

Virtual Schools: Policy Formation Process

Introduction

This policy brief examines the present state of “established or pending” virtual education policy to determine if a systematic approach for implementation is being applied. Throughout the United States and Canada, virtual or e-learning education opportunities for grades K-12 have rapidly expanded over the past six years. During that time, seventeen states have opened stand-alone virtual high schools operated and funded, whole or in part, with public funds. Numerous states have passed, or are in the process of passing, enabling legislation designed to “govern” virtual K-12 education.

Methodology

The methodology used to develop this brief was to examine virtual learning policies and practices in all fifty states. Each state’s Department of Education web site was queried to determine:

1. If the state has a virtual learning program,
2. If the program is public or privately offered/funded,
3. The status of the offered program,
4. If there are state statutes governing the offering of virtual learning/education, and
5. If there are studies conducted examining the effectiveness of state statutes, policies, or practices.

Additionally, a literature search was conducted to determine the status of academic research on the subject. It is important to note that this topic is relatively new, dynamic, and as such, the available literature tends to examine the topic strictly from a technology standpoint. Little “peer reviewed” academic literature is available on the policy implications of virtual learning.

What Is the Summary of Research Findings?

The research indicates that there is an overriding need for a systematic and consistent policy approach for the creation of virtual schools. The research has identified 12 key considerations on which the public and private sector must collaborate in order to design, develop, and implement virtual learning policy.

1. *Funding* – A clearly delineated funding model should be established in each state to meet the needs of the individual students, and the districts that serve them.
2. *Accreditation* – Standards should be developed to ensure accredited instruction. The accreditation standards should be, at a minimum, regionally if not nationally based, as virtual schooling is essentially without geographic boundaries.
3. *Credit* – Courses should be constructed such that students can reasonably expect that credit for the courses that

- they take will count towards graduation requirements.
4. *Development* – Course development techniques should be standardized to reduce cost and to increase consistency.
 5. *Standards* – Curriculum content standards should be developed and evaluated against online courses to ensure that they meet requirements of state boards of education.
 6. *Instructor Skill Sets/Professional Development* – Online instruction is not classroom instruction. Excellent “in class” instructors may not be as effective online. A specific set of skills is necessary for online instruction that goes beyond those used in traditional “brick and mortar” settings.
 7. *Consistent Schedules* – Course offerings should be planned and consistently scheduled so that students and guidance counselors can take full advantage of them in addressing curriculum needs.
 8. *Access* – Online education, as with any type of education, should be accessible to all students and meet the requirements of the American with Disabilities Act and other pertinent legislation.
 9. *Privacy* – Standards for student privacy and security should be developed.
 10. *Focus* – A decision should be made within school districts and states as to the focus of online or virtual learning. Currently some states are self-contained, others buy services and products from vendors, others set standards and leave the choice of using online services up to the individual students. Some districts and states are yet to set any specific policy direction.
 11. *Integration* – A key to success of online courses may well be integration

into existing curriculum offerings. Districts should see online courses as an asset and not a liability.

12. *Legislation* – Public laws should be put into place in order to govern the offerings of virtual education. Few states currently have codified requirements covering such offerings.

What is Virtual Learning?

Virtual learning resources, “online school,” “Cyber School,” “net school,” or “virtual school” are often used interchangeably to refer to educational organizations that offer K-12 courses through the Internet or Web-based resources. Virtual schools and related forms of Web-based education have grown dramatically in recent years (Fulton, 2002). Virtual schools are certainly not the traditional “brick and mortar” structures of the past. Virtual education is calling into question long-standing ideas about the definition of a public school, the social goals, and local control of public education (Fulton, 2002).

There is a need to provide access to education for all members of society. The use of virtual learning techniques fills the void that has traditionally been addressed by independent study or correspondence courses. Online capabilities greatly enhance this technique, but just as with any new technology or program it is necessary and proper to expect a learning and implementation curve. What appears to be missing in the movement toward virtual learning is a systematic approach to implementation, not only at the technology level, but also at the policy level.

Alexander Russo, writing for the American Association of School Administrators (Russo, 2001), argues that e-learning or virtual learning may well be the elixir that

can help address all sorts of problems facing school systems today: teacher shortages, limited course offerings, too many dropouts, the flight to home schooling, lack of Advanced Placement classes, the need for individualized learning, charter school competition, poor teacher quality, and lack of space. Russo (2001) asserts that even though there are significant limitations for the vast majority of students with typical academic needs and adequate access to traditional courses, current online learning opportunities may not add enough value to make it worth the investment (Russo, 2001).

Russo's (2001) article is based on discussion with several school administrators and provides the following lists of concerns:

1. Weak course content
2. Lack of face to face contact – loss of familiarity
3. Costly development and distribution of materials
4. Excessive technology requirements compare to student resources
5. Underestimated instructional costs
6. Learner isolation
7. Technical *glitches*
8. Lower-than-average completion rates
9. Lack of evaluation data
10. Lack of state funding
11. Lost accountability
12. Staff resistance – objections from teacher's unions

“The students are so young, the stakes for them are so high, and the technology so new.”

Texas Teachers Association

While consensus is lacking about what approach to online learning works best Russo (2001, p. 7-10) suggests four steps for creating online or virtual education.

1. Plan carefully
2. Think education, not technology
3. Be cooperative, don't compete
4. Figure out the money

What Are the Current Practices?

Currently there are seventeen states with a recognized virtual school or Digital Academy that receive at least a portion of their funding from public sources. In addition, there are nine Universities that offer accredited online courses for high school students. Many states are working diligently to address the issues and findings presented above. Samplings of possible solutions or best practices discovered during this research are articulated below. These examples are not all-inclusive, but offer possible starting points for states and independent school districts seeking to address the challenges facing virtual education.

Some education organizations have established prototypes or guidelines that policy makers can use to develop quality indicators for virtual schooling. Examples include the *Essential Principles of Quality: Guidelines for Web-based Courses for Middle and High School Students* developed by the Southern Regional Education Board, and the *Guide to Online Courses*, developed by the National Education Association (Fulton, 2002, p.14).

Florida – The state of Florida is seen as the leader in virtual schooling. The Florida Virtual School reviews the content and assessments used in its courses to assure they are aligned with state standards. The school requires all its teachers to have Florida certification in the subjects they teach (Fulton, 2002, p. 3). The State of Florida Legislature has funded the Florida Virtual High School since its inception in

1997. The Legislature indicates that it will no longer fund the school and has given direction to the Florida Virtual High School to become self-sufficient (Clark, 2002, p. 5).

Utah – The Utah Electronic High School acts as a broker for online services to independent districts, charter schools, and home schools. Utah has found that it is easier to build its own online curriculum in some cases rather than to “buy” courses that do not meet state standards (Clark, 2002, p. 11-13).

Nebraska – The University of Nebraska Independent Study High School Program has transitioned to online learning opportunities. The Independent Study Program has a long history of success as one of the largest providers of Independent Study in the county. This program has worked to gain regional accreditation so that students outside of the state of Nebraska can take its courses for credit (Clark, 2002, p. 14-15).

Colorado – The state of Colorado has conducted an extensive study on the Colorado Online Education Program. The findings of the study were critical to the updating of the State’s Rules for the Administration of Cyber schools (Kalmon, 2003; Colorado, 2003).

Ohio – The state of Ohio Department of Education has codified standards for the eSchools and eCourses. The standards, the most comprehensive discovered, could be used as an excellent starting point for standard creation by other states (Ohio, 2003).

Washington – The state of Washington, under the direction of the governor’s office, is examining educational tech-

nology initiatives. In this study the state appears to be looking to integrate all current and future digital learning programs in an effort to improve opportunities for Washington and the Pacific Northwest Students (Washington, 2003).

Minnesota – During the 2003 Legislative Session, the Minnesota Legislature included funding formulas for online learning in the 2003 Omnibus K-12 Act. The formula includes who can enroll, where the funding comes from, limits the available funding, and establishes funding formulas for districts and course providers (Minnesota, 2003).

Idaho – The Idaho Legislature created the Idaho Digital Learning Academy (IDLA) in 2002 through House Bill no. 534. Since its creation the IDLA has worked to address appropriate portions of the Idaho Code to determine requisite operational standards (Idaho, 2003).

Maryland – Maryland is developing a system to identify the reasons why a student might need a particular course and gives enrollment priority in online courses to students with the greatest need (Fulton, 2002).

What Are the Issues Related to Virtual Learning?

In fact, past policies seem to conflict with many of the benefits of virtual or online learning opportunities. Fulton (2002, p. 2), writing for the Center for Education Policy (CEP), offers the following issues:

1. Virtual schools are important tools for expanding opportunities in public education if states implement them carefully, effectively, and equitably.

2. Virtual schools should serve as a supplement to, not a replacement for, a comprehensive public school education.
3. Virtual schools funded with public money should be held accountable to the same broad principles and policies as other forms of public education in such areas as academic outcomes, equity, and religious neutrality. But in areas such as attendance, scheduling, and funding formulas, states will probably need to review existing policies to make them workable for virtual schools.

Issues identified by the state of Colorado's Online Education Program Study (Kalmon, 2003) closely align with those of the CEP. Colorado's study, the most exhaustive of all state studies on the subject to date, falls into three major areas.

1. Quality and Accountability
2. Access and Equity
3. Funding

Certainly there is a need to retain or even improve the traditional public education standards. Virtual Schools must be developed and governed in such a way as to ensure and assure commitment to the public education mission (U. S. Department of Education, 2002). Most virtual education policy discussions about virtual schools have focused on how this new mode of education is changing traditional delivery, structure, governance, or funding. Less attention has been paid to how these changes could affect the deeper purpose and principles of public education – in other words, the expectations and ideals that have shaped the American vision of public education for more than a century. These include such purposes as preparing students for life, work, and citizenship, and creating a cohesive society; and such principles as

providing universal access and equity in education, and making schools responsive to their local communities (Fulton, 2002).

The Texas Legislature passed Senate Bill No. 975 in 2001, directing the Texas Commissioner of Education to gather information on the status of the rapidly expanding work of electronic or virtual education. The purpose of the study was to gather information that could be used as a basis for state policies, requirements, and restrictions. In response to this request the Commissioner, the Virtual School Pilot, and the Investigating Quality of Online Courses Pilot created two pilot programs. Information gained from these two Texas pilot programs provides the following insights about students and courses.

Students

1. Students in small, remote, and rural areas of the state may gain access to highly qualified teachers through electronic courses delivered at the school or to another location in the community.
2. Students throughout the state may benefit from availability of advanced courses taught by experts who would not otherwise be accessible.
3. There is a rising need for high-level courses to challenge students and prepare them for college, and electronic courses may be one way to address the need.
4. Students at risk of dropping out of school because of pregnancy, high mobility, or disciplinary problems may also benefit from access to electronic courses.
5. Most students who take electronic courses choose to take no more than one or two at a time.

6. Many students who take electronic courses do so at district facilities rather than at home.
7. Characteristics of students using virtual learning:
 - a. Self-directed and disciplined
 - b. Organized
 - c. Independent learners, overachievers, with exceptional communications skills
 - d. Technologically sophisticated

Courses

1. Student attendance must be verified.
2. There are security and privacy issues for students.
3. There must be a structure for course costs and funding.
4. Electronic courses should be based on interaction with teachers via email or another electronic means of communication.
5. Administrators, teachers, and students need time and support to successfully transition into new technology-based processes.
6. Literature on virtual schools reveals a central policy concern of equal access to students.
7. Institutions providing e-learning services must have clear and concise contracts delineating expectations, obligations, and privileges for parents and students.
8. As teachers and administrators become more comfortable with technology, online learning will catch on at most secondary schools.
9. Instructors may build courses from scratch or, more often than not, customize commercial software.
10. Online environments allow teachers to combine various techniques such as e-rooms, thread discussions, chat rooms, whiteboard programs, shared applica-

tions, streaming video or audio, and interactive CD-ROMs to educate students.

The Texas research suggests that as programs become more efficient, program costs will decrease thus increasing delivery capacity and perhaps increasing revenue. These long-term processes make the investments potentially self-sustaining in the long-term (State of Texas Education Agency, 2002).

Is the National Education Community Addressing Virtual Learning?

The U. S. Department of Education, in partnership with Converge Magazine, hosted a “Virtual Schools Forum” in October 2002. The purpose of the Forum, attended by Secretary of Education Rodney Paige, was to begin shaping a national virtual schools agenda by bringing together key stakeholders to identify specific challenges, policy issues, and regulatory obstacles facing virtual education (U. S. Department of Education, 2002). Even though the report has not been published, the findings of the Forum are similar to those listed above. The Forum discussed barriers to virtual education. The barriers discovered were summarized as follows:

Accountability

1. Carefully consider new federal policies and regulations so they do not create new barriers for virtual learning at the state or local levels.
2. Identify virtual schools as models of reform; allow virtual schools to set the tone for change and alternate approaches to meet federal requirements.
3. Identify alternative assessment methods using virtual schools as the *test bed*.

4. Convene a group of expert stakeholders to develop an appropriate accountability framework, including metrics and indicators for virtual schools.

Equity

1. Consider virtual schools as an option (implies choice) instead of an alternative path.
2. Conduct a conference examining the related legal and regulatory access equity issues.
3. Develop an understanding with local, state, and federal policy makers on what virtual education is and is not.
4. Develop local, state, and federal “virtual education friendly” policies and regulations.

Funding

1. Identify state funding models and sample legislation that state policy makers can use as frameworks when shaping their laws.
2. Don’t create funding and then figure out the model for providing learning; work on accountability, equality, and equity issues first before determining the funding model.
3. Study the costs and benefits of online course delivery to demonstrate efficiencies and economies of scale.

Quality

1. Support a national awards program that highlights quality online learning projects or virtual schools.
2. Convene a group of expert stakeholders to create guidelines on quality virtual teaching.

3. Explore how virtual education can play a role with Higher Education Reauthorization.
4. Facilitate the identification and development of quality standards and best practices for virtual education.
5. Invest in research to determine the effectiveness of virtual education.
6. Invest in research and evaluation efforts needed to improve the practice of teaching online (U. S. Department of Education, 2002).

What Are State Policy Issues?

Current state legislation on virtual education varies in form and content. There appears to be no consistent or systematic policy approach among states for enabling legislation for virtual education. The following items were researched and information for each state was compiled:

1. Does the state have a virtual learning policy?
2. How is virtual learning implemented?
3. Does the funding come from public or private sources?
4. What is the funding formula?
5. Are there attendance and accreditation standards?
6. Are there provisions for evaluation of the virtual learning program?

The research results were illustrative of the lack of consistency in virtual education policies

A basic policy analysis for each state that either offers K-12 virtual education in some manner, or at least has enabling legislation in place for K-12 virtual education offerings and the policies linked to each of the virtual schools in operation can be found in Appendices 1 and 2 in the full text of the research brief at <http://icee.isu.edu/publications>.

How Is the State of Idaho Addressing Virtual Learning?

The State of Idaho, not unlike other states, has recently made significant advancements into the virtual learning environment. The Idaho Digital Learning Academy (IDLA), a statewide, Web-based educational program set up under the direction of the Idaho State Board of Education and the Idaho State Legislature (House Bill No. 534) provides Idaho students with greater access to a diverse assortment of courses. This virtual high school was created to address the educational needs of all Idaho students: traditional, home schooled, at-risk, gifted, and adult learners. Four pilot courses were offered by the IDLA in October 2002. Five hundred and seventy-six students took over 700 courses during the spring of 2003.

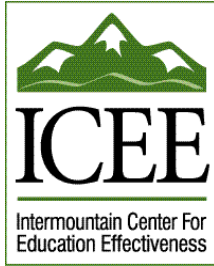
Additionally, over six hundred students participated in the AP Exam Review through the IDLA. Currently, seventy-eight school districts in Idaho participate in the academy (Idaho Digital Academy Fact Sheet). The Idaho Virtual Academy is a public charter school program that blends innovative new instructional technology with a traditional curriculum for students all across Idaho. Currently serving students in kindergarten through seventh grade, IDVA has chosen K12 as its curriculum provider. The Butte County School District No. 111, with a contract term of 5 years, sponsors Idaho Virtual Academy. The Idaho Virtual High School received its charter from the Mountain Home School District Board of Trustees on January 15, 2002. The IDVHS is accredited by the Northwest Association of Schools and of Colleges and Universities. IDVHS's offers high school courses, grades 9-12, to students who are either home schooled or who are dual enrolled in public, private, or alternative schools. The program runs from September 1 to May 31. Courses

are tuition free for students who qualify. All of the IDVHS online courses are backed by certified teachers trained to teach online courses and are aligned with the Idaho State Achievement Standards.

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This Policy Brief was prepared at the
request and in collaboration with the Idaho
Association of School Administrators

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