



State of Rhode Island
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Shepard Building
255 Westminister Street
Providence, Rhode Island 02903-3400

Angélica Infante-Green
Commissioner

September 29, 2023

Dear Colleagues:

Re: Virtual Online Curriculum Programs

RIDE has received several inquiries recently about the use of virtual learning programs in Rhode Island. The questions generally centered around RIDE's role and individual LEAs' roles with respect to virtual learning programs. RIDE thought it would be helpful to highlight some of the pertinent statutes and regulations in this area.

In 2012, the General Assembly directed RIDE to promulgate regulations for the use of virtual learning programs by school districts and other educational organizations. RIGL § 16-22.1-5. In doing so, the Council framed its regulations around four foundational principles:

1. All learners in Rhode Island will have access to high quality, rigorous, and relevant online learning opportunities;
2. Virtual learning education in Rhode Island will support all learners in meeting academic and career goals;
3. Rhode Island will support reliable access to the Internet and technology tools necessary for virtual learning; and,
4. [RIDE] will coordinate these Virtual Learning Education Regulations with policies developed by higher education institutions and other state agencies. 200-RICR-20-10-5.2(D)

LEAs are entrusted with a number of responsibilities to accomplish the operational goals for virtual learning. They have been given discretion in particular areas to fulfill those goals. Those responsibilities include, but are not limited to "(1) Ensuring that all online content, regardless of the source, is rigorous, of high quality, and, where appropriate, aligned to adopted state and LEA standards; . . . (5) Communicating to students and parents or guardians acceptable online course work that will meet state and local graduation requirements;" and "(6) Clearly identifying online coursework opportunities that meet post-secondary, college, or military enrollment requirements" 200-RICR-20-10-5.3.2(A).

Importantly, the regulations vest LEAs with the authority to select the appropriate virtual learning program(s) for their students, as long as the selected program(s) conforms to

Dear Colleague-Virtual Online Curriculum

September 29, 2023

Page Two

established standards. 200-RICR-20-10-5.3.2(B) (“Recognition of which virtual learning opportunities fulfill coursework graduation requirements is a local decision and shall be predicated on alignment to State-adopted standards and other relevant national and industry standards.”) In other words, so long as a virtual learning program satisfies the State adopted standards and other relevant national and industry standards, LEAs are empowered to select whichever virtual learning program they determine is appropriate. It should be noted that the General Assembly recently directed the commissioner to require all LEAs to use high-quality curricula for core subjects. RIGL 16-22-32. Accordingly, programs selected by LEAs must comply with all laws and regulations, including §§ 16-22-31; 16-22-32; and the BEP.

For a complete list of all approved High Quality Curriculum Materials, please visit the RIDE website at ride.gov/instruction-assessment/curriculum and review the [Selecting and Implementing High Quality Curriculum in RI Guidance Document](#).

If a LEA wishes to utilize a curriculum for ELA or mathematics that is not on RIDE's list, the LEA may seek a third-party review. For more information please contact curriculum@ride.ri.gov.

The virtual learning regulations also contain certification requirements for program instructors. Based on the program’s method of delivering content, instructors must either be (1) content certified in the state from which they are providing the online content, (2) content certified in Rhode Island, or (3) be qualified from an accredited post-secondary institution. 200-RICR-20-10-5.5.2(B).

We hope that this highlights some important issues involving virtual learning programs. Any specific questions should be referred to your district’s legal counsel. If we can provide you with any additional information, please contact the Legal Department at 401-222-8979 or email Legal@ride.ri.gov.

Sincerely,



Angélica Infante-Green
Commissioner of Education
AIG/cb