

Virtual Learning and Charter Schools: *Issues and Potential Impact*

SREB

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According to estimates, more than 50,000 K-12 students nationwide were enrolled in online courses during the 2001-2002 school year. More than half the states have forms of state virtual schools that promote and support the use of Web-based courses by schools and students. At the same time, charter schools across the country offer Web-based courses for K-12 students. The emergence of online charter schools has given rise to new issues, particularly because states' existing policies that govern charter schools do not address courses delivered over the Internet.

How does a state virtual school differ from an online charter school?

While online charter schools and state virtual schools use similar technologies to manage and offer Web-based courses, there are important differences. These differences include:

- Some online charter schools provide courses for kindergarten through grade 12. State virtual schools serve mostly middle grades and high school students.
- Online charter schools typically deliver full academic programs for students, rather than individual courses. State virtual schools in an increasing number of SREB states — including Florida, Kentucky, Louisiana, Maryland, Mississippi and West Virginia — offer individual courses for middle grades and high school students.
- Many public schools that use Web-based courses require students to connect to these courses from the schools' computers and under the schools' supervision; students frequently connect to online charter schools from their homes.
- Teaching methods for online charter-school courses vary among schools but generally depend on parents to help with and monitor student instruction. Online charter schools sometimes refer to parents as "in-home instructors." State virtual schools usually use state-certified teachers who have been trained to teach online.
- Some students taking Web-based courses offered by online charter schools are home-schooled students who are not enrolled in public schools. State virtual schools generally provide courses only to in-state students enrolled in public schools. The exception is the Florida Virtual School, which offers courses to any student who lives in the state.
- Many online charter schools have contracts with private, for-profit companies that create and provide courses, manage the virtual school and market it to potential users. State virtual schools frequently contract with private companies primarily to provide technical support services and sometimes to offer courses. However, state virtual schools usually assume most, if not all, responsibility for managing and delivering courses.

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What are key state issues related to online charter schools?

Online charter schools differ from the traditional charter schools envisioned by existing laws. Traditional charter schools have physical locations, usually in or near the school districts where the students they serve reside. Teachers in traditional charter schools provide face-to-face instruction. By contrast, online charter schools usually have no physical location, and students throughout the state may enroll. Instruction typically is provided by an “online teacher” and involves significant participation by parents.

These differences may result in legal issues about funding, quality and accountability. For example, should a school district be required to use per-student funding from the state for students who are not enrolled in one of the district’s schools but live within its borders? How can a school district appropriately oversee student instruction and fulfill other accountability roles when the online charter school is outside district lines? How can schools assess the quality of instruction in courses offered by online charter schools?

Situations in Pennsylvania and Ohio illustrate these issues. Both states have charter-school legislation, but neither had a state policy on online charter schools nor on online courses for K-12 students. As cyber charter schools (as they are called in Pennsylvania) emerged, school districts were unsure how to respond. Many districts refused to pay tuition requests from online charter schools. In Pennsylvania, this uncertainty resulted in a recent court decision that existing state law permitted cyber charter schools because nothing in the 1997 charter-school legislation *prohibited* them.

In June 2002, new Pennsylvania legislation defined a cyber education program as “a program of instruction offered by a cyber school or school entity for school-aged children delivered entirely or predominantly via the Internet or other computer linkages.” The same budget legislation commits the state to reimburse 30 percent of the costs charged to local school districts for their students who attend charter schools of any type.

This new legislation also shifts oversight and regulation of charter schools to the state. The state, not local school districts, will grant new charters or renew applications. Cyber charter schools are required to provide school districts with enrollment information, and school districts are required to provide cyber charter schools with access to student records. If a school district refuses to pay its per-student share for students at online charter schools, the state Department of Education has the authority to use school district funds to pay the tuition of students within the district who are attending online charter schools.

The North Carolina State Board of Education received its first application for a virtual charter school in February 2002. As of August the board had not acted on the application. If approved, the online charter school likely will serve about 340 students in its first year with nearly \$1.5 million dollars from the state and about \$300,000 from the local districts in which

the students live. The online school estimates that, by 2006, the state's amount will be about \$8.5 million and the local districts' amount will be about \$1.8 million. The primary developer of this North Carolina online charter school is a private, for-profit provider of instruction to K-12 students. That company also would provide the Web-based courses for the charter school.

The situations in Pennsylvania, Ohio and North Carolina exemplify the need for states and local districts to address online charter schools before applying traditional charter-school policies. Those policies, which typically don't address the issues raised by cyber charter schools, may be ruled invalid anyway. In Pennsylvania, for example, the court said that "school districts had no right to challenge the legality of cyber charter schools because the schools had been granted charters by other districts."

The need for states to act

Distance learning often is promoted to provide education "any time, any place," and states are using the Web to provide courses to students in the middle grades and high school. No state's charter-school legislation addresses the idea of an online charter school that delivers instruction at any time of the day or on any day of the week to students who may be at home, in libraries or at some other location.

Without policies that deal specifically with online charter schools, more and more states have had to respond to applications for online charter schools based on their existing charter-school legislation. This approach is ineffective, because traditional charter-school policies rarely address:

- online charter schools with students who could live anywhere in the state and who may not be enrolled in any school district;
- payments to online charter schools from the state and from local districts;
- methods of measuring the quality of online charter schools and who will do the measuring; and
- how state accountability requirements apply to online charter schools.

There now are about 30 online charter schools in the nation, and interest in such schools appears to be growing. No state has determined how its state policy should address this emerging approach to instruction. In the absence of clear state policies, many states likely will experience conflict and confusion. Perhaps the Pennsylvania court decision will spur other states to act.

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