



Karen B. Salmon, Ph.D.
State Superintendent of Schools

TO: Members of the State Board of Education
FROM: Karen B. Salmon, Ph.D.
DATE: September 24, 2019
SUBJECT: Digital Learning Workgroup Report

PURPOSE:

To provide an overview of the work that was conducted over the past eleven months related to student online learning opportunities and future possibilities in Maryland.

HISTORICAL BACKGROUND

Supported by grant funding, MSDE's Virtual Online Program was developed and implemented in 2004. Legislation and regulations in 2012 and 2013 supported the expansion of the program. To provide flexibility for and meet the needs of Maryland students, instructional delivery modalities have been implemented that include online, blended, and broadcast opportunities. With the addition of an Accessibility Specialist, MSDE is able to review digital resources submitted for approval.

EXECUTIVE SUMMARY:

The Digital Learning workgroup examined many aspects of online learning. An in-depth examination of current state and local online programs and a study of national efforts were conducted. The findings are prepared for the Maryland State Board of Education.

ADDITIONAL RESOURCES: <https://msde.blackboard.com>

ACTION:

The workgroup is seeking input from the Board of Education related to the future direction of online learning.

ATTACHMENTS:

- Chapter 287 §7-1002- (SB 674)
- Chapter 470 §7-1002(b)(3)- (SB 461)
- COMAR 13A.04.15.00

Maryland State Board of Education

Digital Learning Committee



STATE BOARD MEETING

September 24, 2019

Committee Overview





After a Year of Study, the Committee is Prepared to Share Observations and Make Recommendations

- Established in July 2018 to explore existing and new opportunities for online learning in Maryland
- Committee Members
 - Board Members – Jean Halle (Chair), Dr. Rose Li, Bryce Awono
 - Staff – Dr. Carol Williamson, Val Emrich, Erin Senior, Dr. Miya Simpson
- Meetings held from October, 2018– September, 2019 (10 meetings)

The Committee Reviewed Legislative History, Maryland Practices, and National Reports

Review of Legislation and Regulations

- Chapter 287 §7-1002- (SB 674) – *Online Courses and Services- Development or Review and Approval*
- Chapter 470 §7-1002(b)(3)- (SB 461) – *Online Courses and Services- Accessibility*
- COMAR – *Chapter 15 Digital Learning, Education Article &2-205 and 7-1002, Annotated Code of Maryland*

National Overview of K-12 Innovation

Key findings from the Consortium of School Networking (CoSN) recent report, Driving K-12 Innovation (2019)

The Committee Reviewed Legislative History, Maryland Practices, and National Reports - continued

Broadcast, Blended, and Online Learning

- *Program overview, lessons learned and best practices*

State Models of Virtual Schools and Digital Learning

- *Overview of 3 state models, lessons learned in developing and implementing online programs and schools (Michigan, North Carolina, Wisconsin)*

Use of Online Courses for Targeted Student Populations

- *Home and Hospital, Gifted and Talented Education, Juvenile Services Education, and Career and Technology Education*

Four Objectives Guided Our Work

1. Increase awareness of Maryland digital opportunities
2. Enhance equitable access to and utilizations of digital learning
3. Enhance college and career readiness opportunities
4. Enhance educational delivery options

Definitions



Online Learning

Definition: 80 percent or more of the instruction is conducted online, the teacher and student are separated by distance or time or both, and two-way communication is required between teacher and student .



Blended Learning

Definition: Less than 80 percent of the instruction is conducted online. Such a course is also referred to as a “blended” or “hybrid course.”



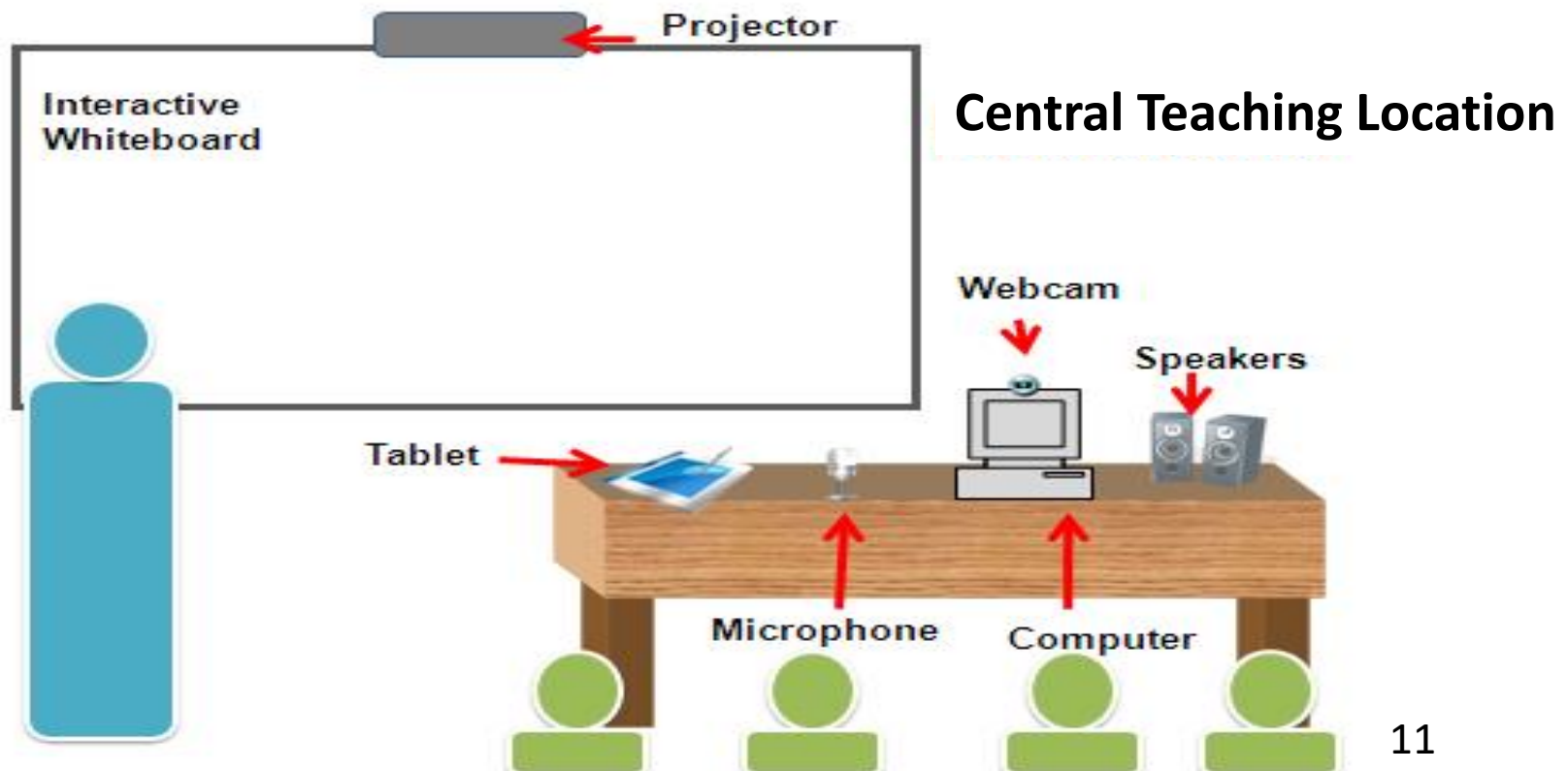
Virtual School

Definition: “Virtual school” means a public school established by the Department or by a county board under § 4-109 of this article in which the school uses technology to deliver a significant portion of instruction to its students via the Internet in a virtual or remote setting.

MD Educ Code § 7-1401 (2013)

Broadcast Learning

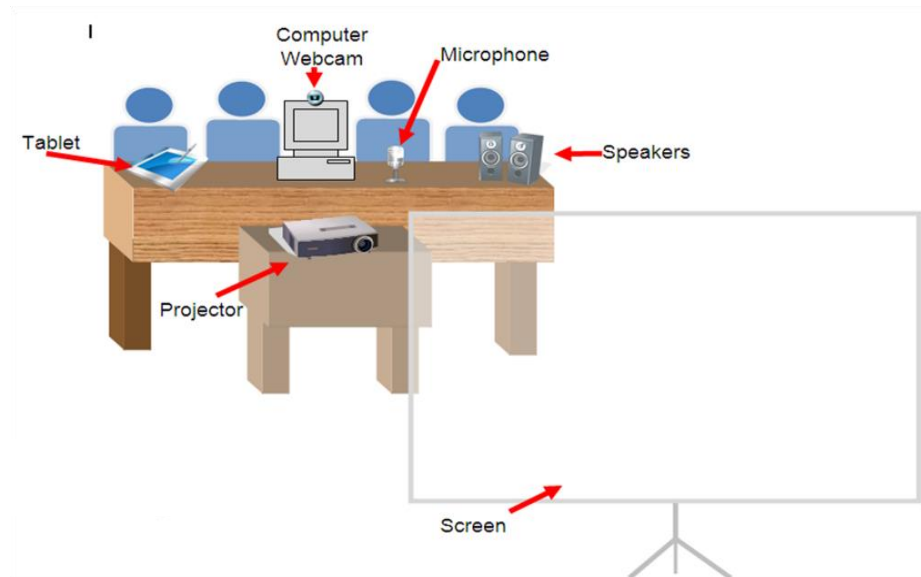
Definition: Synchronous instruction from a facilitator in one location to students in multiple other locations through the use of web conferencing software and other digital resources.



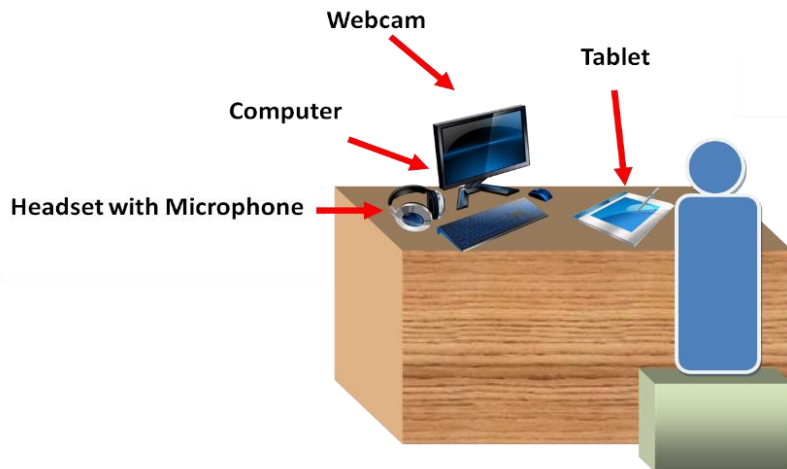
Broadcast - Satellite Scenarios

(Scenarios are Equipment and Bandwidth Dependent)

Group - 4 or more students



Individual - 1-3 students



Observations



Support Existed for Developing Student Skills in Digital Learning

The **Maryland Advisory Council for Virtual Learning** was established in 2012 by legislation (*Section 7–10B–01 through 7–10B–06 “Maryland Advisory Council for Virtual Learning” Annotated Code of Maryland*), to address online learning in Maryland.

- In response to a 2013 proposed legislation, that would require the completion of an online course for graduation, the Council investigated implications and sent the Governor a Feasibility Report.

Feasibility Study Summary:

- Council recognized the necessity and value of integrating digital experiences into teaching and learning for all students as they prepare for college and career;
- Using LSS input, it was determined that student participation in an online course could serve as one option from a menu of online learning experiences; and,
- Overwhelmingly, feedback indicated that limiting online experiences to a traditional online course as a graduation requirement may not provide the level of constancy nor the depth and richness for learning that on-going access to online experiences would.

Online and Blended utilization in Maryland is uneven and presents an opportunity for growth

- **Total content areas** represented on approved course list- 201
- **Total number of courses offered-** 392 (one course may have multiple providers)
- **High School** – Approximately 260,000 enrolled (2017)

Online Courses – Approx. 5000 (2%) (includes 670 for credit recovery)

Number of LSSs Using Online Courses (17/18)	16
Number of LSSs Not Using Online Courses (17/18)	8

Blended Courses – Approx. 15,800 (6%) (includes 8260 for credit recovery)

Number of LSSs Using Blended Courses (17/18)	17
Number of LSSs Not Using Blended Courses (17/18)	7

Cost is an obstacle to use. Maryland's courses are favorably priced versus vendor courses but development is limited by the available resources and budget

- **11 vendors** – Average cost per student semester = \$350
- **MSDE** – Average cost per student per semester = \$250
(If LSS supplies a qualified facilitator, the cost of a course is \$25)
- **MSDE Review Charge** is \$430- \$1400 and is mandated by Statute; however, this doesn't compensate time and effort to review a course
 - Demand for course review is increasing
 - Vendor accessibility compliance is inadequate

Broadcast Learning Shows Growth but is Underutilized

Enrollments as reported to MSDE by LSSs:

- SY17-18: 551 enrollments (across 7 LSSs)
- SY18-19: 732 enrollments (across 7 LSSs -2 different LSSs than SY 17-18 and 5 remained the same)
- Broadcast learning is utilized as a solution when needed and can cross LSS lines

Obstacles to Growth:

- Equipment, LSS Awareness, Scheduling, Educator training and capacity

Broadcast Learning is currently used by:

- Various contents and grade levels
- Gifted and Talented Education
- Career and Technology Education programs
- Home and Hospital

Pathway Available for Virtual Schools in Maryland

State provides a pathway for LSSs to request a Virtual School

- An application process, based on existing regulations, has been established
- Requires State Superintendent approval

Knowledge gained from presentations and research:

1. Research suggests – move cautiously and go slow
2. Be mindful of successful student profiles
3. Learn from best practices provided by other states
4. Funding must be provided to establish and maintain a Virtual School
5. Conduct a thorough evaluation to ensure high-quality, accessible online content that aligns with content standards and assessments



In SY17-18 Maryland improved student access for students with medical conditions through a grant

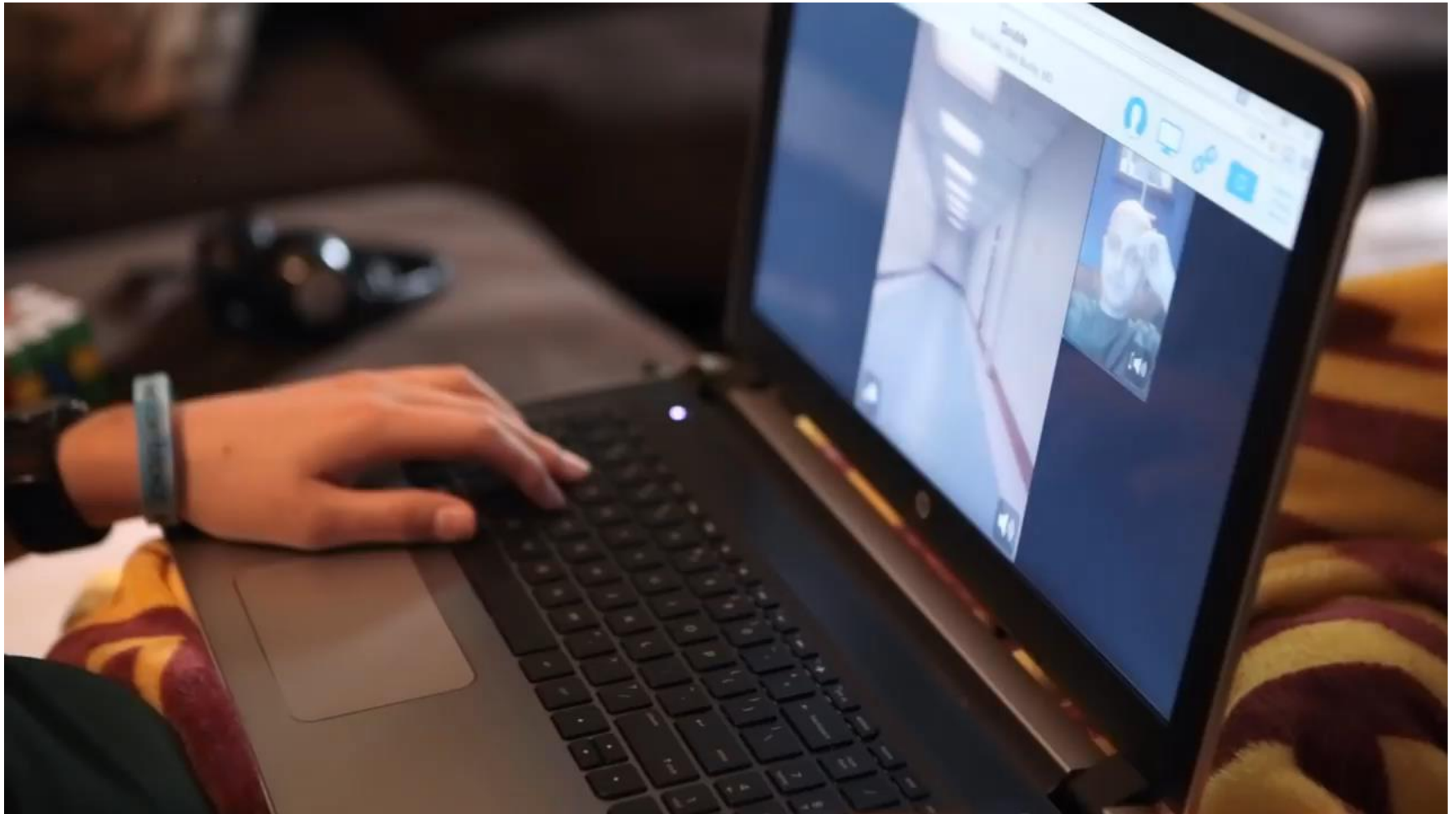
Purpose: To provide grants to public schools to purchase technology to allow students with medical conditions to participate in classrooms remotely (*Peyton's Bill, Article - Education 12 Section 7-124 13 Annotated Code of Maryland*)

SY17-18 – All 24 local school systems and Maryland School for the Deaf received \$15,000.00 to provide a distance learning solution to home/hospital students.

Items purchased include:

Robots	Tablets
Webcams	Audio/Video kits
Camera kit	Charging docks

Technology in Use



MSDE, LSSs, and Schools all have an important role to play in digital learning

Duties and Responsibilities:

School Level

- Qualify and Approve Student for Online Course
- Assign Teacher of Record for Student Support
- Provide IT Support, Location, Connectivity, and Hardware
- Maintain Administrative Records

System Level

- Identify Course Offerings
- Enroll Student in Online Course
- Maintain contact with Schools, MSDE, and Vendors
- Prepare Budget and Submit Data Reports
- Market the Programs



Maryland Staffing and Support is Varied and Offers an Opportunity for Optimization

System: While there is an MSDE Digital Learning contact in each LSS, the total staff is variable and reflects the LSS philosophy and engagement in online learning.

School & System: Personnel is driven by the vision of local leadership.

School: Options include dedicated personnel as well as personnel with assigned duties. This is dependent upon the size of the school and online engagement.

Next Steps





Next Steps

1. Secure Maryland State Board of Education support to move forward with next steps;
2. Conduct an MSDE review and evaluation of short term recommendations and gain implementation feedback;
3. Seek funding sources; and,
4. Convene a committee of stakeholders to consider recommendations for implementation.

(see Appendix A)

Appendix A: Suggested Activities for Consideration





Suggested Activities

Draft Committee Objective 1:

Increase awareness of Maryland digital opportunities

Suggested Activities for Consideration:

Short-term

- Tap social media avenues
- Information release to PSSAM
- Principals' newsletter
- Attend home/school, counselor, content area, migrant workers, etc. meetings
- Work with Title I for parent communication

Mid-term

- Design editable marketing documents for Points of Contact (POC) to share with schools, students and parents
- Develop the Student Online webpage on marylandpublicschools.org for parent and student information – create redundant location on LMS
- Work with a university marketing class to identify a possible marketing plan that extends beyond what we are doing

Long-term

- Set up a direct communication vehicle to Maryland educators
- Secure additional funding to expand the number of licenses for MSDE's LMS
- Create a module for parents that provides information regarding online, broadcast, and blended courses and how they differ from traditional courses



Suggested Activities

Draft Committee Objective 2:

Enhance equitable access to and utilizations of digital learning

Suggested Activities for Consideration:

Short-term

- Market the Online Teaching in Maryland (OTM) course
- Market LSS capacity to offer their own OTM course
- Communicate with Online Points of Contact regarding qualified online facilitators within their LSS
- Use RFQ process to procure facilitators for the LSSs
- Develop an online course that addresses blended learning and/or broadcast learning

Mid-term

- Identify source of funding that allows for scholarships to pay for facilitators – reducing educator cost
- Develop and implement a process that allows for the cross pollination of funding and student enrollment
- Request funding for revision of OTM course
- Investigate purchasing courses from other states that meet Maryland standards and which could be offered at favorable prices

Long-term

- Develop a database of trained facilitators that can be shared among LSSs
- Maintain an updated high-quality OTM course
- Secure software that allows for the development of interactive content
- Build MSDE courses to replace vendor courses that have historically high enrollment
- Negotiate volume pricing for vendor courses
- Explore possibility of LSSs contributing to a bank of funding for students of need



Suggested Activities

Draft Committee Objective 3 :

Enhance college and career readiness opportunities

Suggested Activities for Consideration:

Short-term

- Create a checklist for parents that includes information about the online experience and recommended student characteristics
- Add an icon in the MSDE course catalog to identify dual credit courses

Mid-term

- Enhance opportunities to create stackable credentials using digital and classroom-based instruction
- Create a module for students that provides a quiz for readiness and a short online experience

Long-term

- Create an RFP to solicit proposals from online post secondary institutions to partner in the creation of courses that MSDE can offer at a low cost



Suggested Activities

Draft Committee Objective 4: Enhance educational delivery options

Suggested Activities for Consideration:

Short-term	Mid-term	Long-term
<ul style="list-style-type: none"> • Market the opportunities made available by broadcast learning • Video-tape (find funding if needed) a class or individual in both the delivery and satellite locations 	<ul style="list-style-type: none"> • Increase teacher capacity through training initiatives to expand broadcast learning • Pilot programs to support broadcast exchanges between LSSs where teachers are not available to offer demanded instruction 	<ul style="list-style-type: none"> • MSDE facilitate a statewide broadcast learning network • Create a barter system to facilitate collaborations across LSS boundaries • Study other state virtual schools and determine if and how Maryland might participate in this option

Chapter 287

(Senate Bill 674)

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – ~~Local Approval and Reporting Requirements~~ Development or Review and Approval

FOR the purpose of ~~authorizing a county board of education to procure certain online courses and services that the county board has approved as being high quality and in alignment with certain State standards; requiring a certain county board that has approved an online course to submit a certain report to the State Department of Education~~ authorizing certain county boards of education to request that the State Department of Education develop or review and approve certain online courses and services; requiring the Department to determine within a certain period of time whether a certain delegation will be made; requiring the Department to develop or review and approve certain courses and services within a certain period of time under certain circumstances; authorizing the Department to delegate certain authority to certain county boards under certain circumstances; authorizing certain county boards to set certain fees under certain circumstances; requiring certain county boards to remit certain fees to the Department under certain circumstances; requiring certain county boards to request certain approval from the Department under certain circumstances; requiring the Department to approve or deny certain requests within a certain period of time; authorizing the State Board of Education to set reasonable fees for the costs incurred by the Department for the development of online courses or the review and approval of online courses and services; requiring the Department to ensure that certain courses and services require certain access for certain students; making stylistic changes; making this Act an emergency measure; and generally relating to the approval of and the reporting requirements for online courses ~~by county boards of education.~~

BY repealing and reenacting, with amendments,
 Article – Education
 Section 7–1002
 Annotated Code of Maryland
 (2008 Replacement Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

7-1002.

(a) The Department shall provide Maryland virtual learning opportunities that include:

(1) Offering a distance-learning program to provide Maryland public school students with equal opportunities to develop a strong academic foundation;

(2) Offering expanded educational choices not otherwise available to students through [on-line] **ONLINE** courses and services; and

(3) Expanding the professional development opportunities available to educational staff in Maryland public schools through [on-line] **ONLINE** courses and services.

(b) (1) (i) A COUNTY BOARD MAY REQUEST THAT THE DEPARTMENT DEVELOP OR REVIEW AND APPROVE ONLINE COURSES AND SERVICES UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(ii) WITHIN 15 DAYS AFTER THE RECEIPT OF A REQUEST UNDER SUBPARAGRAPH (i) OF THIS PARAGRAPH, THE DEPARTMENT SHALL DETERMINE WHETHER THE DEVELOPMENT OR REVIEW AND APPROVAL OF THE ONLINE COURSES AND SERVICES SHALL BE DELEGATED TO A COUNTY BOARD UNDER PARAGRAPH (2)(ii) OF THIS SUBSECTION.

(iii) IF THE DEPARTMENT DOES NOT DELEGATE THE DEVELOPMENT OR REVIEW AND APPROVAL OF THE ONLINE COURSES AND SERVICES TO A COUNTY BOARD, THE DEPARTMENT SHALL DEVELOP OR REVIEW AND APPROVE ONLINE COURSES AND SERVICES UNDER PARAGRAPH (2) OF THIS SUBSECTION WITHIN 120 DAYS AFTER THE RECEIPT OF A REQUEST MADE BY A COUNTY BOARD UNDER SUBPARAGRAPH (i) OF THIS PARAGRAPH.

(2) (i) [With] ~~EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, WITH the approval of the State Board and the State Superintendent~~ SUBJECT TO SUBPARAGRAPH (ii) OF THIS PARAGRAPH, the Department shall:

(1) ~~(i)~~ 1. A. Develop [on-line] **ONLINE courses and services; **OR****

(2) ~~(ii)~~ B. ~~Procure~~ **REVIEW AND APPROVE [on-line] **ONLINE** courses and services;**

[[3)] ~~(III)~~ 2. Develop standards for teachers and other school system employees for the offering of courses or services on the Internet or through other developing technologies; and

[[4)] ~~(IV)~~ 3. Review courses and courseware to assure quality and alignment with the Maryland content standards and other appropriate standards.

~~(2) (I) A COUNTY BOARD MAY PROCURE ONLINE COURSES AND SERVICES THAT THE COUNTY BOARD HAS APPROVED AS HIGH QUALITY AND IN ALIGNMENT WITH THE MARYLAND CONTENT STANDARDS AND OTHER APPROPRIATE STANDARDS.~~

~~(II) A COUNTY BOARD THAT APPROVES AN ONLINE COURSE UNDER THIS PARAGRAPH SHALL SUBMIT A REPORT TO THE DEPARTMENT THAT INCLUDES THE INFORMATION REQUIRED BY AND IN THE MANNER DETERMINED BY THE DEPARTMENT.~~

(II) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, THE DEPARTMENT MAY DELEGATE THE AUTHORITY TO DEVELOP OR REVIEW AND APPROVE ONLINE COURSES AND SERVICES TO A COUNTY BOARD.

(III) IF THE DEPARTMENT DELEGATES THE AUTHORITY TO DEVELOP OR REVIEW AND APPROVE ONLINE COURSES AND SERVICES TO A COUNTY BOARD, THE COUNTY BOARD MAY IMPOSE REASONABLE FEES TO BE PAID BY THE VENDOR TO COVER THE COST OF REVIEWING AND APPROVING ONLINE COURSES AND SERVICES.

(IV) A COUNTY BOARD SHALL REMIT 15% OF THE FEES COLLECTED UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH TO THE DEPARTMENT.

(V) 1. A COUNTY BOARD SHALL REQUEST APPROVAL OF THE ONLINE COURSE FROM THE DEPARTMENT WHEN THE COUNTY BOARD HAS COMPLETED THE DEVELOPMENT OR REVIEW AND APPROVAL OF ONLINE COURSES AND SERVICES.

2. WITHIN 45 DAYS AFTER A REQUEST UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE DEPARTMENT SHALL APPROVE OR DISAPPROVE THE ONLINE COURSE BASED ON CRITERIA AND GUIDELINES DEVELOPED BY THE DEPARTMENT.

(c) (1) There is a Maryland Virtual Learning Opportunities Fund.

(2) The State Board may set reasonable fees for [on-line] ~~ONLINE~~:

(I) DEVELOPING OR REVIEWING ONLINE courses and services; AND

(II) PROCESSING APPROVALS FOR ONLINE COURSES AND SERVICES.

(3) The fees charged shall be set so as to produce funds to support maintenance of Maryland virtual learning opportunities.

(4) The State Board shall pay all funds collected under this subtitle to the Comptroller of the State.

(5) The Comptroller shall distribute the fees to the Maryland Virtual Learning Opportunities Fund.

(6) The Fund is a continuing, nonlapsing fund not subject to § 7–302 of the State Finance and Procurement Article.

(7) Any unspent portions of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund to be used for the purposes specified in this subtitle.

(8) The Legislative Auditor shall audit the accounts and transactions of the Fund as provided in § 2–1220 of the State Government Article.

(d) The State Board may adopt regulations to implement the provisions of this section.

(e) The Department shall submit to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly, on or before September 1, 2004, a report on the progress of the Maryland Virtual Learning Opportunities Program, including a description of the available [on–line] **ONLINE** courses and services.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Department of Education shall:

(1) ensure that online courses and services developed or reviewed and approved include specifications that allow for access by students with disabilities, including blindness, in accordance with the technical standards for electronic and information technology issued under subsection (A)(2) of Section 508 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794(A)(2) or any other appropriate accessibility standard; and

(2) establish a means for ensuring that online courses and services that fail to meet the requirements of paragraph (1) of this section are prohibited from use.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, May 2, 2012.

Chapter 470

(Senate Bill 461)

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – Accessibility

FOR the purpose of requiring the development, review, and approval of certain online courses and services to include an assessment regarding the accessibility of the online course or service to certain individuals with disabilities; authorizing the State Department of Education ~~or a county board of education~~ to contract with a third party ~~for the development of a certain assessment or a certain method by which certain online courses or services will be made available to certain individuals~~ to develop and conduct certain assessments; authorizing the State Board of Education to set certain fees for ~~the development of a certain assessment and a certain method~~ certain assessments; and generally relating to the accessibility of online courses and services to individuals with disabilities, including the blind.

BY adding to

Article – Education
Section 7–1002(b)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 7–1002(c)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 7–1002(c)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

7–1002.

(b) (3) (I) THE DEVELOPMENT, REVIEW, AND APPROVAL OF AN ONLINE COURSE OR SERVICE CONDUCTED UNDER THIS SUBSECTION SHALL INCLUDE AN ASSESSMENT REGARDING THE ACCESSIBILITY OF THE ONLINE COURSE OR SERVICE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.

(II) ~~THE DEPARTMENT OR A COUNTY BOARD~~ MAY CONTRACT WITH A THIRD PARTY ~~FOR~~ TO:

1. ~~THE DEVELOPMENT OF THE~~ DEVELOP AN ASSESSMENT REGARDING ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; OR

2. CONDUCT AN ASSESSMENT OF COURSE ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT WILL DETERMINE THE APPROVAL OR DENIAL STATUS OF THE COURSE AND PROVIDE FEEDBACK TO THE COURSE PROVIDER.

~~2. IF THE ASSESSMENT DETERMINES THAT THE ONLINE COURSE OR SERVICE IS NOT ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND, THE DEVELOPMENT OF A METHOD BY WHICH THE ONLINE COURSE OR SERVICE WILL BE MADE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.~~

(c) (1) There is a Maryland Virtual Learning Opportunities Fund.

(2) The State Board may set reasonable fees for:

(i) Developing or reviewing online courses and services; [and]

(ii) Processing approvals for online courses and services;

(III) DEVELOPING AN ASSESSMENT REGARDING THE ACCESSIBILITY OF AN ONLINE COURSE OR SERVICE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND; AND

(IV) ~~DEVELOPING A METHOD BY WHICH~~ ASSESSING AN ONLINE COURSE OR SERVICE WILL BE MADE ACCESSIBLE FOR ITS ACCESSIBILITY TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Title 13A STATE BOARD OF EDUCATION

Subtitle 04 SPECIFIC SUBJECTS

Chapter 15 Digital Learning

Authority: Education Article, §§2-205 and 7-1002, Annotated Code of Maryland

.01 Purpose.

Digital learning encompasses a wide spectrum of tools and practices that support teaching and learning for students and educators. This chapter defines online and blended courses and establishes requirements for such courses to be offered to students for credit. Processes for the approval of online credit bearing student courses and professional development courses are addressed. These processes include the setting of a vendor fee structure for reviewing and approving courses.

.02 Definitions.

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

- (1) "Accessible" means fully and equally accessible for independent use by individuals with disabilities to online course content, materials, and features.
- (2) "Blended course" means one in which less than 80 percent of the instruction is conducted online. Such a course is also referred to as a "hybrid course."
- (3) "Digital learning" means any instructional practice that effectively uses Internet-related technology to strengthen the student and/or educator learning experience.
- (4) "Online course" means an Internet-based course in which 80 percent or more of the instruction is conducted online, the teacher and student are separated by distance or time or both, and two-way communication is required between teacher and student.
- (5) "Review" means an analysis of a student or professional development online course by a panel of experts designated by the Department to determine whether the course shall be recommended for approval.
- (6) "Vendor" means a person or organization that markets online courses or contracted online student seats in such courses.

.03 Incorporation by Reference.

The Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008) is incorporated by reference.

.04 Approval Requirements.

A. Credit-bearing online courses provided to students by a local education agency (LEA) are subject to Department approval by a committee to ensure that the course meets instructional standards and is in compliance with the technology standards outlined in Section 508 of the Rehabilitation Act and COMAR 13A.05.02.13H and the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008).

B. Noncredit-bearing courses and blended courses provided to students by a local education agency do not require Department approval.

C. All online professional development courses offered by vendors to local education agencies are subject to Department approval by a committee to ensure that the course meets instructional standards and is in compliance with the technology standards outlined in Section 508 of the Rehabilitation Act and COMAR 13A.05.02.13H and the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008).

.05 Review and Approval Procedures.

A. There are three options for obtaining review and approval of credit-bearing online courses and professional development courses.

B. Options for Obtaining Review and Approval.

(1) Departmental Review and Approval.

(a) A vendor may request a Department review of an online credit-bearing course or professional development course.

(b) Department review shall be conducted by a panel of at least three content experts, one of whom shall be a reviewer trained to conduct such reviews.

(c) Department review shall include an assessment of the accessibility of the course.

(d) A vendor seeking Department approval of an online or professional development course shall pay a nonrefundable fixed fee of \$1,400 to the Department to cover the cost of a review.

(e) The Department reserves the right to review previously approved courses every 3 years.

(f) The Department reserves the right to determine which courses will be reviewed based on student and local education agency need.

(2) Local Education Agency Review and Approval Process.

(a) A vendor may request an LEA review of an online credit-bearing course or professional development course.

(b) The LEA review shall be conducted by a panel of at least three content experts, one of whom must be a reviewer trained to conduct such reviews as designated by the Department.

(c) The LEA review shall include an assessment of the accessibility of the course.

(d) An LEA may establish a reasonable fee to cover the cost of a review.

(e) After conducting the review, the LEA shall submit its review and recommendation for approval to the Department for final approval.

(f) To cover the cost of the final review, the LEA shall submit to the Department 15 percent of the fee it collected from the vendor.

(g) The LEA reserves the right to determine which courses will be reviewed based on student need.

(3) MSDE-Approved Reviewing Program.

(a) A vendor may request an MSDE-Approved Reviewing Program review of an online credit-bearing course or a professional development course that includes an assessment of the accessibility of the course.

(b) After the review is completed, the MSDE-Approved Reviewing Program shall submit the review documentation to MSDE.

(c) The vendor shall pay a fee of \$360 to the Department to cover the cost of the final review.

.06 Fee Increase.

Upon review and approval by the State Board, in FY 2016 and any subsequent year thereafter, the Department may increase the vendor fees set forth in this Regulation by no more than 20 percent per annum. If the Department increases the fee, it shall publish such increase on its website at <http://marylandpublicschools.org/MSDE>.

.07 Accessibility.

The Department shall only approve courses and digital learning resources that are accessible and meet the technology standards outlined in Section 508 of the Rehabilitation Act and COMAR 13A.05.02.13H and the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008).

Administrative History

Effective date: April 1, 2013 (40:6 Md. R. 474)

Chapter revised effective October 28, 2013 (40:21 Md. R. 1779)