

Title of Regulation:

Regulation No.:

R 43-248

**SOUTH CAROLINA VIRTUAL SCHOOL
PROGRAM**

Effective Date:

06/27/14

Constitutional and Statutory Provisions:

Section(s):

59-5-60.

General powers of [State] Board.

59-16-10, et seq.

South Carolina Virtual School Program

Code of Laws of South Carolina, 1976.

State Board Regulation:

43-248. Virtual Education Program.

I. Overview of the Virtual Education Program

A. The State Board of Education (SBE) is authorized under S.C. Code Ann. Sections 59-16-10 through 59-16-80 to “establish the virtual education program to ensure consistent high quality education for the students of South Carolina utilizing technology-delivered courses.” These procedural regulations are based on that legislation.

B. The virtual education legislation makes the following stipulations:

1. Any public, private, or homeschooled student legally residing in South Carolina who is twenty-one years of age or younger is eligible to enroll in the virtual education program.

2. A private school or homeschooled student enrolled in the virtual education program is not entitled to receive any of the services or privileges that are available to public school students other than the right to receive an appropriate unit of credit for a completed course.

3. The virtual education program is not a school but a program; therefore, it is not authorized by statute to issue a state high school diploma.

C. These regulations—which are predicated on the virtual education program statute, other state statutes, and SBE regulations—are subject to modification by the South Carolina Department of Education (SCDE) only if those statutes or regulations are amended.

II. Virtual Education Program Sponsorship

A. Sponsor Registration

1. In order to become a virtual education sponsor, a public school district, a public school, a private school, or a homeschooling parent (statutes that apply to homeschooling are S.C. Code Ann. Sections 59-65-40, 59-65-45, 59-65-46, and 59-65-47) must be registered with the virtual education program.

2. In order to be registered as a virtual education program sponsor, the school district, public school, private school, or homeschooling parent must fulfill the following requirements:

- a. have in place a program of studies that leads to a diploma,
- b. comply with the policies governing online courses established by the virtual education program,
- c. identify the individual(s) who will advise the student regarding courses he or she will need to earn a diploma, and
- d. identify the individual who will assist the student in resolving any technology issues that may arise.

B. Sponsor Responsibilities

1. All registered virtual education program sponsors must fulfill the following responsibilities:
 - a. verify that a student is a legal resident of the state of South Carolina before enrolling him or her in the virtual education program,
 - b. update sponsor registration information, and
 - c. respond to a student's request to enroll in a virtual education course.
2. A sponsor may forfeit its right to enroll students in the virtual education program if it fails to abide by these requirements.

III. Virtual Education Program Student Enrollment

A. Student Responsibilities

1. Sponsor Approval

- a. The student must secure approval to take a specific course from the public school or district or nonpublic sponsor:

(1) *In-school students*—those who are in membership in a public school (includes homebound, home-placed, and off-campus students and students enrolled in an adult education program)—must have approval from the school principal or his or her designee.

(2) *Nonpublic school students*—those who are not in membership in a public school but are instead enrolled in a private school or are homeschooled—must have approval from the nonpublic sponsor:

- (a) the private school that the student attends, or
- (b) the homeschooling parent/legal guardian.

(3) *Out-of-school students*—those who have not officially withdrawn from a particular public school and are entered in the student database as non-funded (includes expelled students) or those who have not officially withdrawn from a particular private school—must have approval from the district superintendent or the head of the private school. If a district or private school policy does not allow credit

to be recorded on an *out-of-school* student's transcript, the student cannot be granted approval to take a virtual education program course.

b. A student who is no longer enrolled in any school and who is at least seventeen years of age must enroll in a public adult education program for sponsorship to take a course from the virtual education program.

2. Computer Access

The student must furnish his or her own computer, or have access to one, and must have Internet access in order to take the virtual education program courses, although the sponsor is not prohibited from providing these.

3. Online Agreements

a. The student must indicate a willingness to abide by the acceptable use policy posted on the virtual education program's Web site.

b. The student must agree to abide by the virtual education program policies and expectations posted on the virtual education program Web site.

4. Online Application

a. The student must complete an online application for the course(s) he or she has approval to take.

b. The student must contact his or her instructor within three days of the start of class.

B. Parent/Legal Guardian Responsibility

1. The parent/legal guardian of a student who is seventeen years of age or younger must give approval for the student to take a course with the virtual education program.

2. The parent/legal guardian of a student who is seventeen years of age or younger must agree that the student will abide by the acceptable use policy posted on the virtual education program Web site.

C. SBE Responsibility

1. The SBE will implement a system for prioritizing the students who have enrolled in virtual education program courses if the virtual education program is unable to provide the courses these students need.

2. First priority will be given to students needing an initial credit course(s) to graduate on time.

3. The next priority will be given to those students who need to take a content recovery course required for graduation.

4. The next priority will be given to those students who need to take a course(s) needed for graduation not being offered in their schools.

5. Beyond these three priorities, students will be served on a first-come, first-served basis.

IV. Virtual Education Program Course Grades and Units of Credits

A. Virtual Education Program Responsibilities

1. The virtual education program must provide to the student's sponsor a certified grade report specifying the course title, the inclusive course dates, the final numeric grade, the quality points, and the unit value after the student has completed the final exam(s).
2. The certified grade report for courses requiring an End-of-Course Examination Program (EOCEP) test will be provided to the sponsors of all nonpublic school students after the test has been administered. The final numeric grade on this report will be calculated in accordance with the requirements outlined in Regulation 43-262.4, End-of-Course Tests.
3. The virtual education program may authorize another entity to provide the grade report to a nonpublic sponsor.
4. The virtual education program must maintain student course records.

B. Sponsor Responsibilities

1. All sponsors must award the numeric grade and unit value to the student enrolled in a course through the virtual education program by recording them on the student's transcript in his or her permanent record in the same manner as is done with any other course the student takes.
2. All nonpublic sponsors must contact the district test coordinator in the public school district in which they reside to arrange for students to take the appropriate EOCEP tests online.
3. Each district must determine whether it will charge nonpublic sponsors a fee for the administration of the EOCEP tests. If a fee is charged, it must be reasonable and must be directly related to the district's added costs for providing this testing service and cannot exceed the fee established by the SBE. Districts that fail to reasonably accommodate nonpublic school students will be ineligible to participate in the virtual education program.
4. All sponsors must ensure that the final examination for each course is conducted in a proctored environment.
5. All sponsors must provide all reports as stipulated in these regulations.
6. Units earned by a student through the virtual education program will be accepted in the public schools if the student presents his or her grade report from the virtual education program or if his or her transcript reflects the numeric grade and unit value that were recorded on the grade report issued by the virtual education program.

C. Student Responsibilities

1. The student must complete all assignments, course examinations, and state assessments that are required for the particular course in order for the virtual education program to issue the grade report.
2. The student must complete the course requirements within the enrollment course period or request an extension from his or her instructor.

D. Instructor Responsibilities

1. The instructor must establish the minimum course requirements that the student must complete.
2. The instructor must consult the virtual education program to determine whether the circumstances surrounding the student's request for a course extension is warranted.

V. EOCEP Assessments

A. All EOCEP tests must be administered under the supervision of a public school district in accordance with stipulations specified in the current SCDE EOCEP test administration manual. All test security statutes and SBE regulations in this manual apply to nonpublic sponsors and nonpublic students.

B. A student who is taking a course for which an EOCEP test is required must take the test online in the school district where he or she resides. If an online testing location is unavailable, the district's test coordinator must find a location in a nearby district. The district's responsibility extends no further than locating the test site.

VI. Virtual Education Program Course-Selection Procedures and Criteria

A. The virtual education program may offer a particular course only if that course is either

1. required to be offered by Regulation 43-234, Defined Program, Grades 9–12; or
2. requested by students, parents, or sponsors on the virtual education program online survey; or
3. requested by a sponsor under circumstances that the virtual education program deems valid.

B. The virtual education program must ensure that any course it develops, purchases, or contracts meets the following three criteria:

1. is aligned with the state academic standards,
2. integrates high quality Web-based strategies into instruction, and
3. uses the level of technology required for a computer-mediated environment.

VII. Virtual Education Program Course Costs

A. The SBE will determine when and if the virtual education program may charge fees and tuition. If program funds are either reduced or unavailable, the virtual education program may charge a fee to students. The virtual education program may charge a fee to students so long as the fee does not exceed the per pupil cost of the program. Students eligible for free and reduced lunch will not be charged.

B. In addition, the virtual education program may contract with districts/schools to provide a course(s) to a class of students enrolled in that course during a specific period of the school day and/or districts/schools that wish to guarantee that their students are served regardless of their priority.

VIII. Virtual Education Program Instructors

A. Instructor Employment

1. The SCDE is responsible for employing all virtual education program instructors.
2. Instructors may be employed either as SCDE-classified staff or as SCDE-contracted adjunct staff.

B. Instructor Qualifications

1. A virtual education program instructor must either hold a valid teaching certificate (with attendant training, if required) in the subject area he or she is teaching or receive special approval from the SCDE on the basis of his or her credentials.

2. An in-state virtual education program instructor who does not hold a valid South Carolina teaching certificate or who has not been employed by a South Carolina public school district in the last five years must undergo a criminal records check by the South Carolina Law Enforcement Division. An out-of-state virtual education program instructor must undergo any criminal records check that the SCDE determines to be necessary.

C. Instructor Requirements

1. Virtual education program instructors must successfully complete all virtual education program pre-service and in-service training requirements.

2. Training topics must include the development and organization of online courses; the technical aspects of online course delivery; the management of virtual classrooms; and the monitoring and assessment of student performance, progress, and achievement.

D. Instructor Evaluation

1. Virtual education program instructors who are SCDE-classified staff will be evaluated in accordance with state laws and regulations. Virtual education program instructors who are SCDE-contracted adjunct staff employed as temporary employees will be evaluated on the basis of the same criteria as are SCDE-classified staff.

2. Virtual education program instructors must meet all applicable Assisting, Developing, and Evaluating Professional Teaching (ADEPT) requirements.

E. Instructor Loads

1. The student load for each instructor is determined by the particular course(s) the instructor is teaching.

2. The teaching load for each instructor must not exceed one hundred and fifty students at any given time.

IX. Required Reports

A. Sponsor Responsibility

1. School districts and nonpublic sponsors must report to the virtual education program the reason for a student's withdrawal from a course at the time he or she withdraws.

2. The report must be submitted at the time the student withdraws.

B. Virtual Education Program Responsibility

1. The virtual education program will report to the SBE annually.
2. The report must contain the following information:
 - a. the courses being offered through the virtual education program during the current school year,
 - b. the number of local school districts participating and the number of the district students participating,
 - c. the number of private schools participating and the number of the private school students participating,
 - d. the number of homeschool students participating,
 - e. the success rates for students by courses,
 - f. the number of students who withdraw from a course and the reason for each student's withdrawal,
 - g. the number of students who were prevented from enrolling in a course because of space limitations,
 - h. the total monies expended by the virtual education program, and
 - i. the results of the virtual education program online survey of students, parents, and sponsors.

C. SCDE Responsibility

1. The SCDE will provide the Education Oversight Committee with access to student records annually.
2. All records must contain final course grades and scores on state assessments.