
- (4) Provide online instructors who are 1) certified in Oklahoma or another state to teach in the content area of the course offered; or 2) a faculty member at an accredited institution of higher education, possessing the specific content expertise necessary to teach the course. Additionally, the Course Provider shall supply certification or applicable credentialing documentation to the SVCSB as part of the course review process and within ten (10) working days upon the hire of any new instructors for any certified course. The Course Provider shall be responsible for such obligation

regardless of whether instructors are employees of the Course Provider, independent contractors, or employees of a third-party course vendor. Course Providers shall take all steps necessary to verify the qualifications of non-employee instructors.

(5) Notify SVCSB in writing within ten (10) working days if for any reason an online instructor no longer meets the requirements to teach a course offered. The name and credentials of the replacement instructor must also be provided at that time.

(6) Refer only to courses currently certified and listed in the Oklahoma Online Course Catalog as "Statewide Virtual Charter School Board approved."

(7) Own, secure, and/or maintain licensure and copyright for all courses offered in the Oklahoma Online Course Catalog.

~~(8) Maintain a current course syllabus including key information such as examinations requiring proctoring and other supporting information (see syllabus requirements in Course Review Requirements).~~

(9) Course Providers of Advanced Placement (AP) courses must provide evidence annually of AP Authorization Renewal.

~~(10)~~ Refrain from significantly modifying or changing courses without prior notice and approval from the SVCSB. Course Providers shall provide written notice of any planned modification in sufficient detail for SVCSB Course Reviewers to determine whether the course continues to satisfy all requirements. Failure to obtain written approval may result in removal of the course from the approved catalog.

~~(11)~~ Ensure that each certified course is maintained throughout the duration that the course is offered and continues to meet the current academic standards approved by the State of Oklahoma; national standards for quality in online course design; ~~the International Association for K-12 Online Learning (iNACOL) National Standards for Quality Online Courses~~; and Oklahoma's Information Technology Accessibility Standards.

~~(12)~~ Employ the appropriate course title and subject code as established by the Oklahoma State Department of Education's approved Subject Codes for the appropriate academic year for the purpose of data collection.

~~(13)~~ Report aggregate student success data to the SVCSB in the requested format and by the timeline set. The SVCSB does not collect individual student information. By August 1 of each year, the Course Provider will report the following aggregate student success data to the SVCSB:

- (A) Total number of unique Oklahoma students;
- (B) Total number of courses taken by Oklahoma students;
- (C) Number of students in each course (both overall number and Oklahoma students); and
- (D) Successful completion rate (number and percent) of each course (i.e. X#/60% of students enrolled in X successfully completed the course). Include both overall rates and Oklahoma-specific rates.

(b) Course providers will be notified if a course(s) is found to be noncompliant and will have fifteen (15) business days after notification to bring the course(s) into compliance. If the course(s) is still noncompliant at the end of this period, the course certification will be revoked and the course will be removed from the Oklahoma Online Course Catalog.

777:15-1-8. Process for course certification renewal

Courses that remain in good standing are certified for a period of five years. Course Providers may apply for renewal of their course certification six months prior to the completion of the course approval period. Course Providers will notify the SVCSB of their intent to apply for renewal by submitting all documents listed in the Course Review Requirements. Course Providers who have maintained their "good standing" status throughout the course approval period will have their courses reviewed and considered for certification following a similar procedure as their initial Course Review and Certification Process. Aggregate student success data will be considered in renewal decisions. Additionally, the SVCSB may survey districts to collect satisfaction data and those data may also be considered in renewal decisions. Course Providers who have not maintained a "good standing" status

must provide documentation explaining the lapse in "good standing" status and the protocols that are in place to prevent such a lapse in the future.

777:15-1-9. SVCSB responsibilities

The SVCSB shall:

- (1) Ensure that all courses listed in the Oklahoma Online Course Catalog are reviewed according to the stated requirements.
- (2) Notify the Course Providers of changes in current academic standards approved by the State of Oklahoma; ~~national standards for quality in online course design~~~~the International Association for K-12 Online Learning (iNACOL) National Standards for Quality Online Courses~~; and Oklahoma's Information Technology Accessibility Standards, or other standards that prompt the need for course revisions. Such notification is a courtesy and does not negate the responsibility of the Course Providers to maintain currency with regard to these standards.
- (3) Maintain accurate information in the Oklahoma Online Course Catalog.