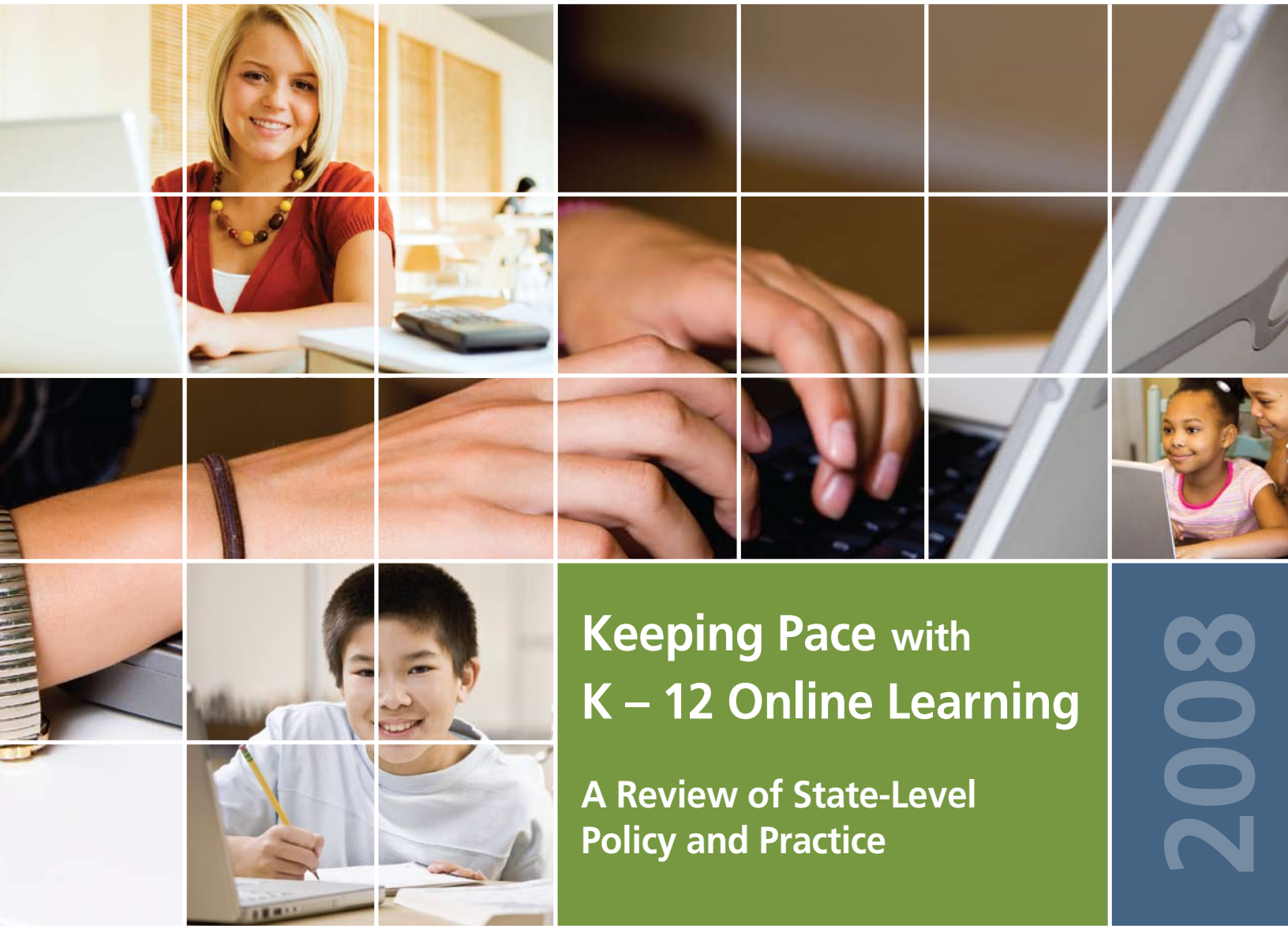

Keeping Pace with K – 12 Online Learning

A Review of State-Level Policy and Practice

2008

Research and writing by

John Watson, Butch Gemin and Jennifer Ryan
Evergreen Consulting Associates

Writing, editing, and guidance from

Todd Hitchcock, Pearson Education
Kate Loughrey, Texas Education Agency
Chuck Mitchell, Wyoming Department of Education
Liz Pape, Virtual High School Global Consortium
Allison Powell, North American Council for Online Learning
Mickey Revenaugh, Connections Academy
Dan Schultz, Michigan Virtual University
Matt Wicks, Illinois Virtual High School
Julie Young, Florida Virtual School

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Acknowledgements

This is the fifth annual *Keeping Pace* report. With the report becoming increasingly recognized—similar to the acceptance of online learning in general—it is worth recalling the people and organizations that had the foresight to support this research in its early days, as well as those who continue to provide backing.

The first *Keeping Pace* was published in 2004, in response to a request for timely online education policy information by the Colorado Department of Education (CDE). Stevan Kalmon, then of the CDE, was a strong advocate for the project, and helped with raising funds, writing and editing. The report was originally envisioned as a simple document that would be distributed only to the sponsoring organizations, but Cathy Gunn, then of the North Central Regional Educational Laboratory at Learning Point Associates, recognized the work's larger value and was instrumental in suggesting and overseeing publication and distribution to a wider audience. The four funding organizations in the first year were the CDE, Illinois Virtual High School (IVHS), Learning Point Associates, and Wisconsin Virtual School. In 2004 Keeping Pace reviewed 22 states, and in 2005 expanded to review all 50 states. All subsequent years have continued this national approach. The expansion to review the entire country was largely in response to the vision of Matthew Wicks of IVHS.

For the 2008 report, funders are Connections Academy, Florida Virtual School, Illinois Virtual High School, Michigan Virtual School, North American Council for Online Learning, Pearson Education, Texas Education Agency, Virtual High School, and the Wyoming Department of Education.

Keeping Pace benefits from the guidance and leadership of some of the most experienced and knowledgeable online learning practitioners, who represent a wide range of organizations that share an interest in online education:

Todd Hitchcock
Pearson Education

Kate Loughrey
Texas Education Agency

Chuck Mitchell
Wyoming Department of Education

Liz Pape
Virtual High School Global Consortium

Allison Powell
North American Council for Online Learning

Mickey Revenaugh
Connections Academy

Dan Schultz
Michigan Virtual University

Matt Wicks
Illinois Virtual High School

Julie Young
Florida Virtual School

Another set of key contributors to the report are the people associated with an online program or education agency who gave their time to provide the information that is the basis for *Keeping Pace*. We have been consistently surprised by the amount of time and quality of responses we receive from people around the country. This report would not be possible without their input.

We have made every attempt to ensure accuracy of the information in *Keeping Pace*, but recognize that in a report of this breadth some errors of accuracy or omission are likely. We welcome comments, clarifications, and suggestions; please send them to johnw@evergreenassoc.com.

Table of Contents

How to read this report

Keeping Pace has several goals. First, it strives to add to the body of knowledge about online education policy and make recommendations for advances. Second, it serves as a reference source for information about programs and policies across the country, for both policymakers and practitioners who are new to online education as well as those who have extensive experience in the field. Third, because there has been so much online education activity in the past year, the report attempts to capture new activity.

A definitions section immediately precedes the executive summary. There are many terms in online learning without commonly understood definitions; this section defines some key terms in this report.

The first chapter, titled National snapshot and the year in review, captures a picture of the state of online learning in 2008 and provides a short summary of some key developments in the past year.

Survey results: Online programs and practices discusses some of the findings of the Keeping Pace survey of online programs around the country.

For Notes from the field we invited sponsors and other researchers and practitioners to contribute short articles on specific subjects that in most cases were not major areas of focus for *Keeping Pace*. The resulting articles raise several key issues that are not discussed in depth elsewhere in the report, and we appreciate the effort by the authors.

Key policy issues discusses important online learning issues and is based on the research done for the state profiles that appear near the end of the report.

The Conclusion looks to the future and explores some of the policy changes that, if implemented, will help expand educational options for students.

Following the above-listed chapters are two long sections that provide much of the data on which the summaries and conclusions are based. The first section describes a subset of the programs that responded to the *Keeping Pace* program survey, divided by program type. For each program type common attributes are discussed, and exceptions to the common attributes are noted. The second section contains online learning profiles of all fifty states, divided into four geographic regions.

Although presented first, the key issues chapter of the document builds on the program and state profiles presented later in the report. Most state profiles include footnotes that reference state laws, state policies, and websites of programs. However, in some cases, the information is general and was gathered through numerous website reviews and phone interviews with state agencies; in these cases footnotes are not included. The primary purpose of footnotes is to provide the source documents that will be most valuable to readers.

Definitions

Keeping Pace reports primarily on issues surrounding online learning, which we define as teacher-led education that takes place over the Internet, with the teacher and student separated geographically. Several associated educational practices, such as programs that blend online and face-to-face instruction, the use of Internet-based resources in the classroom, and laptop initiatives, are discussed in cases where there are significant programs or policies related to these practices.

We prefer the terms "online learning" and "online schools," instead of expressions such as elearning, virtual schools, and cyberschools. However, state legislatures across the country often use these terms. For example, Texas legislation defines "electronic courses" as "instruction and content are delivered primarily over the Internet," and several states use the term "virtual" in their laws regarding online education. In some cases where state programs or policies describe online learning using these words, in the state profiles we use the terms used by the state to describe the online learning landscape.

For simplicity, *Keeping Pace* draws a distinction between **supplemental programs** and **full-time programs**. The distinction is not precise, because a few supplemental programs have some full-time students, and programs that fall into the full-time category have some part-time students. Although not exact, the distinction is important because students in supplemental programs are enrolled in a school separate from the online program, while students in full-time programs are enrolled only in the online school. In addition,

- Full-time programs typically are responsible for these students' scores on state assessments required by No Child Left Behind, which is the primary way in which student outcomes, and school performance, are measured; and
- Full-time programs are often funded by the per-pupil (also known as FTE for full-time equivalent) public education funding formula that follows the student, while most state-led supplemental programs are funded primarily by separate legislative appropriations. (Florida Virtual School is an exception in that FLVS receives per-pupil formula funding.) While both types of programs are state-funded, using taxpayer dollars, the difference in the funding mechanisms is significant.

The way in which *Keeping Pace* counts student numbers for full-time programs and supplemental programs is also fundamentally different. For supplemental programs we count **course registrations**—one student in one semester-long course—while in full-time programs we count **enrollments**, defined as one year-long FTE student.

Other terms used in this report are defined as follows:

State-led online programs are created by legislation or by a state-level agency, and/or administered by a state education agency, and/or funded by a state appropriation or grant for the purpose of providing online learning opportunities across the state. (They may also receive federal or private foundation grants, and often charge course fees to help cover their costs.) State-led programs are typically supplemental, offering courses for students who are otherwise enrolled in a traditional school setting. Examples of state-led online programs include the Illinois Virtual High School, Kentucky Virtual High School, and Michigan Virtual School.

Because online programs evolve, some programs are categorized as state-led that do not fit the definition presently, but did in important stages of their development. Florida Virtual School, for example, is now independent and funded via the state's FTE public education funding formula, but previously received funding via separate legislative appropriation.

State-led online initiatives are different from online programs in that initiatives typically offer online tools and resources for schools across the state, including aggregating courses from outside sources, instead of developing and offering their own courses that are taught by teachers that they have hired. Examples include the Washington Digital Learning Commons, Oregon Virtual School District, and Massachusetts Online Network for Education (MassONE).

Full-time online programs, sometimes called cyberschools, are online learning programs in which students enroll and earn credit issued by the full-time online program towards academic advancement based on successful completion of the courses (or other designated learning opportunities) provided by the online school. Many full-time online schools are charter schools.

Some states draw a distinction between **single district programs**, which serve students who reside within the district that is providing the online courses, and **multi-district programs**, which serve students from multiple districts. Multi-district programs may be state-led, run by a **consortium** or **network**, or operated by one district offering an online program to students from other districts.

State-level policies, including legislation, education code, and formal rules promulgated by the state education agency, are a main focus of the state profiles. This report is primarily interested in policies that were created to address online learning in its various forms, but also includes policies that were created for brick-and-mortar schools, or other types of distance learning, that are used to regulate online learning in the absence of specific online policy.

Executive summary

Late 2007 and the first half of 2008 saw the continued growth of online learning, both in terms of new programs being created, existing programs growing, and new legislation being passed to facilitate further growth. As of fall 2008, 44 states offer significant online learning opportunities for students.

- Seventeen states offer significant supplemental and full-time, online options for students. Many of these states have both a state-led program and full-time, online schools.
- Twenty-three states offer significant supplemental opportunities, but not full-time options. Most of these states have state-led programs, such as the Michigan Virtual School, Illinois Virtual School, and Virtual Virginia.
- Four states offer significant full-time opportunities—but not supplemental. These states have extensive charter schools and/or district online programs, but do not have a state-led supplemental program that offers courses to students across the state.

Types of online programs

State-led programs and initiatives continue to be an important online learning option for students in many states. As of fall 2008, 34 states offer state-led programs or initiatives that are designed, in most cases, to work with existing school districts to supplement course offerings for students. Examples of state-led programs (which provide full courses, teachers, and student support) include Florida Virtual School, Illinois Virtual High School, Michigan Virtual School, Idaho Digital Learning Academy, Georgia Virtual School, Kentucky Virtual Schools, and the Missouri Virtual Instruction Program. Examples of state-led initiatives, which provide online resources, or serve as a central clearinghouse for online courses, include the Washington Digital Learning Commons, Wyoming Switchboard Network, Texas Virtual School Network, and Oregon Virtual School District. Most state-led programs are:

- High school level, with some middle school,
- Supplemental—providing one or more courses to students enrolled elsewhere, and
- Funded primarily by separate state appropriations rather than the per-pupil funding formula.

Full-time online schools are a second common online learning option. As of fall 2008 there are 21 states that have these types of schools. They are often charter schools, although there are also some non-charter, district-run programs that are available to students across the state.

Online learning policy developments

Late 2007 and the first half of 2008 saw many new policy developments related to online learning. Among the most notable were:

- In Florida, the state legislature passed a new law that requires school districts to provide virtual learning programs "to make online and distance learning instruction available to full-time virtual students in grades kindergarten through grade 8 by 2009-2010." Florida Virtual School continued its rapid growth, reaching over 120,000 course registrations in 2007-2008.
- Alabama became the second state in the country after Michigan to create an online learning requirement, when the state board of education passed a resolution that "beginning with the ninth-grade class of 2009-2010 (graduating class of 2012-2013), students shall be required to take and receive a passing grade in one on-line/technology enhanced course in either a core course (mathematics, science, social studies, or English) or an elective with waivers being possible for students with a justifiable reason(s)."
- Wisconsin gained national attention when an appeals court ruled in December 2007 that the Wisconsin Virtual Academy (WIVA) violated state laws and was not eligible for state funding. To prevent online charter schools across the state from being denied funding and closing, the legislature responded by enacting Act 222, which makes changes to charter school, open enrollment, and teacher licensing laws to allow virtual charter schools in Wisconsin to operate with public funding.
- South Carolina clarified the law passed in 2007 that had led to confusion as to whether full-time online schools were allowed in the state. In fall 2008 the first three online charter schools are opening, joining the South Carolina Virtual School Program (the state-led, supplemental online program).
- Hawaii and Wyoming both established task forces to research online learning options for their states. Both reported to their respective state legislatures, which in 2008 passed legislation supportive of the task force recommendations. Wyoming created the Wyoming Switchboard Network to create and oversee online and other distance learning courses, while Hawaii's legislation supports both a state-led supplemental program and full-time online schools.

There have been a few exceptions to the pattern of consistent growth in online programs.

Both Connecticut and Delaware established state-led online programs in the past year, but budget cuts did not allow either program to grow nearly as large or as quickly as planned. Both are going forward with online courses in fall 2008, but with small numbers of students and courses. The experiences of the state-led programs in these states reflect concerns of such programs in other states that are dependent on yearly appropriations from the legislature and therefore also reliant on the health of state budgets and economies.

Growth of online programs

Many supplemental programs are continuing to grow rapidly, with nearly one-third reporting increases in number of course registrations of more than 50%. Full-time online schools are growing as well, but much of the growth in student numbers in full-time online

schools represents new schools, instead of the growth of existing schools. When programs were asked if they were satisfied with their size and growth rate, they were split about evenly: 47% responded that they are satisfied, while 53% said they would like to grow more quickly. Of those who said they would like to grow more quickly, the most common reasons for slow growth was lack of funding (66%) and legislative restrictions (43%). Of the programs that cited lack of funding as a factor limiting growth, over three-quarters (79%) were supplemental programs. This suggests that the programs receiving public education FTE funds are more likely to be satisfied with funding than the programs that are dependent on other funding sources.

Conclusion

Online learning has the capacity to grow, and the early results demonstrate the benefits of students and parents being given the choice of a variety of learning options, from fully online courses at a distance, to classroom-based courses, with blended learning options in between. However, in many states today—despite the rapid growth so far—a real or potential barrier exists for students who seek an online course. These barriers are sometimes on the student side (related to access to online courses or the willingness of their school to grant credit for online courses they do take), or on the school side (related to funding or other limiting policies).

Funding is clearly one of the keys to the growth of online learning—perhaps the most important single factor. In addition to funding, one of the challenges in developing online learning policy is that the term "online learning" has different meanings for different people. Different online learning courses and programs can have very different levels of teacher involvement, computer technology (such as diagnostic assessments), real-time and asynchronous interaction, and face-to-face elements, making the development of appropriate policy prescriptions challenging. Policies to facilitate an increase in online options for students include:

- Ensuring that students and parents are free to choose online courses and schools.
- Encouraging schools of education to incorporate online instruction as part of the curriculum for future teachers, to include pre-service training in teaching online, and creating additional professional development options for certified teachers.
- Allowing teachers to teach across state lines by encouraging reciprocity of recognition of teaching credentials.
- Creating true national content standards so online content does not need to demonstrate alignment with countless different content frameworks.
- Revising accounting standards for funding to get away from count dates, seat time, and other measures that don't apply to the online environment.
- Establishing some standard metrics for basic quality assurance and measurements, such as consistent measures for course completions.

Online learning is growing rapidly, but continued growth requires specific policy and funding changes, including and in addition to those suggested above. These policy changes should focus on increasing educational choices and opportunities while ensuring quality and improved student achievement.

National snapshot and the year in review

1

Late 2007 and the first half of 2008 saw the continued growth of online learning, in terms of new programs being created, existing programs growing, and new legislation being passed to facilitate further growth. As of fall 2008, all but a handful of states offer significant online learning opportunities for students.

As shown in Figure 1:

- Seventeen states offer significant supplemental **and** full-time online options for students (purple). Many of these states have both a state-led program and full-time, online schools. For example, Florida offers the supplemental Florida Virtual School, and the full-time Florida Connections Academy and Florida Virtual Academy. Similarly, Colorado offers the state-led Colorado Online Learning, and numerous full-time district programs and charter schools.
- Twenty-three states offer significant supplemental opportunities—but not full-time (light blue). Most of these states have state-led programs, such as the Michigan Virtual School, Illinois Virtual School, and Virtual Virginia. Some of these states have a few full-time online options, such as the Chicago Virtual Charter School and the Traverse City (Michigan) School District, but these programs are not available to students across the state.
- Four states offer significant full-time opportunities—but not supplemental (dark blue). These states have extensive charter schools and/or district online programs, but do not have a state-led supplemental program that offers courses to students across the state.

In sum, as of fall 2008 there are 44 states that offer significant full-time or supplemental online learning options for students, and only six states that do not offer either of these.

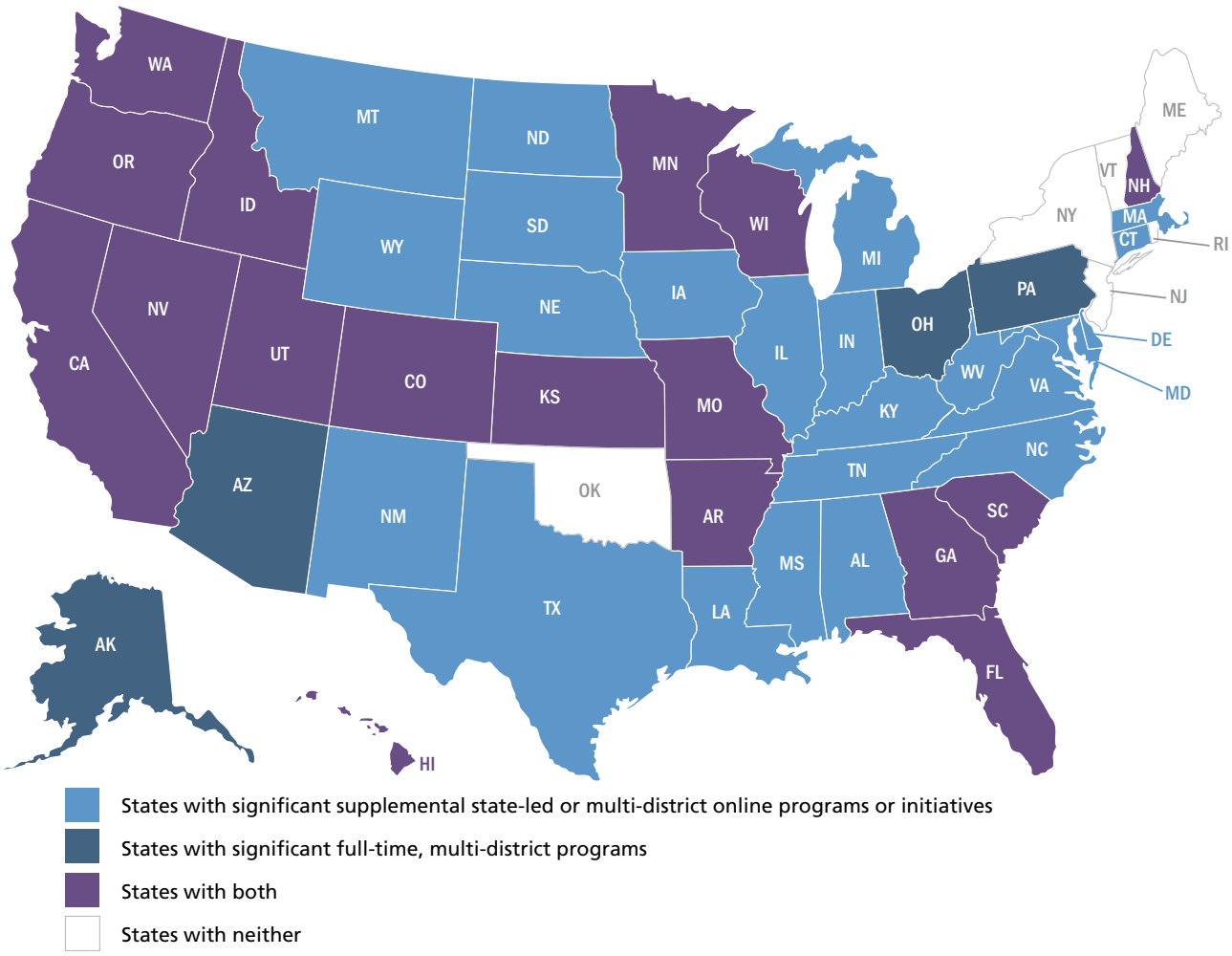

Figure 1: National Summary of How Online Learning is Being Implemented Across the Country

What do we mean by "significant" online learning options?

There are now so many schools, districts, state agencies, and nonprofit organizations offering online courses at the K-12 level that tracking them all is nearly impossible, and all states have at least some minor online learning options. Our test for "significant" takes a student's point of view and is based on the following question: If students (or their parents) from anywhere in the state are seeking a publicly funded online course, or full-time online school, are they likely to have access to these opportunities? The elements that go into answering that question are:

1. Do online schools and programs exist in the state? What percentage of school districts have a student in an online course?
2. Are online opportunities available to students across the entire state?
3. Are they sufficiently large relative to the state's population or otherwise prominent such that most students are likely to know about these options?

State-led programs and initiatives

State-led programs and initiatives continue to be an important online learning option for students in many states. As of fall 2008, 34 states offer state-led programs or initiatives that are designed, in most cases, to work with existing school districts to supplement course offerings for students. Examples of state-led programs (which provide full courses, teachers, and student support) include Florida Virtual School, Illinois Virtual High School, Michigan Virtual School, Idaho Digital Learning Academy, Georgia Virtual School, Kentucky Virtual School, and the Missouri Virtual Instruction Program. Examples of state-led initiatives, which provide online resources, or serve as a central clearinghouse for online courses, include the Washington Digital Learning Commons, Wyoming Switchboard Network, Texas Virtual School Network, and Oregon Virtual School District. Most state-led programs are:

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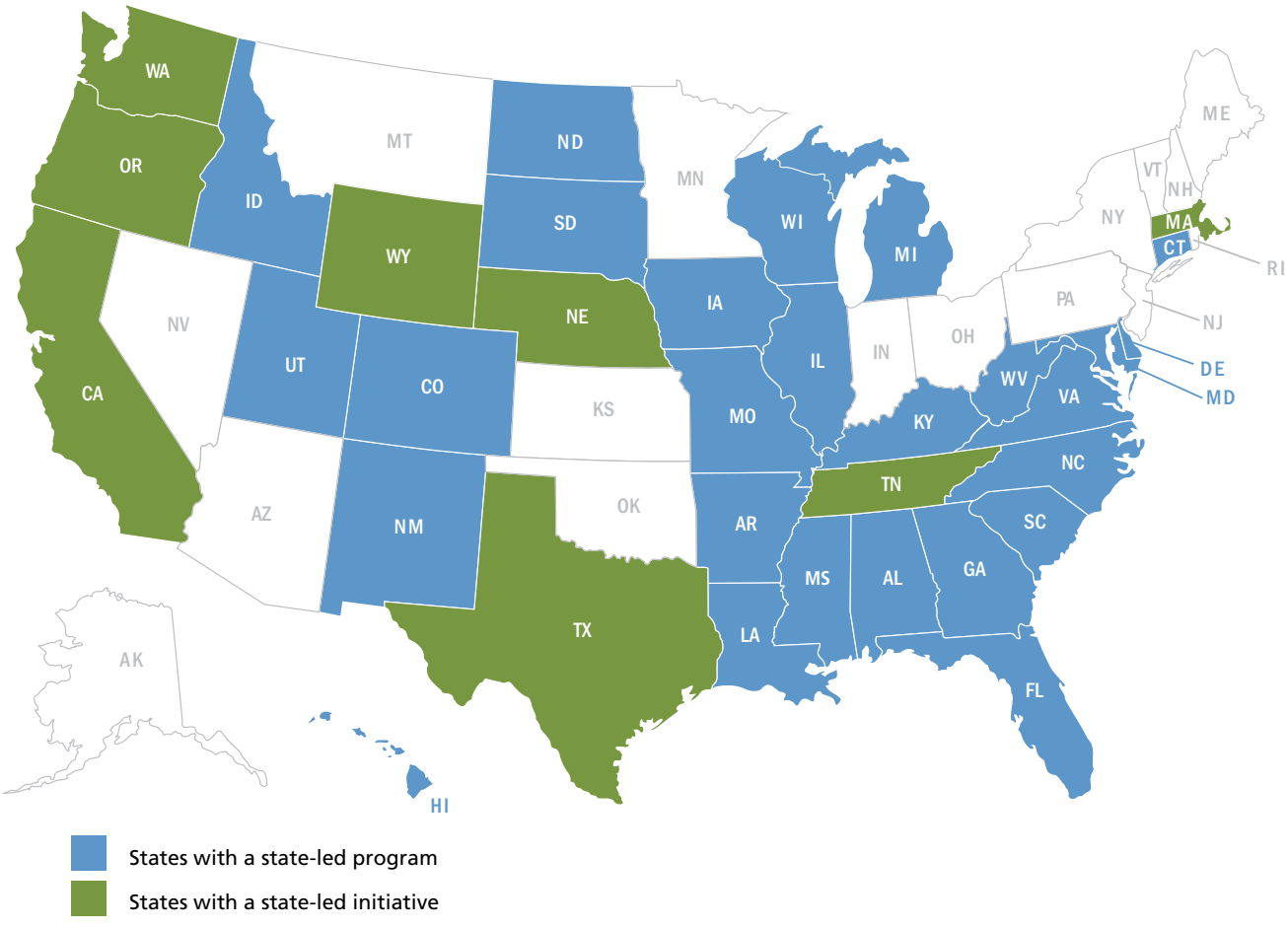

Figure 2: States with State-led Online Learning Programs and Initiatives

Full-time, multi-district online schools

A second common online learning option for students are full-time online schools that are available throughout much, or all, of the state. As of fall 2008 there are 21 states that have these types of schools. They are often charter schools, although there are also some non-charter, district-run programs that are available to students across the state.

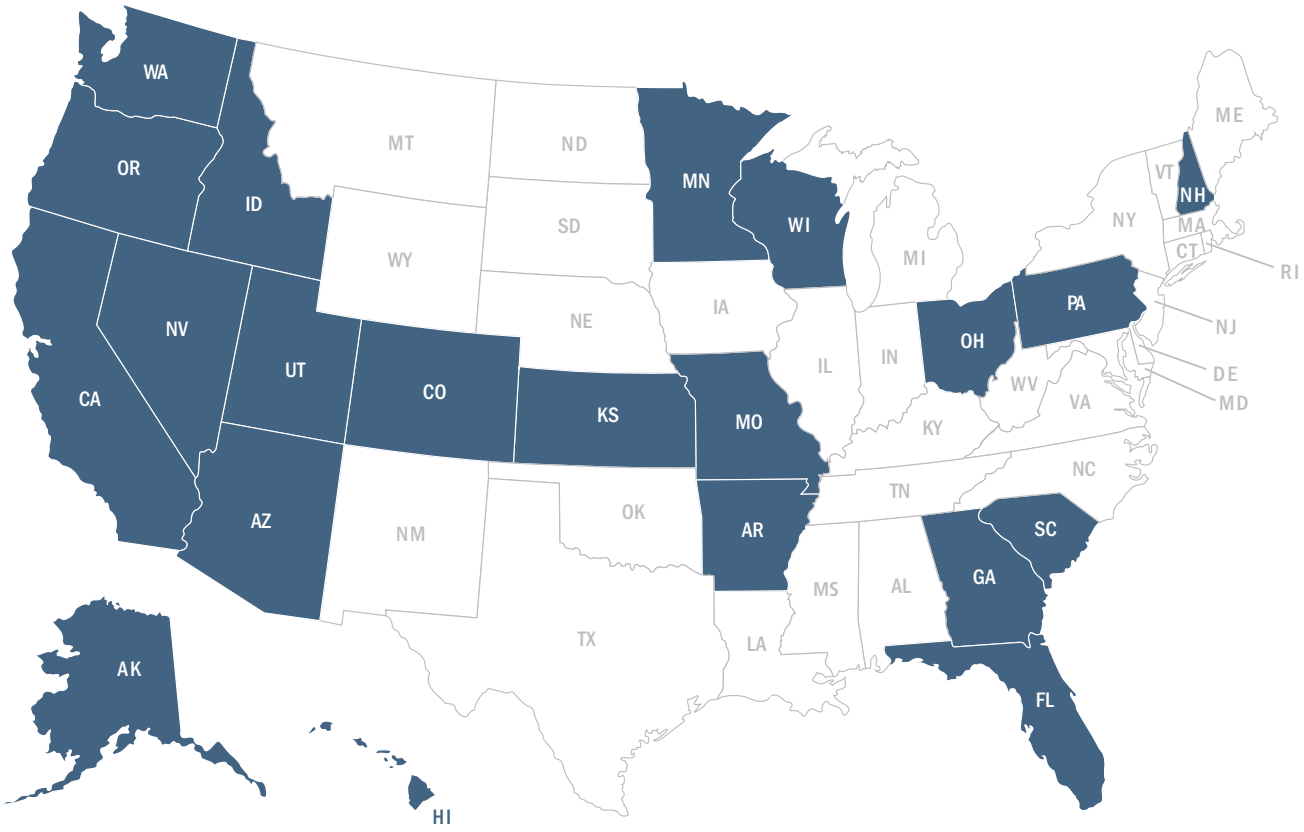

Figure 3: States with Full-time, Multi-district Online Programs

Online learning policy developments

Late 2007 and the first half of 2008 saw many new policy developments related to online learning. Among the most notable were:

- In Florida, the state legislature passed a new law that requires school districts to provide virtual learning programs "to make online and distance learning instruction available to full-time virtual students in grades kindergarten through grade 8 by 2009-2010." Following the lead established by the Florida Virtual School (FLVS), the School District Virtual Instruction Program (K-8) will be funded based on successful completions (there will still be a seat time component as providers under the new K-8 legislation will have to take attendance and adhere to a 180-day school year). FLVS continued its rapid growth, reaching over 120,000 course registrations in 2007-2008.

- Alabama became the second state in the country after Michigan to create an online learning requirement, when the State Board of Education passed a resolution that "beginning with the ninth-grade class of 2009-2010 (graduating class of 2012-2013), students shall be required to take and receive a passing grade in one on-line/technology enhanced course in either a core course (mathematics, science, social studies, or English) or an elective with waivers being possible for students with a justifiable reason(s)."[1]

- Wisconsin gained national attention when an appeals court ruled in December 2007 that the Wisconsin Virtual Academy (WIVA), a charter school established by the Northern Ozaukee School District and affiliated with K12 Inc., violated state laws and was not eligible for state funding. To prevent online charter schools across the state from being denied funding and closing, the legislature responded by enacting Act 222, which makes changes to charter school, open enrollment, and teacher licensing laws to allow virtual charter schools in Wisconsin to operate with public funding.

- South Carolina clarified the law passed in 2007 that had led to confusion as to whether full-time online schools were allowed in the state. In fall 2008 the first three online charter schools are opening, joining the South Carolina Virtual School Program (the state-led, supplemental online program).

- Hawaii and Wyoming both established task forces to research online learning options for their states. Both reported to their respective state legislatures, which in 2008 passed legislation supportive of the task force recommendations. Wyoming created the Wyoming Switchboard Network to create and oversee online and other distance learning courses, while Hawaii's legislation supports both a state-led supplemental program and full-time online schools.

- The legislatures in Kansas and Idaho both responded to concerns raised in state audits about practices of a few online programs and oversight by state agencies. The laws created new reporting and oversight requirements and allowed the continued operation and growth of online programs.

Notably, in all the states that have experienced questions about the practices or oversight of online programs (via state audits or lawsuits), after the state legislature has reviewed the programs it has passed laws that allow the online options to continue. In cases such as Wisconsin and Colorado there were initial concerns that online schools would be shut

[1] http://www.alsde.edu/html/boe_resolutions2.asp?id=1413

down (the result of the court case in Wisconsin) or that new schools would not be allowed (a suggested moratorium in Colorado). Instead, in Wisconsin, Colorado, Kansas, and Idaho, after the initial questions raised by the state audit were explored in more depth, the legislatures decided that oversight and reporting of online schools needed some changes, but overall the online programs were successfully serving students and filling an unmet educational need, and should be allowed to continue and grow.

There have been a few exceptions to the pattern of consistent growth in online programs. Both Connecticut and Delaware established state-led online programs in the past year, but budget cuts did not allow either program to grow nearly as large or as quickly as planned. Both are going forward with online courses in fall 2008, but with small numbers of students and courses. The experiences of the state-led programs in these states reflect concerns of such programs in other states that are dependent on yearly appropriations from the legislature and therefore also reliant on the health of state budgets and economies.

Survey results: online programs and practices

2

In June 2008 *Keeping Pace* distributed an extensive web-based survey and received 114 responses. Respondents were a varied mix of state-led programs, district programs, charter schools, and other organization types.

Size of supplemental programs

Supplemental programs are widely varied in size, with many small programs and fewer large programs. The distribution shows lots of small programs with 1,000 or fewer course registrations, and a much smaller number of large programs with 10,000 or more course registrations. The smallest programs, with 500 or fewer course registrations per year, tend to be run by districts or other local education agencies (LEAs); 64% of the programs with fewer than 500 course registrations fall into this category. At the other extreme, nearly all the supplemental programs with more than 5,000 course registrations are state-led programs such as the programs in Florida, Michigan, Alabama, Louisiana, and Idaho. The one large program exception is the Virtual High School Global Consortium, which works directly with school districts across many states and internationally.

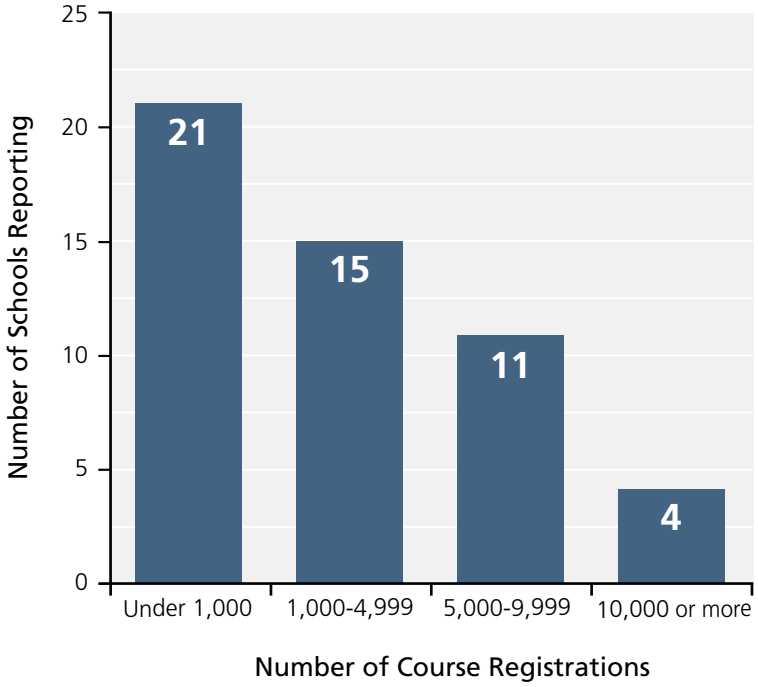

Figure 4: Number of Course Registrations in Supplemental Programs, Summer 2007-Summer 2008

Size of full-time schools

The size of full-time schools is based on the total number of students enrolled, or FTE. The largest of these in the survey were the Pennsylvania Cyber Charter School, with 7,798 students, and the Ohio Virtual Academy, with 5,225 students. Nearly two-thirds had fewer than 1,000 students.

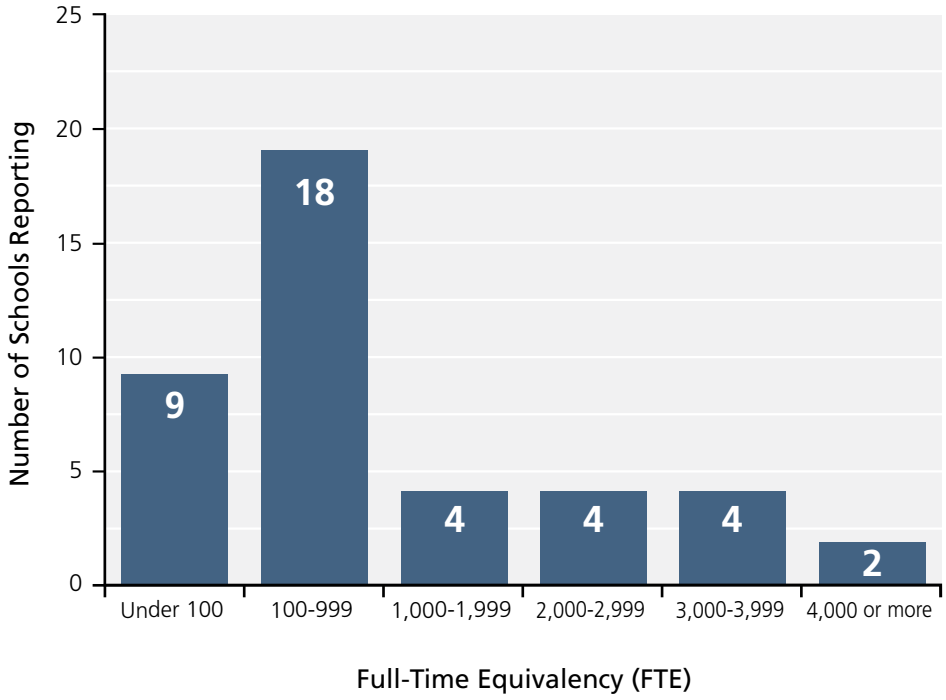

Figure 5: Size of Full-Time Schools (FTE), School Year 2007-2008

Comparing size of supplemental programs and full-time schools

Although the full-time schools may look smaller at first glance than the supplemental programs, the numbers are not one-to-one comparisons. The full-time programs count student FTE, which are often the equivalent of about ten or twelve one-semester courses in a year. The ranges of sizes of supplemental and full-time programs are roughly the same.

Growth rates

Many supplemental programs are continuing to grow rapidly, with nearly one-third increasing more than 50% annually.

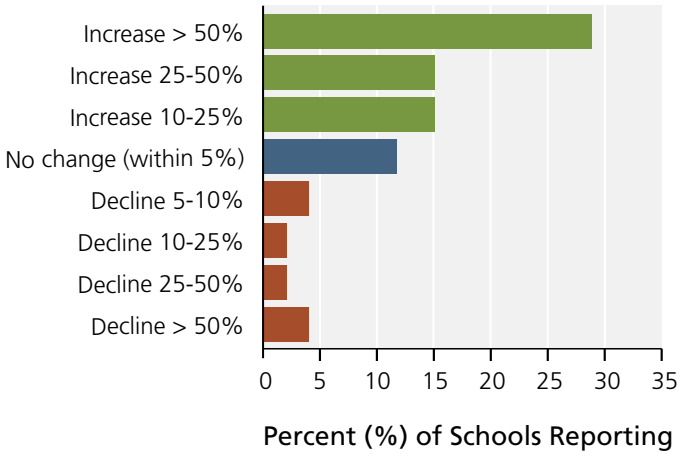

Figure 6: Annual Change in Course Registrations in Supplemental Programs

Unlike the supplemental programs, the biggest growth category for the full-time programs is no change (within 5% of the previous year). Of the 21 schools that did change in size, 17 grew—and 10 of the 17 grew by 25% or more. The total number of full-time students is growing along with the continued increase in the number of new full-time programs.

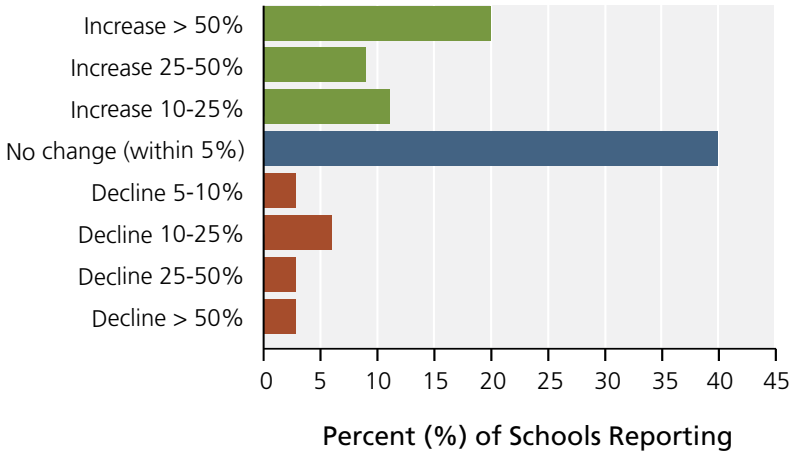

Figure 7: Annual Change (FTE) in Full-Time Programs

Many of the fastest growing programs are also among the largest; it's not the case that programs grow to a certain size and then stagnate. Among the full-time programs, the second largest school in the survey grew by more than 25%, and among the supplemental programs, the largest (FLVS) grew by more than 50%. In fact, the history of FLVS shows sustained high growth rates over time.

Evolution of online programs

When programs were asked if they were satisfied with their size and growth rate, they were split about evenly: 47% responded that they are satisfied, while 53% said they would like to grow more quickly. Of those who said they would like to grow more quickly, the most common reasons for slow growth was lack of funding (66%) and legislative restrictions (43%). Respondents could choose more than one reason, so in some cases the legislative restriction may have been lack of funding. Of the programs that cited lack of funding as a factor limiting growth, over three-quarters (79%) were supplemental programs. This suggests that the programs receiving public education FTE funds are more likely to be satisfied with funding than the programs that are dependent on other funding sources.

Counting the entire group, including those who are satisfied with their growth, 12% cited IT/infrastructure limitations, 9% cited lack of courses or course content, and 4% cited lack of highly qualified staff as factors limiting growth. It appears that teachers, content, and technology are not significantly limiting factors. In the case of the IT infrastructure limitations, based on the comments it appears that these programs are supplemental and rely on local schools to provide computer and Internet access for students, and in some cases they are not able to get enough computers for the students.

Types of students and courses

In the early days of online learning there was a common perception that online courses in supplemental programs were primarily for advanced or honors students. Whether or not that was ever true, it is clear today that these programs serve a variety of students. Programs were asked the percentage of students taking Advanced Placement and credit recovery courses, and the results suggest that there are more students in credit recovery courses than in AP courses. The results are complicated because what constitutes a credit recovery course is not as clear-cut as an AP course; this confusion is shown by the 22% of responding programs that don't know what percentage of their course registrations are for credit recovery.

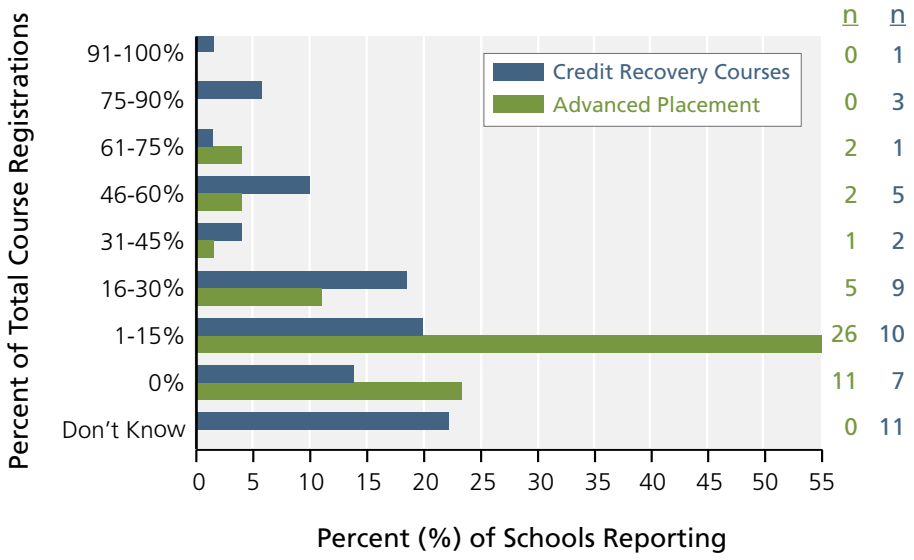

Figure 8: Percentage of Course Registrations

Notes from the field

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Each year we ask a few researchers and practitioners to contribute articles to Keeping Pace. *Although in some cases these articles are written by* Keeping Pace *sponsors, they are not primarily based on the research done for* Keeping Pace, *and often reflect the experience of the authors in a specific area of expertise.*

Special Education in Online Learning

Marjorie Rofel and Mickey Revenaugh

Marjorie Rofel is Director of Special Education, and Mickey Revenaugh is Vice President for State Relations for Connections Academy.

Special education provides a unique lens on current state online learning policy and the evolution of online learning itself. Experienced online providers have now been working with special needs students for years, and have collectively seen almost every possible permutation in approach to special education. Some trends worth noting include:

- Online learning is now officially on the radar screen of the National Association of State Directors of Special Education, which issued a special report in January 2008 entitled "Demystifying Special Education in Virtual Charter Schools."[2] Structured as a series of questions and answers under headings such as "Service Provision" and "Assessment and Accountability," the report captures the typical practices of cyberschools around the country while referring back to relevant law. "Many view virtual schools with reserved puzzlement and the idea of special education and related services in this environment with outright skepticism," note authors Lauren Morando Rhim and Julie Kowal. "Our examination of special education in the virtual environment dispelled many misconceptions about what exactly virtual education is and opportunities this mode of instruction can provide to students across the spectrum of disability categories."

- Although the default approach in many states is to leave responsibility for special education with the virtual student's district of residence, implementation varies so radically as to raise occasional concerns about disenfranchisement. While some state education agencies, such as Missouri's, use their leverage over the districts, the online learning program, and special education oversight to ensure active provision of services for virtual learners, other states leave virtual programs and districts to work it out on their own, with decidedly mixed results. Where parents of special needs students have the option to leave their traditional school structure and enroll full-time in an online program, they are often reluctant to reconnect with the district for special education services, and may choose to exit special education altogether. In supplemental online programs, the student's district of residence often remains the primary special education services provider. The online teacher is responsible for

[2] Report is available at http://www.uscharterschools.org/specialedprimers/download/special_report_rhim.pdf

making accommodations within the course, but communication must occur with the district of residence to ensure that special needs are known.

- As online learning matures as a field, we are seeing more diverse disabilities among the special education students choosing virtual schools. In any public school setting, specific learning disabilities such as dyslexia along with speech and language disorders are the most common qualifying issues for students in special education, and the same has been true of virtual schools. However, the data suggest that virtual schools, as they become increasingly mainstream, are beginning to serve more students with visual impairments, hearing impairments, and other "low incidence" disabilities.

- Autism and related issues such as Asperger's syndrome are continuing to increase as disabilities presented by virtual school students. While some of the increase may be due to more public attention to these disorders and therefore more frequent diagnoses, virtual educators can attest to the effectiveness of the online environment for many students with autism spectrum disorders. Working in an individualized environment free from the sometimes agonizing social interactions of the regular classroom can be very beneficial for children with autism. Because parents of children with these conditions are often in touch with one another, when one such child has a positive experience in a virtual school, the parents of others are likely to seek the same.

- Online learning provides some advantages over physical schools in addressing the needs of special education students in some cases, and virtual schools are becoming more sophisticated in their use of technology for providing special education services. In addition to ensuring that students have adaptive technology for their own use, online special educators are using webcams and microphones to provide speech and language services, and web conferencing software for direct instruction as required by a student's Individualized Education Plan (IEP).

Despite this progress in serving students with special needs, the remarkable growth in online learning presents some new challenges. In particular, as more and more students split their time between a physical school and an online school or take individual online courses—often taught by adjunct faculty with whom they interact for that class only—how do we ensure that students' IEPs are being addressed? Communication between physical schools and online schools, and creative thinking about meeting students' special needs, is essential in order to realize the tremendous potential that virtual learning represents for special learners.

Communication in Online Programs

Susan Lowes, Ray Rose, and Donna E. Scribner

Susan Lowes is Director of Research and Evaluation at the Institute for Learning Technologies at Teachers College, Columbia University. Ray Rose is the Director of Programs and Partnerships, MentorNet. Donna E. Scribner is Chief Learning Officer for the Virtual High School Global Consortium. A longer version of this research will appear as part of a NACOL Research Brief on Quality and Effectiveness in K-12 Online Teaching, to be published in fall 2008.

A key component of online education policy and practice is around communication: teacher-student, teacher-parent, and/or student-student communication. To learn more about communication in online programs, the NACOL research committee conducted a survey to determine:

- Do online schools have written policies regarding communication between teachers and students, teachers and parents/guardians, and students with students?
- If so, what do these policies cover? In particular, are they setting expectations around the *frequency* and/or the *content* of communications?

This survey was different than the *Keeping Pace* survey. The 81 valid responses overlapped with the responses to *Keeping Pace*, but there were numerous programs in one survey or the other, but not both. Similar to the *Keeping Pace* survey, the full range of online organization types (state-led, full-time online charters, district programs) was represented.

Key findings include:

- Almost 85% of programs that responded reported that they had at least one type of policy in place, with over 40% having all three types of policies (covering teacher-student, teacher-parent, and student-student communication).
- More than 80% indicated that they had policies in place regarding the kind, or the amount, of teacher communication with students, while an additional 9% stated that they were planning to institute such policies but had not yet done so.
- On the other hand, only 53% reported that they had policies in place regarding the amount and content of teacher communication with parents, although 16% said they were planning to create such policies.
- 58% said they had policies in place regarding student-to-student communication, with eight saying they planned to do so.

It appears that those that reported that they did not have student-student policies were generally schools that do not have, or do not emphasize, student-to-student communication, particularly those whose courses are self-paced, with the students keeping to their own schedules.

Teacher-student communication

Most policies regarding teacher-student communication covered both the frequency and the content of the contact, with 85% having policies about frequency of contact via email, 77% having policies regarding frequency of contact by phone, and 54% having policies regarding

frequency of contact through discussion forums. Forty-seven percent of the responders reported that they had policies about frequency of contact through synchronous platforms (such as Elluminate, NetMeeting, Wimba). The inclusion of these (relatively) new online tools is an indication of how rapidly the field of online learning is changing and adapting to emerging technologies.

In addition, 82% indicated that they have policies in place regarding the content of teacher contact with students, and 68% have policies regarding the content of student contact with the teacher.

In open-ended responses to a question that asked about the content of these policies, it was clear that the method of responding (synchronous, asynchronous, phone, email, message board) was not as important as the timeframe. The requirements for the quantity of contact between teacher and student, as well as the mode, varied widely: some reported that they expected a minimum of twice a month, others once a week, others two or three times a week, and others daily. Some required that this be by phone, but for others the modes of contact included email, discussion forums, and synchronous platforms, and most schools seem to require their teachers to use more than one of these (i.e., email and phone, or phone and synchronous platform). Most required that teachers respond to students within a specific time frame—generally 24 hours. Most also require teachers to get in touch with their students within one or two days of enrollment. Schools tend to require more contact with younger students, and most reported that, aside from the response-time requirement, they expected that the frequency of contact would vary by the age of the students and the content of the course.

Teacher-parent communication

A large majority (74%) of the responders reported that their policies about teacher-parent communication addressed frequency of contact, both via phone and email. On the other hand, both synchronous platforms and discussion forums are clearly less common means of communicating with parents, and only 26% reported that their policies covered synchronous platforms, while only 14% reported that they had policies in place for discussion forums.

In many schools, teachers are required to speak to parents regularly to review student progress, but the frequency varies widely, from once a quarter, to once a month, every two weeks, or weekly. However, all require much more frequent contact with students who are doing poorly or who have high rates of absenteeism.

Student-student communication

Unlike communication involving teachers, which was more often about frequency than about content, most student-student communication policies center on content. Forty percent of schools reported that they had their own policies regarding student-student communication, while 9% followed the site-based school's Acceptable Use Policies (AUP); and 10% said they used both. Some noted that while they required that student discussions use appropriate language, they also noted the discussion must be relevant to the topic and be positive in tone. One added that the nature and size of images in personal profiles was also subject to proper etiquette.

Evaluation in Online Learning

Liz Pape, Matthew Wicks, Christopher Brown, and W. Patrick Dickson

Liz Pape is CEO of the Virtual High School Global Consortium. Matthew Wicks is President, Matthew Wicks & Associates, Inc. Chris Brown is Senior Vice President of Research, Pearson. Patrick Dickson is Professor of Educational Psychology & Educational Technology at Michigan State University.

The rise in the number of online programs, of various organizational types, sizes, and educational approaches, raises numerous questions for educators and policymakers around a central idea: How good are these programs? Specific questions about student achievement could include the following, however an online program evaluation could focus on issues beyond student outcomes and achievement, such as equity, access, and development of online teachers:

- What population(s) of students are being served?
- What level of student learning is being achieved?
- Whether student outcomes have improved or not, why is this so?
- How can student outcomes be further improved?

Program administrators can help answer these questions through a variety of research and evaluation efforts, and policymakers are increasingly expecting online programs to report on their results. However, there are a variety of program evaluation considerations that should be addressed at the start of implementing an evaluation.

Internal vs. external evaluation

Evaluation processes can either be internal (conducted by internal staff) or external (conducted by an outside individual or team). External evaluations tend to look at an entire program and provide the benefit of bringing in an outside perspective that may uncover potential weaknesses or add credibility to results. External evaluators also may receive more unfiltered feedback from a variety of stakeholders (parents, teachers, local school administrators) than the program administrators might receive. The main drawback to external evaluation is time and expense, both in hiring someone from outside the program and also in the need for the evaluator to become familiar with the program. Some programs combine internal evaluations that are done every semester with external evaluations that are done every year (or less often). The external evaluation can be used to help establish data gathering procedures for ongoing internal evaluations. Regardless of whether the evaluation is internal or external, it should be an ongoing part of a culture of continuous improvement.

What to evaluate

An evaluation should be closely tied to the stated mission of the online program, to address the question of how well the program is meeting its goals. It might also address issues identified during program implementation. If the goal of an online program is to give students more opportunities for recovering course credits in order to graduate, then two evaluation measures could be the number of credit recovery courses being offered, and the graduation rate for students in those courses. If the mission of the online program is

to increase 21st century learning opportunities for a district's students, possible evaluation criteria include 1) the number of new courses available to students; 2) the increase in student proficiency in use of Web 2.0 tools; and 3) the increase in teachers' use of Web 2.0 tools in classroom and online instruction. It is helpful to categorize the evaluation metrics into immediate, intermediate and longer-term outcomes and then to ensure that the evaluation measures all three types, with different expectations for pace of change. An immediate outcome might be students' increased use of an electronic library or instructors' increased use of background content resources, whereas a longer-term outcome might be an increased graduation rate. Experienced evaluators can provide a number of possible variables to consider in an evaluation.

Who should be involved

In order to ensure that evaluation makes a difference in practice, it is crucial to the success of any evaluation to ensure that all stakeholders are sufficiently consulted and that they buy in to the evaluation process. This provides better inputs, enhances the quality of the results, and in most cases increases the opportunities to use the results. For evaluations that are part of a continuous improvement approach, this is essential.

When to evaluate

One of the benefits of an on-going evaluation process is the ability to quickly gather the critical data which measure program success, in order to make needed changes on an on-going basis. Semester-based data (such as course completion rates, student drop rates, student achievement levels, technical and administrative support satisfaction rates) should be quickly calculated so that needed changes can be identified and implemented as soon as possible. Understanding how to effectively develop and use an evaluation program can not only help to answer questions about the effectiveness of an online program, but can also play a crucial role in improving a program.

The future of evaluation in online learning

The online environment offers an exceptional opportunity for enhancing student learning by using the rich data automatically gathered by learning management systems, and offers opportunities for continuous assessment and improvement. Students are in a sense "entering their own data" in real time, and this data is collected by the learning management system. Gathering such fine-grained information about students in traditional face-to-face classrooms is almost impossible and would certainly cost a fortune.

Data routinely gathered by the learning management system include the time of day, day of week, duration of students' logins, completion of assignments, scores on quizzes, and participation in discussion forums. These data can provide students, instructors, course designers, and program administrators a rich description of overall student activity in a course and detailed "observations" of individual students. Such real-time data can be immediately "actionable" in the sense of enabling an instructor to make data-informed decisions about how the course is doing overall and how individual students are progressing.

Research at the Michigan Virtual School has shown that even such simple measures as frequency of activity (number of clicks) were highly predictive of student success.[3] This research also showed the wide variation in patterns of student activity in the trajectories of individual students over time and the variability among online courses.

Until the advent of online courses, administrators and teachers did not have such rich, real-time data at their fingertips. Because online learning is still quite new, it is not surprising that educators are only beginning to understand how to make use of these data to provide fast feedback to students and mid-course corrections based on overall patterns of student performance. In addition, although the data are available, the current data displays are often poorly designed for use by busy teachers.

By focusing increased attention on understanding and using data on individuals and courses with a view to informing pedagogical decisions while the courses are in process, we may gain greater insight into what makes a course "good" for which individual students than can ever be inferred from evaluations based on end-of-course data alone. Most importantly, some changes can be incorporated immediately, while others are part of ongoing improvements to course design and teaching practices.

An International Perspective on K-12 Online Learning

Allison Powell

Allison Powell is Vice President, North American Council for Online Learning. This article is based on information from an international survey of online learning initiatives conducted by NACOL.

In the United States there is increasing acceptance of online learning in grades K-12, as more and more students and parents choose the benefits and convenience of online courses and schools. Many people, including policymakers and educators, don't realize the extent to which online learning is being implemented in countries across the world.

Research has been done on several virtual schools in North America; however, relatively little information has been made available in the U.S. about current K-12 online learning initiatives in other countries. Multi-billion dollar deals and national e-learning plans and initiatives are being developed to bring online learning to K-12 students all over the world. A few examples are highlighted below:

- In September 2007, the UK and China signed a deal to create e-learning content for 20 million Chinese students to access content beginning in the spring of 2008. With this deal, education is now seen as a top export for the UK, bringing in over £28bn for the economy, more than the car and financial services industries.[4]
- New Zealand, Hong Kong, and Singapore have developed national Information and Communication Technology (ICT) plans with sections on how to effectively integrate e-learning throughout their individual nation's K-12 education systems.
    - In Hong Kong's *IT in Education Strategy 2004* plan, the development of e-Learning in local primary and secondary schools in the next few years was discussed.[5] In Hong Kong, they believe that e-learning is not likely to take over

[3] Dickson, W. P. (2005). Toward a deeper understanding of student performance in virtual high school courses: Using quantitative analyses and data visualization to inform decision making. Report submitted to the Michigan Virtual University, July 21, 2005.

[4] UK and China Sign e-Learning Deal. September 24, 2007. http://news.bbc.co.uk/1/hi/education/7010282.stm

[5] http://www.emb.gov.hk/index.aspx?langno=1&nodeID=2497

face-to-face teaching; however, the use of Information Technology, including e-learning, is enhancing student learning and is practiced daily in Hong Kong schools.

- The New Zealand Ministry of Education's *Enabling the 21st Century Learner: An e-Learning Action Plan for Schools 2006-2010* provides multiple goals for implementing e-learning within the schools and supporting a wider range of digital and ICT tools. They believe e-learning has the potential to transform the way students learn and want to reorient their educational system away from the organization and bring the learner to the center of the system by personalizing each student's learning. They believe they can do this by providing a flexible system using online learning.[6]

- At the turn of the century, Singapore's Ministry of Education also decided to move towards a more ability-driven and learner-centered mode of education. The second phase of the country's ICT Masterplan, which was launched in 2003, focused on students and teachers using online tools to discuss, research, and develop technology for learning.[7] From this plan, the country has already implemented a nationwide learning management system and as of November 2006, 100% of secondary students and 85% of primary schools (grades 1-6) were using it for teaching and learning on a daily basis.[8]

Several other countries such as Canada, Australia, Turkey and Mexico have integrated successful models of virtual schools and online learning for students in their K-12 education systems. Highlights of these and several other countries can be found in *An International Perspective of K-12 Online Learning: A Summary of the 2006 NACOL International E-Learning Survey*[9] which identified online learning initiatives and projects in these countries. While the size, government and policies related to online learning across the globe vary, we can learn from others processes and experiences, both positive and negative, for implementing successful e-learning programs and policies within our schools in order to build new and grow current online learning programs in different environments.

The Virtual School Clearinghouse

Rick Ferdig

Rick Ferdig is Associate Professor and University Research Foundation Professor in Educational Technology at the University of Florida.

Access to data can fundamentally change the quality of service a virtual school provides to its students, teachers, parents, mentors, and administrators. Unfortunately, according to research by my colleagues and I at the University of Florida, many virtual schools do not currently collect or analyze data outside of simple reporting measures (e.g. how many students took classes). Those that do collect data may only focus on one or two areas of data collection rather than attempting to analyze a broad spectrum of data to improve

[6] New Zealand Ministry of Education. (2006). *Enabling the 21st Century Learner: An e-Learning Action Plan for Schools 2006-2010*. Wellington, New Zealand: Learning Media Limited

[7] Singapore Ministry of Education. (2003). Masterplan II for ICT in Education. http://www3.moe.edu.sg/edumall/mp2/mp2.htm

[8] Powell, A. and Patrick, S. (2006). *An International Perspective of K-12 Online Learning: A Summary of the 2006 NACOL International E-Learning Survey*. Vienna, VA: North American Council for Online Learning

[9] Report available at http://www.nacol.org/docs/InternationalSurveyResultsSummaries.pdf

their practice. In response to this need, the University of Florida team was funded by AT&T Foundation to create the *Virtual School Clearinghouse* (http://vs.education.ufl.edu). The Virtual School Clearinghouse serves four main audiences: a) virtual schools; b) virtual school researchers; c) practitioners; and d) the general public.

Virtual schools

The main goal of the project is to help virtual schools collect and analyze data. A virtual school leader can log in to the site and download a data template. After filling in any or all of the variables, the leader can upload the data file to the site and instantly analyze that data. There are currently over 70 reports that can be run depending on the amount of data that was uploaded. Many schools that collect data generally only focus on simple student data and teacher data. This enhanced data structure not only helps gather additional data from teachers and students, it also helps virtual schools understand the value of the course (e.g. who created it), the course instance (e.g. what course was offered, when, and where), various entities (e.g. schools that send students for various courses), and the role of the other (e.g. administrators, mentors, and parents). Virtual schools that use this free resource have instant access to reports ranging from gender and race to special needs, and from course averages to teacher effectiveness.

Virtual school researchers

In 2004, a report was released that documented a relative dearth of research related to teaching and learning in K-12 virtual schools. Since that time, a new research body has emerged and a foundation for understanding the field is beginning to take shape. A second goal of the Clearinghouse is to provide a repository of information for those interested in research on teaching and learning in K-12 virtual schools. Any public user can freely access the site to view a bibliography (currently with almost 300 article references), a list of virtual school journals, and a list of virtual school research websites. Any user that creates a free username can also add to the database repository and can make comments on specific articles, websites, or journals.

Practitioners

In order to improve teaching and learning in K-12 virtual schools, it is critical that research findings are shared with those involved in the day-to-day activities of virtual schooling. The repository is an excellent location for researchers to share their findings with other researchers and with practitioners and policymakers. Additionally, the Clearinghouse has a Videos/Media feature. This section of the website provides media (e.g. audio and video) related to best practices in virtual schooling, important topics for policymakers and practitioners, and instructional videos for improving virtual school teaching.

The general public

Although virtual schooling numbers continue to rise, K-12 virtual schooling is new to many in the general public. A third goal of the Clearinghouse is to provide a location for the parents, teachers, administrators, and others who might be new to virtual schooling to gain in-depth knowledge about teaching and learning online. The article repository and the media feature are excellent links to share with those who might be new to teach and learning online.

Key policy issues

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This section is based on the research into state online learning policies and practices across all 50 states.

Student achievement

Student achievement is measured in different ways by supplemental programs and full-time programs.

For full-time online schools, measuring student achievement is relatively simple, because these schools are responsible for their students' state assessment scores in the same way as all public schools. These schools are also typically subject to state reporting and accreditation requirements to the extent that they exist in each state.

One challenge for some online schools is that they often have a high percentage of at-risk or disadvantaged students. Some of the state audits of online programs, for example, reported that the online schools had test scores below the state average. Educators, whether with online or traditional schools, recognize that comparisons against state averages can be problematic for schools that serve disadvantaged students, but the state audits and other reports often don't delve into the types of students in specific schools.

Some states are moving towards gauging student achievement based on growth models that track the year-to-year achievement of each individual student, instead of the previous approach of comparing this year's test scores to the test scores of last year's students. This approach to tracking student achievement is welcomed by many online schools that feel that it better represents their work with a variety of students.

Most supplemental online programs are not responsible for a student's state assessment scores, because the students are enrolled in another public school. Student achievement in these programs is therefore assessed by one or more of a set of metrics that include:

- student grades in the class
- course completion rates
- end of course tests (in the states that have such tests)

In most cases, the supplemental program reports a grade to the local school, which grants the credit. Therefore the local school is in effect responsible for validating the quality of the course and the student's achievement in that course.

Instruction

There is increasing recognition in both policy and practice that teaching online requires skills and experience that go beyond those needed for teaching in a classroom. Most

online schools recognize this and have extensive professional development requirements for teachers, many of which combine face-to-face and online training. Some of these requirements are formal policies that are created by the state, such as the professional development requirements for teachers at the Georgia Virtual School. However, there are still a few states that recognize the need for professional development that is specific to online teachers as a policy matter. Most states still have no requirement for online teachers to be licensed or to receive professional development beyond what is required for all classroom teachers, but a few states are moving in this direction. For example:

- Wisconsin's online learning bill passed in 2008 requires that as of July 1, 2010, a person teaching an online course in a public or charter school must have completed at least 30 hours of professional development designed to prepare a teacher for online teaching.
- Hawaii's 2008 online learning law calls for developing and establishing "a mentoring and training program for online teachers, collaborating with the University of Hawaii department of educational technology as needed," and developing and establishing "an online training program to increase the number of highly qualified teachers, administrators, and paraprofessionals."
- The Texas Virtual School Network (TxVSN) legislation states that the TxVSN shall provide or authorize online professional development courses for teachers who are teaching in the network, and requires that teachers must successfully complete "the appropriate professional development course" provided by the network prior to teaching for the TxVSN.[10]
- South Dakota requires that distance learning instructional staff must annually demonstrate proficiency in delivering instruction using the distance learning provider's delivery system.
- Alabama's policy recognizes the need for professional development for both online teachers and facilitators in local schools. Teachers "must have participated in in-service education, sponsored by the providing institution, pertaining to instructional methodology and technical aspects of online delivery… All online courses shall have an adult facilitator approved by the local school who has completed professional development in online methodology and technical aspects of Web-based instruction and serves as a liaison to on-line teachers and providers."

Blended learning policy

Programs that combine Internet-based instruction with face-to-face instruction are becoming increasingly common. About 22% of programs responding to the Keeping Pace survey indicated that they use a combination of online and face-to-face instruction. These blended learning programs included a variety of program types—both supplemental and full-time, and from very small to fairly large programs. Because there is a continuum between programs that are fully Internet-based and operate with students and teachers at a distance and programs that are fully face-to-face, defining online schools compared to blended programs, and setting appropriate policies for each, is especially difficult. Some state policies, such as in Indiana, define online or virtual schools based on a percentage of instruction delivered online. Tennessee's online learning law, in contrast, states that virtual

[10] Sec. 30A.111 and 112

schools provide a "significant portion" of instruction online. Indiana's law appears to be much more precisely defined than the law in Tennessee, which leaves open to interpretation what is a "significant" amount of instruction. However, determining a percentage of instruction that is online is no easy task. If a student is reading paper-based text at a distance from the teacher, does this qualify as "online"? The answer seems to be "no," but if so that raises the situation where if the student reads text on a computer screen the instruction counts as online, while if she prints out the text and reads it offline, the instruction would not count as online. Clearly, this is a challenging issue, one that has not yet been figured out by legislatures, courts, or researchers.

Florida's new law recognizes the importance of exempting blended courses from the requirements of its online learning law, stating: "A provider of digital or online content or curriculum that is used to supplement the instruction of students who are not enrolled in a virtual instruction program… is not required to meet the requirements of this section."

With the increase in blended learning programs and schools, there is a second-generation policy dilemma. In previous years, the question confronting legislatures was how to appropriately craft policy for online schools. Because there were few schools that combined online and face-to-face instruction, the policies often simply defined the schools that were subject to online learning policy as those that were teaching online—perhaps a somewhat circular policy prescription, but one that worked in most cases. The lack of a significant number of blended programs meant that the question of whether there is a threshold level or percentage of learning that is online that is necessary to trigger the online learning policy was not addressed. More recently, research studies and some legislation have shown the need to distinguish between schools that are 1) using the online environment to an extent that puts them into the category of schools subject to online policies, and 2) those schools that may be using the online environment, but not at this threshold level. Some studies, such as one published by the Sloan Consortium, simply define a school or class based on the percentage of instruction that occurs online, as follows:[11]

Proportion of content delivered online	Type of course	Typical description
0%	Traditional	Course with no online technology used —content is delivered in writing or orally.
1 to 29%	Web Facilitated	Course that uses web-based technology to facilitate what is essentially a face-to-face course. Uses a course management system(CMS) or web pages to post the syllabus and assignments, for example.
30 to 79%	Blended/Hybrid	Course that blends online and face-to-face delivery. Substantial proportion of the content is delivered online, typically uses online discussions, and typically has some face-to-face meetings.
80+%	Online	A course where most or all of the content is delivered online. Typically have no face-to-face meetings.

[11] Online Nation: Five Years of Growth in Online Learning, I. Elaine Allen and Jeff Seaman, Babson College and The Sloan Consortium, October 2007. Note that the Sloan report studied online learning in post-secondary education.

While the categories defined by the Sloan study are useful, the question of how to determine the percentage of content delivered online still remains. This issue is particularly true in lower grade levels, in which students typically spend less time working online than their high school counterparts, and instead may be reading print materials, writing in a journal, or calculating math problems in a workbook. If these activities are assigned and graded by an online teacher, do these activities count as time online?

It is not clear that defining online courses based on the percentage of instruction that is online is sufficient, and some legislation goes into more detail in defining online courses. The Texas legislation creating the Virtual School Network, for example, has a robust definition of "electronic courses" as courses in which

> "(A) Instruction and content are delivered primarily over the Internet;
>
> (B) A student and teacher are in different locations for a majority of the student's instructional period;
>
> (C) Most instructional activities take place in an online environment;
>
> (D) The online instructional activities are integral to the academic program;
>
> (E) Extensive communication between a student and a teacher and among students is emphasized; and
>
> (F) A student is not required to be located on the physical premises of a school district or open-enrollment charter school."

The Texas definition defines electronic courses in a way that separates these courses not only from blended learning, but also from instructional materials such as Plato or NovaNET that may be digital or online.

Access to online courses

The key emerging question in online learning policy revolves around access to online courses. Now that online schools and supplemental programs are available to students in many states, online courses have been shown to be successful in many examples across the country, and the state legislatures that have wrestled with access issues have all decided that online options should be available to students, there is no valid reason that students should be restricted from taking online courses. However, in too many states such restrictions still exist. These restrictions usually vary by program type.

Access to supplemental online courses of state-led programs

With state-led programs, three important questions exist around access:

1) Are students informed about the online courses offered by the state program?

2) Do students have the right to choose the online course? Alternatively, does the student's home district have the right to tell a student that the online course is not available to him or her?

3) If the student chooses an online course, is funding available to allow that student to take the course?

These questions are tied to funding, because if the supplemental program is funded by a state appropriation, then demand for online courses may outstrip available course slots. Two types of ways to ensure that supplemental online courses will be available to students are 1) the state legislature funds the online program at a level that will meet or exceed demand, and the legislature revisits that funding level yearly to stay ahead of demand; or 2) the funding of the supplemental program is tied to the number of students or course registrations. One way to do this is to use the public education funding formula and have the funding follow the student. The growth of the Florida Virtual School has been in part fueled by this funding model, which is rare among the state-led programs.

Among the state-led programs that are largely dependent upon state appropriations, the Idaho Digital Learning Academy has been among the best supported in terms of not only total funding, but also with a funding model that ties funding to the number of students in the program. From 2003-2004 to 2006-2007, IDLA received an annual appropriation from the Idaho Legislature. The initial appropriation was $450,000 and increased to $1.1 million. Enrollments during this time increased annually at an unpredictable and extraordinarily fast rate. The challenge was to predict enrollments a year in advance to fit the legislative funding timeline and request a sufficient amount of funding. The highly imprecise method of funding-by-estimate created a situation in the fall of 2006 where enrollments increased at a rate higher than the funding allowed. The only options were to cap enrollments, eliminate sections and offerings, or increase fees—none of which the Idaho Legislature would support. This dilemma initiated legislation during the 2007 Legislative Session to finance IDLA on a per-enrollment funding formula while protecting local school districts' funding mechanisms. The 2007 Joint Finance and Appropriations Committee of the Idaho Legislature approved the funding formula allowing IDLA to grow, predict, and plan for the future. The funding formula includes a base funding per 5,000 enrollments and a per-enrollment funding formula to support growth. For the 2007-2008 school year, IDLA received $3.2 million based upon 6,619 enrollments.

The Michigan Virtual School and Alabama ACCESS are other well-funded state-led programs, although the funding for these programs is not based on course registrations. In the case of Alabama part of the funding is going to hardware in schools across the state, so the program's funding cannot be compared directly to other state-led programs with limited hardware needs. Funding for 2009-2010 projects to allow 30,000 course registrations, which would make ACCESS the second largest supplemental program in the country.

One other access issue in supplemental programs is the possibility that states may limit the number of online courses that a student may take from the state-led program. South Carolina limits courses in the Virtual Public School to three per semester and 12 across all high school years. Most other states do not do this, and in fact several of the state-led programs, which are mostly supplemental programs, have a few students who are taking all of their courses from the online program while enrolled in a physical school. Most of these cases are linked to an unusual situation, for example the student may be homebound due to illness or injury.

Access to full-time online schools

The states that have seen the most growth in full-time online learning are those states that allow students to cross district lines and enroll in an online school in another district. This open enrollment allows online schools to achieve the economy of scale that they need

by drawing students from across the state. There are relatively few districts that are large enough to sustain a full-time online school on their own at this point.

Open enrollment has generated controversy in several states, in part because in most cases the open enrollment laws were enacted prior to online schools. The idea behind open enrollment was that most students would cross from their home district to a neighboring district, not that a school would be attracting students from across the state. In most states, the open enrollment laws have been applied to online schools to allow them to attract students across districts.

Online schools change the open enrollment equation, because they are fully capable of serving students from across an entire state, and because in many cases they actively seek students from across the state. The schools and districts attracting students frame the issue as one of school choice, while the districts losing students raise concerns about lost funding and the difficulty of budget planning in a situation where significant numbers of students may switch districts. In addition, in states where funding is based on one or two "count days" for funding purposes, the possibility of a student switching districts right before or after the count day can create a situation where the district receiving funding for the student is not the district that does most of the teaching of that student. Also, in states where funding varies by district, the question is raised as to the proper level of funding—should it be based on the student's home district, or the student's enrolling district? What is the proper funding division if the student takes some online courses through an outside district, and some courses through the district of residence?

One of the most important online learning policy decisions that a state must make is this: In a situation where a student seeks to leave her home district and attend an online school in another district, who has the final say in whether the student may move? Is it the home district, the new district, or the student?

Numerous state policymakers have dealt with this issue, and each state has answered the questions raised above in a unique combination of ways. Most states that had open enrollment laws prior to the creation of online schools have kept them in place, although in some cases they have added reporting requirements between the enrolling district and the home district.

- State education agencies and legislatures in Minnesota, Kansas, Pennsylvania, and Washington, among other states—all of which have substantial numbers of full-time online schools—have policies that support these schools.

- The legislatures in Colorado (in 2007) and Wisconsin (in 2008) affirmed their support of online programs, including full-time programs that draw students from across the state, in laws that were passed after 1) a largely negative state audit of online programs (in Colorado) and 2) a lawsuit that resulted in a judgment that would have closed online schools in Wisconsin, if the legislature had not intervened. In Colorado, funding for most students varies by district, but all online students are funded at the same level (the state minimum). In Wisconsin, the law enacted in 2008 that otherwise supports full-time online schools also caps the number of students attending virtual charter schools through the Open Enrollment Program in any school year at 5,250.

- In Texas, the legislature made clear that it did not support students choosing to move across districts, stating "An open-enrollment charter school… may serve as

[an online] provider school only to a student within the school district in which the school is located or within its service area, whichever is smaller; [or] to another student in the state through an agreement with the administering authority."

- The New Mexico Attorney General issued an opinion in 2008 that the open enrollment law in that state did not apply to online schools, saying "the plain language [of the law]… focuses upon descriptive terms that suggest that, when passing this legislation, the legislature had in mind the physical presence of children in school buildings. The statute does not address distance education/virtual schools."

Almost all states with large full-time online programs have open enrollment policies that allow students the choice to cross district lines. The converse (states without full-time, multi-district online schools do not allow open enrollment) is often, but not always, true.

Funding

Several funding issues exist in addition to those discussed in the paragraphs above. Some states have shown concern about the budgetary impact of students being attracted into public education by new online learning opportunities. In these states, legislation may restrict access to online schools (usually full-time schools) to students who have been in public education in the state the previous year. Tennessee and Colorado are states that have had this provision, although Colorado removed this restriction in the online learning law that passed in 2007. Some states may create exceptions for families in the military, recognizing that military families often move between states.

Many states set a funding limit such that students may not be funded more than 1.0 FTE, or a "usual course load." However, some states recognize the value that online courses can offer to accelerated students, and make funding eligible above 1.0 FTE to these students.

Some states (e.g., KS and CO) have established a level of funding for all online students, regardless of where in the state the student lives or where the online school is located. This approach makes sense for states that have different funding levels for students from different geographic areas of the state, because otherwise the situation may exist where an online student may receive a different level of funding than another online student, even if both are in very similar programs. This does not mean that funding should not be adjusted for student-specific factors, such as whether the student is at-risk; only that funding of online students should not be based on geography. Some might argue that the same logic should apply to brick and mortar schools; the fact that public education funding can vary so widely within a state has been the impetus for multiple school funding equity and adequacy lawsuits over the past several decades.

Planning and implementing online learning policy

Perhaps recognizing that states that did not proactively address online learning policy sometimes ran into controversy, several states have taken an approach to addressing online learning that includes a formal planning process leading to legislation. Both Hawaii and Wyoming, for example, established formal task forces in 2007 that reported to their respective state legislatures, which in 2008 passed legislation supportive of the task force recommendations. New Mexico had previously gone through a similar process that built on the work of the New Mexico Learning Network (NMLN), a core team of state planners

who facilitated statewide e-learning strategies, key legislators, and Governor Bill Richardson. In 2007 the Statewide Cyber Academy Act passed, and in 2008 new distance learning rules were approved.

While this approach does not guarantee that these states won't face policy challenges in future years, it is worth noting that most of the states that had online learning controversies, such as Wisconsin and Colorado, had not previously undergone a formal planning process leading to legislation. In the case of Colorado, after the state audit that questioned online policies and practices was released in 2006, the state did undergo a formal planning process that resulted in legislation in 2007. It appears that Wyoming, Hawaii, and a few other states have learned from the experience of states such as Colorado, leading them to address online learning policy issues before the lack of such policies became a problem.[12]

Online learning for elementary students

While once there was a bright grade-level line separating state-led supplemental programs (often focusing primarily on high school) from full-time online schools (many focusing primarily on grades K-8), that line has begun to blur. Several state-led programs served K-8 during 2008 on either a pilot or permanent basis, while all of the major full-time online providers now offer complete high school programs. As the spectrum of online learning evolves to offer opportunities to students of all ages and learning needs, elementary school students are gradually becoming an integrated part of the online learning audience.

But what does online learning for elementary students really look like? Here are some frequently asked questions and answers.

How widespread is online learning for elementary students?

Of the 44 states with some form of online learning, more than half include opportunities for grades K-8 on either a part-time or full-time basis. Estimates for the total number of K-8 students served in online programs range as high as 45,000 FTEs across the nation.[13] Calculated on a course enrollment basis, with 12 courses per year considered full-time, that's 540,000 course enrollments—a significant portion of any current overall online student count. Given the overall growth in online learning and the push by multiple kinds of providers to offer courses across the grade range, the number of online elementary students is expected to increase.

Who is offering online learning programs for elementary students?

It is now quite commonplace for state-led supplemental programs to offer middle school as well as high school courses. In addition, several state-led programs are now addressing grades K-5, including the Florida Virtual School and the Missouri Virtual Instruction Program (which was designed from the beginning to serve all grade levels). The Mississippi Virtual School also conducted a successful K-8 pilot in spring 2008 and Michigan Virtual School is exploring expanding to grades K-5. These state-led programs are joining

[12] It is important to note that individuals in both Colorado and Wisconsin had previously created a formal planning process, but in both cases the planning did not lead to legislation. In Colorado, the Department of Education convened a stakeholder group that met numerous times and issued several reports in the early years of this decade. However, the recommendations never resulted in legislation, due to lack of leadership by CDE and efforts within the legislature to block any additional oversight of online programs. It wasn't until the state audit of online programs that subsequent publicity led to the passage of a law creating an online division within CDE. Similar efforts in Wisconsin did not result in legislation until the lawsuit spurred action. In both cases, however, the previous planning efforts helped to provide the groundwork for the legislation that eventually passed.

[13] Based on counts from largest K-8 providers plus estimates from others by state

traditionally full-time providers such as K12 Inc., Connections Academy, National Network of Digital Schools, and White Hat Management in serving the elementary grades. In addition, a small but growing number of individual school districts are beginning to take advantage of available curriculum and technology to provide their own online elementary programs, like those in Florida who have been given a push by the legislature via HB7067.

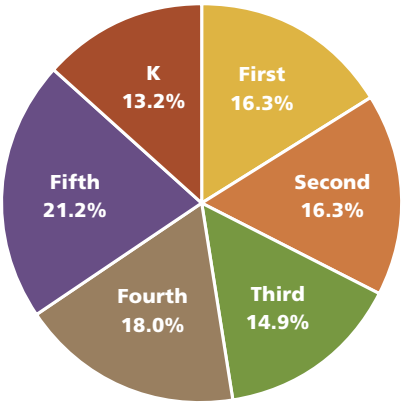


Figure 9: MoVIP K-5 Grade Distribution

Who are these elementary online students?

According to the providers who serve them, students in elementary online programs are similar demographically to their peers in traditional schools. Students tend to be fairly evenly distributed across levels. For example, Missouri Virtual Instructional Program's K-5 program ended 2007-2008 with a grade distribution as shown in Figure 9, with a slightly lower concentration in kindergarten and slightly higher in fifth grade. Programs that serve K-8 often report a slight bump in the middle school years and a slightly smaller kindergarten class, especially in states where kindergarten in general is not mandatory.

The major K-8 providers have seen that their population of students with special education needs directly mirrors the public school average of about 12%. The percentage of students qualifying for free or reduced price lunch ranges from 35-50%, according to school and state reports. Approximately 20-25% of students are members of minority groups, with ethnicity reflecting the particular state being served. The gender breakdown is typically even (for example, Connections Academy schools nationally ended 2007-2008 with 51% female students, 49% male).[14]

Contrary to popular misconceptions, just 30% of students enrolled in full-time elementary online programs were previously in home school or private school settings, according to the major providers. Approximately 10% entered online schools as kindergartners or first graders with no prior schooling. The remaining 60% came to their online public schools from other public schools.[15]

Administrators of online elementary programs report that families seek out these programs for a wide array of reasons, including special learning needs, physical health issues (from allergies to ongoing cancer treatment), pursuit of athletic or performing arts careers, or desire for an individualized learning environment.

How are elementary online programs typically funded and regulated?

Just as in online programs focused on secondary schools, online elementary programs are funded and governed in a wide variety of ways, including line-item state appropriation and per-course fees. Full-time K-8 online programs are often charter schools or contract schools authorized by school districts or a state-level authority, with some subset of regular per-pupil funding following the student into the online program.

[14] Data from Connections Academy and state school report cards for multiple providers in Florida and Ohio

[15] Data from K12 Inc. and Connections Academy

How online elementary programs are regulated also varies from state to state. While front-line oversight is the responsibility of whichever entity authorized the program – for example, the school district that negotiated the contract or the charter authorizer – some states such as Colorado, South Carolina and Minnesota also require state-level approval of curriculum and other programmatic details. Full-time online elementary programs must report attendance just as other public schools in their states do, and most often do so based on electronic logs verified by teachers based on work completed. Students in online elementary programs must also participate in any state standardized testing required of their grade levels and subjects in any other public school, with AYP and performance results publicly reported for their schools. While performance results for online schools vary almost as much as those for traditional public schools, some states have online elementary programs that consistently excel, such as Florida where both K-8 programs made A grades on the state report card for the second consecutive year in 2007-2008.

How "online" is online learning for young students—and can it really be developmentally appropriate?

An important basic point about online education for young students is that relatively little of the students' time is actually spent online. Connections Academy, for example, estimates that the youngest students spend 15% or less of their time online, rising to more than 75% for high school students. These numbers, of course, represent an average across different students and classes. Some students are more comfortable with being online than others at a young age, and some classes are more suited for online content delivery than others. Online programs for elementary students often include a significant amount of instructional materials that are paper-based or hands-on: books, worksheets, manipulatives, and the like. These are often tied to online lessons, but allow students to work away from the computer, develop motor skills, and draw or handwrite instead of having to type.

What is the role of teachers, parents and other adults in elementary online learning?

While online schools use teachers to develop and deliver assignments, to grade work, to assess students, and to decide on student advancement to the next grade, these schools also rely on an adult who is present with the student to help with the student's learning. These adults, called "learning coaches" in some programs, are often parents. However, parents are not always available to help their children directly, and the learning coach may be a grandparent or other responsible adult. For example, Connections Academy estimates that in about 10-15% of cases the learning coach is not the student's parent.

As in online programs for older students, elementary online programs typically use a mix of asynchronous and synchronous tools to facilitate interaction between teachers and students and among the students themselves. For example, one online kindergarten teacher in a presentation before the National Conference of State Legislatures demonstrated how she begins each school day with "circle time" via web conference with her young students from across the state.[16]

What about socialization?

One concern often cited is that students should not simply be sitting at a computer to learn, but should be interacting with other students and learning socialization skills. While this is a concern applied to full-time online students of all ages, it is especially true

[16] Presentation, "Teaching and Learning in the Internet Era," National Conference of State Legislatures Standing Committee on Education, July 22, 2008, New Orleans, LA

of younger students because by the time students have reached high school age they are likely to have pursuits outside of school that engage them with others, such as sports, band, or clubs. Full-time online schools, and parents of students in these schools, often are very active in creating opportunities for the students to meet and interact face to face, whether in academic-related field trips to museums, or events that are purely social. The North American Council for Online Learning (NACOL) September 2008 Promising Practices report, *Socialization in Online Programs,* documents multiple examples of such activities.

How well does online learning actually work for elementary students—and how is effectiveness measured?

In the absence of large-scale empirical research, effectiveness for any online program is measured through a combination of academic outcomes (such as standardized test scores) and user satisfaction. With fewer elementary students overall enrolled in online learning compared to the secondary grades and less standardized test data available (most states do not yet test in grades K-2), the data are at present comparatively scant for elementary online programs. However, the data that do exist are proving persuasive enough to convince more states to give online elementary programming a try. A striking example is Nevada, whose State Board of Education had previously prohibited two new statewide distance education charter schools from serving grades K-3. After hearing evidence of satisfaction rates consistently above 90% among parents of K-3 online students in other states, and recognizing that Nevada's own longstanding Odyssey Charter School had earned "School of Excellence" state report card status for its K-5 online program for the second year in a row, the State Board finally voted in August 2008 to open the statewide online charters to grades K-3.

Conclusion: Will online learning *Disrupt Class*?

5

One of the notable online learning developments of the past year was the publication of the book *Disrupting Class*.[17] The book's lead author, Clayton Christensen, is neither a K-12 teacher nor education administrator. Instead, he is a professor of business administration at Harvard Business School, and has written about innovation and managing change in numerous business-related fields.

Christensen's analysis of the American education landscape starts by applying the same techniques to education that he has used in other sectors of the economy. He makes several points that are shared by many critics of education, and goes on to make some startling predictions. His observations include:

- **Contrary to the common view that schools have changed little in the past century, in fact they have changed in very substantial ways.** However, what they have been asked to do has constantly evolved, so schools appear never to have reached their goals.
- **In seeking to improve achievement of US students, enhancing and building upon students' intrinsic motivation is a key area in which schools can excel.** Christensen believes student achievement is lagging due to factors both within and beyond schools' control.
- **Customizing learning to the student is a key factor in making education intrinsically motivating for students.** Although students have different learning styles and learn in one or a few of many different ways, most schools today are not able to customize learning or to take a student-centric approach, but instead teach from a monolithic, one-size-fits-all method.
- **Schools' use of technology has had limited benefits**, at best, despite the $60 billion that has been spent on educational technology in the past two decades. The reason is that the technology has been "crammed into" existing teaching structures, instead of developing into a new model of teaching.
- **Education has avoided disruptive influences that force fields to evolve and change.** Research from other fields suggests that innovations have large, disruptive effects not when they are placed into existing structures, but when they operate outside of usual channels. One way in which this can happen is when the new product or service based on innovation is initially directed toward non-consumers and competes against "non-consumption"—in other words, meets a need that is not being met and may not even have been yet identified. For example, Apple built its first personal computers for students, not typical business users.

[17] Christensen, Clayton M., Curtis W. Johnson, and Michael B. Horn, *Disrupting Class: How Disruptive Innovation Will Change the Way the World Learns,* (McGraw-Hill, 2008)

The non-consumption space allows the new approach to grow outside the usual constraints and parameters, because it does not initially need to meet all the features, functionality and quality assurance of the established products. The new method has an unconstrained place to grow and flourish to the point where it then can compete with the old method of operating. The competition eventually leads to the new technology-based product or service becoming dominant.

- **Online learning as it is being implemented today is often replacing non-consumption.** Online learning has established its value by filling voids that school districts cannot, or prefer not to, address such as the lack of access to courses, lack of highly qualified teachers, or inability of students to work within the prescribed school schedule. One example is the online Advanced Placement courses that are being offered to students in schools that previously did not offer AP courses. The online courses are not competing directly with AP courses to which students had access; these students often have the choice of an online AP physics course, or no course at all. Similarly, full-time online schools offer a public school option in the home for parents and students who are unable, or choose not, to attend a brick and mortar public school.

Based on these observations in education, and applying his findings from the adoption of technologies in other fields, Christensen suggests that significant change is happening already and that online learning is in the early stages of a very steep adoption curve. He believes that the current monolithic, one-size-fits-all educational model is being disrupted, and will eventually result in a student-centric educational system. A critical tool in making the transition to the student-centric model is online courses, and in the most startling prediction in the book, Christensen suggests that by 2019 about half of all high school courses will be online. However, it is not clear exactly what type of online course he has in mind. It seems that he is not referring to the type of online courses and virtual schools which are primarily in existence now, but rather customizable, modularized online instructional units created by and for students, parents, and educators, perhaps with less teacher involvement than most online courses today.

The book seems to suggest that this future growth is simply based on existing numbers and previous rates of growth, and that it is almost a foregone conclusion. But Christensen goes on to suggest that a key element of making this change happen is that "each school should have one person—and over time an organization reporting to that person—whose sole job is to implement online courses… this person should have broad autonomy and report directly to the principal or district superintendent...should be free to take whatever steps are necessary to bring in online courses to help the children in the school have access to and find the classes they need… This very well might look like a school within a school…"

Do the changes now occurring in online learning appear to support the book's predictions?

One weakness in the model that the book uses to predict change is that it is based on a variety of fields that are relatively free markets in which the consumer makes the purchase decision, compared to public education where the same situation does not exist. In most situations in education, the ability of students and parents to direct their public education funds (as opposed to any funds they might pay out of their own pockets) is limited, because the state is making the funding decisions, and school districts are making the purchase decisions. In many cases today, students and parents have to convince school boards, superintendents, and/or state legislators that online learning options are legitimate. This

is clearly a higher barrier than existed for the consumer in the middle of the last century who gravitated to the portability and convenience of the new transistor radio instead of the sound quality and tradition of the existing radio (to use an example from the book).

Online learning has the capacity to grow, and the early results demonstrate the benefits of students and parents being given the choice of a variety of learning options, from fully online courses at a distance, to classroom-based courses, with blended learning options in between. However, it is not at all clear that online learning will grow in the organic way that the book suggests, or that it will really have the power to change education as we know it — that it will actually end up *Disrupting Class*. In many states today—despite the rapid growth so far—a real or potential barrier exists for students who seek an online course. These barriers are sometimes on the student side (related to access to online courses or the willingness of their school to grant credit for online courses they do take), or on the school side (related to funding or other limiting policies). There are additional barriers that will impede the model of customizable, modularized online learning that Christensen describes as necessary for student-centric instruction: the tremendous amount of funding that Christensen admits will be needed to bring online courses to that level; research into the outcomes achieved with such content; standards for these new courses; and professional development for teachers using a new student-centric instructional approach.

Several important recommendations are given near the end of the book. The first is "[D]on't kill the disruption by having online programs strip away funds from districts or compete as whole schools directly *against* the existing system." Funding is clearly one of the keys to the growth of online learning—perhaps the most important single factor. Christensen's suggestion that online learning be funded without stripping away funds from districts sounds good, but it may be naive.

The simple fact, as legislators repeat time and again, is that all government-funded programs are competing against one another for taxpayer dollars.[18] We live in a world of limited resources. As optimistic as it sounds to say "fund online learning so that it doesn't compete with traditional education," the reality is that online learning programs are either competing *within* education budgets against other forms of public education, or they are competing *outside of* education budgets against everything else that the state is paying for.

Full-time online programs are usually funded by the state's public education funding formula. There is competition between online schools and physical schools for education dollars that are allocated by education funding formulas, resulting (in most states) in the reduction of funds to the districts that lose students to full-time online schools. (The district also sheds at least some of the expense of educating those students, of course.) State-led supplemental online programs usually are not funded by the state's education funding formula. Whether these programs are seen as competing against education dollars, or against non-education dollars, varies by state.

In addition to funding, one of the challenges in developing online learning policy is that the term "online learning" has different meanings for different people. Different online learning courses and programs can have very different levels of teacher involvement, computer technology (such as diagnostic assessments), real-time and asynchronous interaction, and face-to-face elements. *Disrupting Class* takes this level of variation a step

[18] This is especially true of education because education is funded primarily by state budgets, which unlike the federal budget often must be balanced within relatively short time frames. In the U.S. Congress funding debates happen in the abstract, because in the time frame that programs operate the federal budget is open to growth, constrained by politics but not by a hard budget cap. In state budgets there is typically a hard cap, and legislators' wish lists of programs to fund invariably outstrip the available funds.

further, envisioning a world in which online learning entails networks of users (students, parents, and teachers), using modular content that they mix, match, and plug in to fit the various needs of students. This vision is so different than most online schools today that it raises the question of whether today's online schools will be seen as the pioneers of a whole new way of teaching and learning, or as the precursors to an entirely new wave of education.

Even though we don't know whether online learning will eventually match the vision in the book, we do know that it will continue to evolve rapidly if given the room to do so. A second key recommendation in the book is "Don't place artificial limits on what students can take online or what teachers can build online either; if they need access to a class or want to create content and lessons, let them do what they need to do, what they want, and what works best for them." We suggest that this statement should be taken a step further—not only should new artificial limits not be put into place, but the existing artificial limits should be removed. This would entail:

- Ensuring that students and parents are free to choose online courses and schools.
- Encouraging schools of education to incorporate online instruction as part of the curriculum for future teachers, to include pre-service training in teaching online, and creating additional professional development options for certified teachers.
- Allowing teachers to teach across state lines by encouraging reciprocity of recognition of teaching credentials.
- Creating true national content standards so online content does not need to demonstrate alignment with countless different content frameworks.
- Revising accounting standards for funding to get away from count dates, seat time, and other measures that don't apply to the online environment.
- Establishing some standard metrics for basic quality assurance and measurements, such as consistent measures for course completions, etc.

Online learning is growing so rapidly that the possibility that half of all high school courses will be online in little more than a decade is plausible. But that outcome is not likely to happen simply due to momentum, or because technological changes in other fields produced a similar rate of change. It will, instead, require specific policy and funding changes, including and in addition to those suggested above. These policy changes should focus on increasing high-quality online educational choices and opportunities. We believe that students and parents will recognize the value of true student-centric learning, whether it is fully online or a blend of online and face-to-face, and through their millions of individual choices transform education.

Program profiles

6

Online programs continue to proliferate, both in the number of programs and the number of types of programs. This section presents four types of programs and the common attributes among these programs, and then provides short profiles of a few programs in each category. The categories are:

- State-led programs
- Full-time, multi-district programs
- Single-district programs
- Consortium and other programs

State-led programs

State-led online programs are created by legislation or by a state-level agency. They are often, but not always, administered by a state education agency, and usually funded by a state appropriation or grant for the purpose of providing online learning opportunities to students across the state. They may also receive federal or private foundation grants, and sometimes charge course fees to help cover their operating costs. Most of these programs are supplemental, offering courses for students who are otherwise enrolled in a traditional school setting. State-led programs work with school districts and are not diploma-granting agencies.

Most state-led programs share the following attributes:

- **Size:** Most had a few thousand to about 10,000 course registrations (one student taking one semester-long course) in 2007-2008.
- **Funding:** Funded primarily by legislative appropriation, sometimes supplemented by charging course fees and receiving grants (federal, state, or private).
- **Grade level:** Grade levels are primarily high school, with some middle school.
- **Offer mostly supplemental courses:** Most have few or no full-time students; they provide supplemental courses to students who are enrolled in another school full-time.
- **Organization type:** Run by or within the state education agency.

Exceptions to the common attributes above include:

- **Size:** Florida Virtual School is roughly ten times larger than any other state-led program, with more than 120,000 course registrations in 2007-2008. Other large programs (more than 10,000 course registrations) include the Missouri Virtual Instruction Program, Michigan Virtual School, and Alabama Access.
- **Funding:** The growth of FLVS is in part due to its funding, which is based on public FTE funds. Any high school student in Florida can choose an FLVS course without restriction, and the funding tied to that student goes to FLVS. No other state-led program has this funding model.
- **Grade level:** MoVIP is the only state-led program that had an elementary program in 2007-2008. FLVS is adding an elementary program in conjunction with Connections Academy beginning fall 2008.
- **Full-time students:** MoVIP has a large number of full-time students, mostly in its elementary program.
- **Organization type:** Colorado Online Learning and the Michigan Virtual School are (or are part of) non-governmental, nonprofit organizations. Idaho Digital Learning Academy is a government entity but is recognized (by legislation passed in 2008) as existing outside the state education agency. Illinois Virtual is run by the Illinois Math and Science Academy under a contract with the Illinois State Board of Education.

Table 1: State-led programs[19]

The programs listed in the following table are representative of state-led online programs and are not a complete list of state-led programs across the country.

Program name	Start date	Governance[20]	Course registrations 2007-2008[21]	Full-time students
Alabama Access	fall 2005	SEA	18,955	No
Colorado Online Learning	fall 1998	Independent NGO w/ partial state funding	1,931	No
Florida Virtual School	fall 1997	Special school district	Over 120,000	Yes, 700+
Georgia Virtual School	summer 2005	SEA	9,404	Yes, 25+
Kentucky Virtual Schools	spring 2000	SEA	2,214	Yes, <100
Idaho Digital Learning Academy	fall 2002	Gov't entity with governing board, outside SEA	6,619	Yes, 8
Louisiana Virtual School	fall 2000	Run by a local education agency	5,870	No
Illinois Virtual High School	spring 2001	State board contracts with IL Math and Science Academy	4,031	Very few
Maryland Virtual Learning Opportunities	fall 2003	SEA	927	No
Michigan Virtual School	spring 1999	NGO	Over 11,000	Yes, 30
Missouri Virtual Instruction Program	fall 2007	SEA	Over 7,500	Many
North Carolina Virtual Public School	summer 2007	SEA	19,233	Yes, a few
North Dakota Center for Distance Education	1996	SEA	1,808 online	No
South Carolina Virtual School	fall 2007	SEA	7,389	No
Virtual Virginia	fall 2006	SEA	6,118	No
West Virginia Virtual School	spring 2002	SEA	1,705	No

[19] Most of the data are based on the Keeping Pace program survey, 2008, and some additional data are based on the Southern Regional Education Board's Report on State Virtual Schools, September 2008.

[20] Governance/Organization type: SEA means state education agency and NGO means nonprofit, non-governmental organization

[21] The # course registrations is based on the period from summer 2007 through spring 2008. One course registration is one student taking one semester-long course. Because state-led programs are primarily supplemental, the number of course registrations is typically in the range of 20-35% higher than the number of unique students.

Grade levels	Funding[22]	# courses, % licensed	Enrollment types[23]
9-12	State approp, federal, no course fees	44; 50%	Set dates
6-12 (courses 9-12)	State approp, course fees, other small grants	99; none fully licensed but some courses include licensed content	Set dates, students progress as cohort
K-12 (K-5 new in 2008-2009)	Public FTE funds, private grants	90; 5%	Self-paced
6-12	State approp, grants, course fees	125; 0%	Set dates, students progress as cohort
6-12	State approp	74; 60%	Set dates, students progress as cohort
6-12	Course fees, an enrollment funding formula	94; 1%	Set dates, students progress as cohort
6-12	State approp, federal funds	50; 28%	Set dates, students progress as cohort
6-12	State approp, course fees	122; 39%	Set dates, students progress as cohort
6-12 (courses are 9-12)	Course fees; federal funds, $375,000 Title II-D	82; majority are contracted through third party	Both self-paced and set dates
K-12	State approp, course fees, private grants	206; 37%	Both self-paced and set dates
K-5 and 9-12	State approp	84 secondary and 78 elementary; 100%	Both self-paced and set dates
6-12	State approp	62; less than 20%	Both self-paced and set dates
6-12	State approp, course fees	103; 3%	Self-paced
6-12	State approp	43 (11 in pilot phase); 100%	Both self-paced and set dates
6-12	State approp	nda[24]	Set dates, students progress as cohort
6-12	State approp	38; nda	nda

[22] Notes in the Funding column include: "State approp" means a state appropriation; in most cases (except where noted) the appropriation is not tied to the number of course registrations or unique students.

[23] Options are self-paced or with one or more set start and end dates

[24] In the table, nda stands for no data available

Profiles of some state-led programs

ACCESS Distance Learning (Alabama)

The ACCESS Distance Learning program began in October 2005. The program is supplemental, as the students attend their high schools and their high schools award the credit, and is run by the Alabama Department of Education. There are three regional support centers that hire, train, and support the teachers. The geographic region for the program is the entire state of Alabama. The program is available to all public high school students and is free for these schools and students. Credit and non-credit course registrations totaled 18,955 from summer 2007 through spring 2008. The program does not focus on any particular type of student or courses but offers all ranges of courses.

Colorado Online Learning

Colorado Online Learning (COL) is an independent nonprofit organization serving as the supplemental online high school course provider for the state of Colorado. Founded in 1998, COL registered over 2,000 course enrollments for the 2007-2008 school year. COL offers nearly 100 standards-based courses that are taught by Colorado licensed, highly qualified teachers. Over 85% of COL teachers hold advanced degrees, and they serve as instructors in courses with student-to-teacher ratios of 17:1 or less. COL receives partial funding from the state of Colorado and currently serves students in 100 of the 178 Colorado school districts.

Florida Virtual School

Florida Virtual School (FLVS) is a supplemental online program serving students throughout Florida and around the globe. FLVS serves students in grades 6-12 and is currently in the process of developing curriculum to serve K-5 students in response to Florida House Bill 7067. FLVS is the largest K-12 online learning program in the nation with more than 200,000 half-credit enrollments. With more than 98,000 of those still active, FLVS can already boast more than 120,000 successful half-credit completions in 2007-2008. Operating as an independent school district designed to serve the entire state, FLVS is funded through public FTE dollars, with full funding contingent upon student success. FLVS successfully serves a wide spectrum of students, including academically advanced, average, learning recovery, and struggling learners

Georgia Virtual School

Georgia Virtual School (GAVS), established in May 2005, offers a wide-variety of courses to Georgia high school students. Georgia Virtual School serves public, private, and home school students and has expanded its course offerings to 125 unique core curriculum, AP, and elective courses. From summer 2007 through spring 2008, GAVS had 9,404 course registrations. This enrollment increased more than 50% over the previous year. GAVS has added several new supplemental programs including AP Practice Tests, Middle School Math Remediation Resource, and CRCT Remediation.

Idaho Digital Learning Academy

Idaho Digital Learning Academy (IDLA) is a state-led online program, acting as a supplementary service to Idaho public school districts since 2002. With 87% of Idaho districts participating, IDLA served over 6,600 student enrollments in the 2007-2008 school year, including high numbers of students who indicated the particular courses available through IDLA were not offered at their local districts

Illinois Virtual High School

The Illinois Virtual High School (IVHS) is operated by the Illinois Mathematics and Science Academy on behalf of the Illinois State Board of Education. IVHS, launched in 2001, places an emphasis on reaching disadvantaged students as it was created to provide students equity of access to educational offerings regardless of where they live. IVHS is a supplemental program, providing a wide variety of online courses (core courses, electives, AP and other advanced courses) to public, private, and home schooled students in high school and middle school throughout Illinois. From summer 2007 to spring 2008, IVHS had slightly over 4,000 semester enrollments.

Iowa Learning Online

Iowa Learning Online (ILO) is an Iowa Department of Education initiative designed to help Iowa public school districts and nonpublic schools expand quality learning opportunities for high school students through courses delivered "at a distance" using technologies such as the Internet and interactive video classrooms connected to the Iowa Communications Network. Since summer 2004, ILO has served a variety of educational needs and a broad range of learners. ILO is not a school and will not replace local schools in Iowa. It does provide a platform for Iowa educational institutions to share classes statewide.

Kentucky Virtual Schools

Kentucky Virtual Schools (KYVS), formerly named Kentucky Virtual High School (KVHS), began in January 2000 and is a primarily supplemental online course provider for students in the Commonwealth of Kentucky. Kentucky Virtual Schools served approximately 2,500 students in the 2007-2008 school year. KYVS offers 23 Advanced Placement courses, general high school graduation requirements, performance-based World Language courses, credit recovery options and high school electives. In addition to fully online courses, KYVS serves local schools and districts to provide hybrid learning opportunities.

Michigan Virtual School™

The Michigan Virtual School (MVS) is a division of Michigan Virtual University, a 501(c)3 nonprofit organization that works in partnership with K-12 schools to supplement and expand online learning opportunities. The MVS was created by Public Act 230 of 2000 to serve both traditional and nontraditional students, and during 2007-2008 had over 11,000 course registrations. The MVS offers a broad range of core academic courses aligned with state standards, college level equivalent courses, remedial, enrichment and world language courses and innovative online experiences. Other services include Michigan LearnPort®, a statewide Web-based professional development system that provides online courses and training for more than 32,000 active users.

Maryland Virtual Learning Opportunities

The Maryland Virtual Learning Opportunities Program (MVLO), managed by the State Department of Education, is designed to expand the access of Maryland public school students to curricula aligned to the Maryland Content Standards through the delivery of online courses. MVLO offers courses for high school credit in collaboration with the local school systems through the Maryland Virtual School (MVS). MVS is not a school and does not offer a complete high school diploma program. Students may take a course through MVS only with the permission of the local system and the school principal. Credit can only be awarded for MSDE-approved online courses.

Missouri Virtual Instruction Program (MoVIP)

MoVIP began classes in August 2007. Missouri laws make MoVIP one of the most comprehensive state-led programs in the country. MoVIP has full-time and part-students, all grade levels (K-12), and serves both public and non-public students. MoVIP is run by the Missouri Department of Elementary and Secondary Education and hires outside vendors to provide the courseware and teachers. All 115 counties in Missouri have students participating. About 17% of MoVIP students are full-time and 83% are part-time. Only 2% of the secondary students are full-time. The comprehensive nature of the program requires a focus on all types of students.

North Dakota Center for Distance Education

The North Dakota Center for Distance Education (ND CDE) is a nonprofit distance education high school that has been providing educational opportunities to students around the world for over 72 years. Currently, over 170 print-based courses and over 100 online courses are offered to students in grades 6-12. Lessons are evaluated by a highly qualified staff of 27 resident teachers. ND CDE curricular materials are also purchased by many public, private, home and charter schools. ND CDE is one of the largest distance education schools in the nation, with over 5,000 students and over 9,000 enrollments annually, with 1,808 of those course registrations being online and approximately 1,200 online students.

Virtual Virginia

Virtual Virginia is the combination of two former distance education programs, the Virginia Satellite Education Network and the Virginia Virtual Advanced Placement School. During the 2006-2007 school year the two programs merged to form Virtual Virginia. In this merger, instruction moved to full online teaching and learning through a unified course management system. Initially, distance learning programs were designed to meet the needs of rural and underserved students by providing access to more advanced coursework. The current course catalog reflects their initial mission with 24 Advanced Placement courses, three pre-AP courses, and a variety of world language courses not typically found in local school world language offerings.

Full-time, multi-district programs

Full-time online programs, sometimes called cyber schools, are online learning programs in which students enroll and earn credit and diplomas issued by the full-time online programs. Many full-time online schools are charter schools.

Multi-district online programs serve students from multiple districts. Multi-district programs may be state-led, run by a consortium or network of districts, or operated by one district offering an online program to students from other districts.

Many full-time, multi-district programs share the following attributes:

- **Organization type:** Organized as a charter school that is often authorized by a district.
- **Affiliation:** Many schools are affiliated with a national organization, such as Connections Academy, K12 Inc., or Insight Schools, that provides courses, software, teacher professional development, and other key management and logistical support.
- **Geographic reach:** Attract students from across the entire state, in order to achieve scale; therefore most of these schools are in states that allow students to enroll across district lines and have funding follow the student.
- **Grade levels:** Started primarily with elementary and middle school although many are now grades K-12.
- **Funding:** Provided via state public education funds that follow the student.
- **Enrollments:** Most full-time programs have few or no part-time students, and most have enrollments of a few hundred to several thousand students (FTE).

Exceptions to the common attributes above include:

- **Organization type:** Some states (e.g. Washington) that do not have charter schools have districts that are offering online schools to students across the state. In some states such as Colorado, multi-district programs are a mix of charter schools and district programs.
- **Affiliation:** There are many online schools that are not affiliated with a national organization. This is particularly true in Pennsylvania that has 11 cyber charter schools, most of which are independent.
- **Geographic reach:** Multi-district schools in California are limited to drawing students from contiguous counties.
- **Grade level:** Insight Schools started as full-time high schools, and other full-time online high schools exist in many states.
- **Funding:** Some states, for example Colorado, have established funding levels for online students that are different than funding for students in physical schools. FTE funding is sometimes supplemented with federal and/or private grants.

Table 2: Full-time, multi-district programs

The programs listed in the following table are representative of full-time and multi-district online programs. It is not a complete list of programs across the country.

Name	Start date	Organization type
Some of the companies offering full-time online schools		
Connections Academy	fall 2002	Mostly charter schools, some contract schools
K12 Inc.	fall 2001	Mostly charter schools, some contract schools and in some cases districts license content
Insight Schools	fall 2006	Charter schools
iQ Academies, a division of KC Distance Learning	2004	Partners with school districts and charter operators
Full-time online schools and multi-district programs		
Capistrano Connections Academy, CA (a Connections Academy school)	fall 2004	Charter
Ohio Virtual Academy (a K12 Inc. school)	fall 2003	Charter
Insight School of Washington (an Insight school)	fall 2006	Charter
iQ Academy Wisconsin Online High School (KC Distance Learning)	2004	School district-held charter
PA Cyber Charter School	fall 2000	Charter
Hope Online Learning Academy Co-Op, CO	fall 2005	Charter
Minnesota Online High School	fall 2005	Charter
Vilas Online School, CO	2000	Run by school district
Branson School Online, CO	2001	Run by school district
Pinnacle Education, AZ	summer 2003	Charter
Oak Meadow School, VT	1975	Private
Riverside Virtual School, CA	fall 2005	Run by school district
eScholar Academy, CA	spring 2008	Charter
Richard McKenna Charter High School, ID	2000	Charter
Honors High Online of WI	fall 2007	Charter
OHDELA (Ohio Distance Education and Learning Academy)	fall 2001	Charter
Karval Online Education, CO	fall 2003	Run by school district
Monte Vista Online Academy, CO	fall 1995	Run by local education agency

FTE enrollments[25]	Part-time students	Grade levels	Geographic reach
In 2008-2009, ~15,000 students across 15 schools in 14 states	Yes, a growing number	K-12	Across most states in which Connections operates
In 2008-2009, ~54,000 students across 24 schools in 22 states and DC	Very few	K-12	Across most states in which K12 Inc. operates
In 2008-2009, ~6,500 students across 11 schools in 10 states	Yes, some in Oregon	9-12	Across most states in which Insight operates
In 2008-2009, ~3,000 students in schools in six states	Yes	6-12	Statewide in Arizona, Hawaii, Kansas, Minnesota, Washington, Wisconsin
954	No	K-12	Across contiguous counties in California
5,225	No	K-12	Across Ohio
1,047	Yes (3)	9-12	Across Washington
850	Yes	9-12	Across Wisconsin
7,798	No	K-12	Across Pennsylvania
3,270	No	K-12	Across some districts in Colorado, site-based so geographically restricted
273	80	9-12	Across Minnesota
250-499	10-15	K-12	Across some districts in Colorado
500-749	nda[26]	K-12	Across most districts in Colorado
2,000-2,999	Yes (3,334)	6-12	Across some districts in Arizona
750-1,000	~250	K-12	Multiple states
~120 in 2008	Yes (536)	6-12	Across multiple districts in California
100-250	No	6-12	Across some districts in California
750-999	No	9-12	Across Idaho
93	No	9-12	Across most districts in Wisconsin
3,000-3,999	No	K-12	Across most districts in Ohio
1-49	6	K-12	Some not all districts in state
100-249	nda	6-12	Across most or all districts in state

[25] FTE enrollments refers to the number of unique students enrolled in full-time programs and reported to the state to meet funding and other requirements.

[26] In the table, nda stands for no data available.

Profiles of some national companies that operate full-time, multi-district online schools

Connections Academy

Connections Academy operates full-time online schools in 14 states (Arizona, California, Colorado, Florida, Idaho, Maryland, Minnesota, Missouri, Nevada, Ohio, Oregon, Pennsylvania, South Carolina, and Wisconsin) with a total of 15,000 students enrolled in 2008-2009. Most started as elementary schools but now Connections offers grades K-12. The company began operations of its first schools in two states in fall 2002.

Insight Schools

Insight operates 11 high schools in 10 states (California, Washington, Idaho, Oregon, Kansas, Colorado, Nevada, Minnesota, Wisconsin, and South Carolina). Insight schools are high schools and do not include middle school and elementary grades. Insight Schools is a subsidiary of Apollo Group, Inc., operator of University of Phoenix.

iQ Academies, a division of KC Distance Learning

iQ Academies, a division of KC Distance Learning, operates full-time schools in six states, five of which are operated under the iQ Academy brand. The branded schools are in Wisconsin, Kansas, Arizona, Minnesota, and Washington. The school in Hawaii is operated under the name UHM SEED Academy at Kapolei High School. Total student enrollment in 2008-2009 will be approximately 3,000 full-time equivalent enrollments. KC Distance Learning also operates Aventa Learning, Keystone National Middle School and Keystone National High School.

K12 Inc.

K12 Inc. is the largest operator of full-time online schools in the country, with schools in Arizona, Arkansas, California, Chicago, Colorado, Florida, Georgia, Idaho, Kansas, Minnesota, Nevada, Ohio, Pennsylvania, Texas, Washington state, Wisconsin, and and the District of Columbia. New schools are opening in 2008 in Hawaii, Indiana, Oregon, South Carolina, and Utah. Total student enrollments in 2008 are approximately 54,000. In addition, K^{12} works with numerous schools across the country that offer the K^{12} curriculum in a traditional school setting. K12 Inc. began in 1999 with the first K^{12} partner schools opened in 2001.

Profiles of some full-time, multi-district online schools

Hope Online

Hope Online Learning Academy Co-Op is a public charter school that offers online curriculum, individual learning plans and highly qualified teachers, combined with a unique model of one-on-one mentoring and support at a Learning Center. With over 60 Learning Centers, Hope Online serves full-time students across Colorado's Front Range.

Pinnacle Education, Inc.

In 2003, Pinnacle Virtual High School was designated as an Arizona distance education provider. Pinnacle currently provides both full-time and supplemental high school programs to Arizona students. During 2007-2008, Pinnacle had 3,334 concurrent students and 2,730 full-time students.

Riverside Virtual School

Riverside Virtual School (RVS), in California, serves approximately 530 students in grades 6-12 in the Riverside Unified School District, including opportunities for credit recovery, intervention and/or remediation, accelerated learning, and Advanced Placement courses. Although primarily a supplemental program, in 2008-2009 RVS began enrolling students from across the state in a full-time college preparatory program initially designed for 120 students in courses grades 9-10. The program is expected to expand in subsequent years until it includes grades K-12. RVS courses are developed to be identical (in terms of content, pacing, and assessment) to those delivered in the brick and mortar environment in Riverside Unified School District. This allows students to move in and out of both learning environments comfortably.

Vilas Online

Vilas Online is primarily a full-time online program that was established in the year 2000. Vilas Online is run by the Vilas School District RE-5 and primarily serves the students of Colorado. Students enrolled in Vilas Online receive curriculum based on Colorado State Standards created by highly qualified educators as defined by the Colorado Department of Education. Vilas Online served over 400 students during the 2007-2008 school year, including approximately a dozen part-time students.

Single-district programs

Single-district programs serve students who reside within the district that is providing the online courses.

Most single-district programs share the following attributes:

- Mostly supplemental, with some serving full-time students.
- Funded primarily by the district out of public FTE funds that are intermingled between the online program and the rest of the district. In most cases, there is no difference in funding between online and students in the physical setting.
- The number of courses offered by a district online program roughly parallels the size of the program in terms of course registrations. Although a relatively small sample size, programs seem to gravitate towards licensing all of their courses from a third-party provider, or building all of the courses in-house—there are few programs with a roughly 50/50 mix.
- Grade levels are primarily high school, with some middle school.
- Often combine a fully online and face-to-face components.

Exceptions to the common attributes above include:

- Several of the supplemental programs also serve full-time students. Clark County School District Virtual High School and Fairfax County Public Schools Online Campus both accept some full-time students as does Broward Virtual School, though these students make up a small percentage of the overall course registrations. Transition High School is a special school focusing on incarcerated, expelled, or truant students and serves full-time and supplemental students. There are several full-time single-district programs. Charter schools such as Odyssey Charter Schools in Las Vegas, Nevada, and Chicago Virtual Charter School are both full-time programs.
- Although funding is generally based on public FTE, some programs receive federal funds as well. The Transition High School receives $2 million in federal funds in addition to funding from the Milwaukee Public Schools. LAUSD Online Learning Program and Miami-Dade Virtual School also receive federal funding to supplement state FTE funding, and one program is funded solely through course fees. Some programs also have different funding levels for online students in the district in comparison to students in the physical setting. Clark County School District's Virtual High School receives only 66% of the funding for online students as received for physical school students. Miami-Dade Virtual School students are only funded upon successful completion if the course is taken during the 25 hour/week FTE period. The Transition High School of Milwaukee Public Schools, due to its status as a Board approved school within the Diversified Schools Department, is able to have an allocation beyond the normal per-pupil for online students in Wisconsin.
- Although most programs serve students in grades 8-12, Odyssey Charter Schools and the eLearning Program from Omaha Public Schools serve the K-12 student population.

- Some programs are designed to offer a limited number of courses with a specific purpose. The Newport-Mesa Unified School District Online offers only four online courses that are required for graduation, yet has over 500 course registrations. Baltimore County Public Schools Online Courses for Students has 20 courses, but most are AP courses which account for over 60% of the program's total course registrations.

Table 3: Single-district programs

The programs listed in the following table are representative of single-district online programs. It is not a complete list of programs across the country.

Name	Start date	Program type (primarily)	Course registrations[27] (FTE for full-time programs)
Clark County Virtual High School, Las Vegas, NV	fall 2004	Supplemental	3,000-3,900
Chicago Virtual Charter School	fall 2006	Full-time	433 FTE
LAUSD Online Learning Program, CA	fall 2004	Supplemental	250-499
Madison Virtual Campus, WI	fall 2007	Supplemental	40
Omaha Public Schools eLearning Program, NE	fall 2006	Supplemental	3,000-3,900
Fairfax County Public Schools Online Campus, VA	2000	Supplemental	1,000-1,999
Newport-Mesa Unified School District Online, CA	2004	Supplemental	500-999
eHigh School, Cobb County School District, GA	summer 2003	Supplemental	1,900
Miami-Dade Virtual School, FL	summer 2003	Supplemental	500-999
Broward Virtual School, FL	fall 2001	Supplemental	2,237
Baltimore County Public Schools Online Courses for Students, MD	2000	Supplemental	165
Odyssey Charter Schools, Las Vegas, NV	fall 1999	Full-time	1,405 FTE
Orange LIVE, Orange County, CA	2003	Supplemental	500-999
Transition High School, Milwaukee, WI	spring 2008	Full-time and supplemental	41 students
Fulton County Virtual Campus, GA	fall 2003	Supplemental	416

[27] The # course registrations is based on the period from summer 2007 through spring 2008. One course registration is one student taking one semester-long course. Several programs in this table are full-time. For full-time programs FTE student enrollments is a more effective measure of capacity.

Full-time students	Grade levels	% of AP[28] course registrations	% of credit recovery course registrations
Yes (150 FTE)	9-12	16-30%	16-30%
Yes (433 FTE)	K-10	nda[29]	nda
None	6-12	46-60%	16-30%
None	9-12	Less than 15	Less than 15
None	K-12	Less than 15%	More than 75%
Yes (5 full-time)	9-12	Less than 15%	16-30%
None	9-12	0%	nda
None	9-12	Less than 15%	31-45%
None	9-12	Less than 15%	16-30%
Yes (359 FTE)	6-12	Less than 15%	nda
None	6-12	61-75%	0%
Yes (1,405 FTE)	K-12	nda	nda
None	8-12	Less than 15%	0%
Yes	9-12	nda	nda
None	9-12	0%	nda

[28] Percent of AP course registrations refers to Advanced Placement® courses

[29] In the table, nda stands for no data available

Profiles of some single-district programs

Clark County School District Virtual High School (CCSDVHS)

The CCSD Virtual High School became a diploma-granting school in the Clark County School District during the 2004-2005 school year. The high school evolved out of the former district Distance Education program. CCSDVHS began accepting both full-time and part-time students in the fall 2004 school year, and now offers an interactive online course format consisting of an LMS and a synchronous communication system. Courses primarily consist of eTextbooks and supplemental online learning materials. Credits earned through CCSDVHS are recorded on students' high school transcripts upon completion of coursework.

Chicago Virtual Charter School (CVCS)

CVCS is a hybrid public charter school that combines online and classroom instruction serving students across the city of Chicago in grades K-10. All students are required to attend classes at the school's learning center a minimum of one day per week. CVCS students access their individualized learning plans through the online school, which includes lessons, assessments, and planning and progress tools designed by K12 Inc. State-certified teachers assign lessons, provide instruction and support, and regularly interact with students and parents through email, phone, web-based classrooms, and school outings and events.

Los Angeles Unified School District's (LAUSD) Online Learning Program

The LAUSD's Online Learning Program (formerly the "Los Angeles Virtual Academy" or "LAVA") offers Advanced Placement and mathematics courses in a blended face-to-face and online setting, and mathematics, social studies and life skills courses as well as other core content online in a supplemental model. Teachers using the programs are classroom teachers working with assigned students in their classrooms as well as teachers facilitating online courses being taught using a distance learning model. Currently the LAUSD model is being expanded to Options Schools to increase the breadth of courses and the availability of credentialed staff in these schools.

Madison Virtual Campus

Madison Virtual Campus was launched as a supplemental online program in fall 2007 for high school students in the Madison Metropolitan School District. Approximately 30 students registered for 40 courses in 2007-2008. Courses are open to all students within the district, but a compelling need must be demonstrated to register for a course. Madison Virtual Campus is not a school, but is a set of online services (including courses) for staff, teachers and students embedded within the schools of the district.

Omaha Public Schools eLearning Program

Omaha Public School eLearning Program is a public school district program that began in fall 2006 to meet the needs of credit recovery students and had over 3,000 course enrollments in 2007-2008. The program is administered in a classroom lab setting, but has expanded to a supplemental blended learning approach for classroom teachers to use in conjunction with face-to-face instruction.

Fairfax County Public Schools Online Campus (FCPS Online Campus)

Fairfax County Public Schools Online Campus was launched in fall 2000 and delivers courses identical in content to those offered in traditional classrooms and uses online delivery and multimedia to engage students. These courses are aligned with the Virginia Standards of Learning (SOL) and follow the Fairfax County Public Schools Program of Studies (POS).

Miami-Dade Virtual School

Miami-Dade Virtual School is an online high school content provider serving students in Miami-Dade County. The supplemental program franchises courses from the Florida Virtual School. There were approximately 500 students enrolled in Miami-Dade Virtual School for the 2007-2008 school year.

Broward Virtual School

Broward Virtual School has offered supplemental courses through the Internet and other distance learning technologies to middle and high school students in Broward County, Florida, since fall 2001. Broward Virtual School offers students part-time and full-time enrollment with the opportunity to earn a standard high school diploma entirely online, with over 2,200 course enrollments in 2007-2008. Broward Virtual School's instructional program offers a variety of assessment techniques that address various learning styles and intelligence types. As a component of the School Board of Broward County, Broward Virtual School is fully accredited by the Southern Association of Colleges and Schools (SACS) and Commission on International and Trans-Regional Accreditation (CITA). Broward Virtual School is a franchise of Florida Virtual School.

Transition High School (Milwaukee Public Schools)

Transition High School (THS) opened in March 2008 to serve students who have been incarcerated, expelled, or truant. THS opened with 41 students and will grow to 120 full- and part-time students in fall 2008. THS is operated by Milwaukee Public Schools and serves youth in grades 9-12. Approximately 60 students are served from the THS central location and another 60 students are located at two satellite locations, or work in a true distance-learning capacity from home, residential treatment or detention facilities. The THS mission is to provide a rigorous academic program in the context of a transformative social justice program that empowers students to become agents of change in their communities.

Consortium and other programs

There are a number of innovative online programs that do not fall neatly into state-led, full-time or single-district program designations. In most cases, these programs work collaboratively with school districts across states, and in the case of the Virtual High School Global Consortium, across the country and the world.

These programs generally focus on grades 6-12, with the exception of Nebraska's Partnership for Innovation (P-16), and funding ranges from state FTE funding to course fees and grants.

Table 4: Consortium and other programs

The programs listed in the following table highlight some unique consortium-based online programs. It is not a complete list of programs across the country.

Name	Organization type	Start date	Grade levels
VHS Global Consortium (VHS)	Nonprofit organization that has created a membership-based consortium of school districts across the country with a range of flexible options for all types of schools. VHS has 590 schools and collaboratives (i.e., BOCES, LEAs) in the consortium from 28 states and 35 countries	1996	6-12
Wisconsin eSchool Network	Nonprofit organization that coordinates Network Partner districts to provide cost effective online course options for students and shared expertise while maintaining as much local autonomy as possible	fall 2002	6-12
CT Adult VHS	CT AVHS leads a consortium of LEAs collaborating to offer adult credit diploma program across the state	fall 2002	Adult credit diploma program
Partnership for Innovation (NE)	Collaboration of major state agencies banding together with school districts statewide to make content and technology available to teachers and students across the state at no cost	fall 2008	P-16
Oregon Virtual School District (ORVSD)	ORVSD oversees district and Education Service District (ESD) online learning programs and provides professional development services, digital content and a learning management system at no cost to public schools in Oregon	2006	K-12
Indiana Online Academy	A consortium of school districts under the Central Indiana Educational Service Center (CIESC)	fall 2005	9-12

Funding	Primarily supplemental or full-time	Course registrations/unique students[30]	Number of courses and % licensed
Consortium memberships, course fees, private grants	Supplemental	10,112; 8,188	140; all developed by VHS
FTE funding, federal funding and course fees; Network Partner districts pay an operating fee to the Network of $30 per student per semester enrollment to cover operating costs; contracted students the course fee is $350 per semester enrollment	Supplemental, but some district partners serve full-time students	2,440; over 1,000	179 semester courses; all licensed
State and federal department of education grants	Supplemental	Over 1,000; nda[31]	nda
State appropriation from Carl D. Perkins Career and Technical Education Act (Perkins IV) grant funding	Supplemental	nda	nda
State appropriation	Supplemental	4,000 teachers and 8,000 students registered in the ORVSD portal	80 course templates
Course fees: $275 in-state and $295 out-of-state	Supplemental	nda; 1,081	54; 0%

[30] The # course registrations is based on the period from summer 2007 through spring 2008. One course registration is one student taking one semester-long course. A unique students is one defined as one year-long FTE student, whether the student is taking a supplemental course or in a full-time program.

[31] In the table, nda stands for no data available

Consortium and other programs

Virtual High School Global Consortium

Virtual High School Global Consortium is an educational nonprofit which partners with schools to expand their course offerings. Founded in 1996, VHS is a collaborative of over 500 schools in 28 states and 35 countries. In 2007-2008, VHS had more than 10,000 course registrations in over 140 middle and high school VHS courses, including Advanced Placement, core, elective, credit-recovery and International Baccalaureate courses. The mission of VHS is to develop and deliver standards-based, student-centered online courses to expand students' educational opportunities and 21st century skills and to offer professional development to teachers to expand the scope and depth of their training.

Partnership for Innovation (PFI) – Nebraska

In June 2008, the Partnership for Innovation (PFI), a collaboration between elementary, secondary and post-secondary partners, received state appropriation from Carl D. Perkins Career and Technical Education Act (Perkins IV) grant funding to provide access to online curriculum from Monterey Institute for Technology and Education (MITE) and make it available statewide to all grades P-16 for the next three years. The content will be made available through various educational organizations in the state and in a variety of learning management systems, including myelearning.org (Angel) and ESU 13 (Moodle).

Connecticut Adult Virtual High School (CT AVHS)

The Connecticut Adult Virtual High School (CT AVHS) program is funded by the State's Bureau of Early Childhood, Career and Adult Education, and provides students enrolled in Connecticut's Adult Credit Diploma Programs the option of earning credits online. The Program began in 2002-2003 with a charter to create a scalable model for an online program to serve the CT Adult Credit Diploma community. Four LEAs (Hartford, Vernon, New London and Middletown) participated in a pilot year, from which four online courses and an Orientation to Online Learning course were produced. Academic Year 2005-2006 extended the CT Adult Virtual High School to all of Connecticut's Adult Credit Diploma providers. Each participating LEA must have a trained Online Learning Coordinator to administer the program and must assign a trained Mentor to each student enrolled in an online course.

Wisconsin eSchool Network

Wisconsin eSchool Network formed as a nonprofit organization during the 2006-2007 school year as a means for local online schools and programs to share resources and experiences. The Network currently includes charter schools and programs in eight school districts across the state, and had over 2,400 course registrations and over 1,000 students during the 2007-2008 school year. The schools are funded through public FTE funds at the same rate as brick and mortar schools and sometimes through federal charter school implementation grants. The Wisconsin eSchool Network is unique in that it provides each Network Partner district the opportunity to design and implement the online learning program that best meets their unique needs. The Network provides a cost effective means of sharing resources that benefit the entire Network while retaining as much local autonomy as possible. Some districts have charter schools serving full-time students as well as

supplemental services, and others provide only supplemental online courses. Other students from throughout the state are able to access online courses through inter-district contracts.

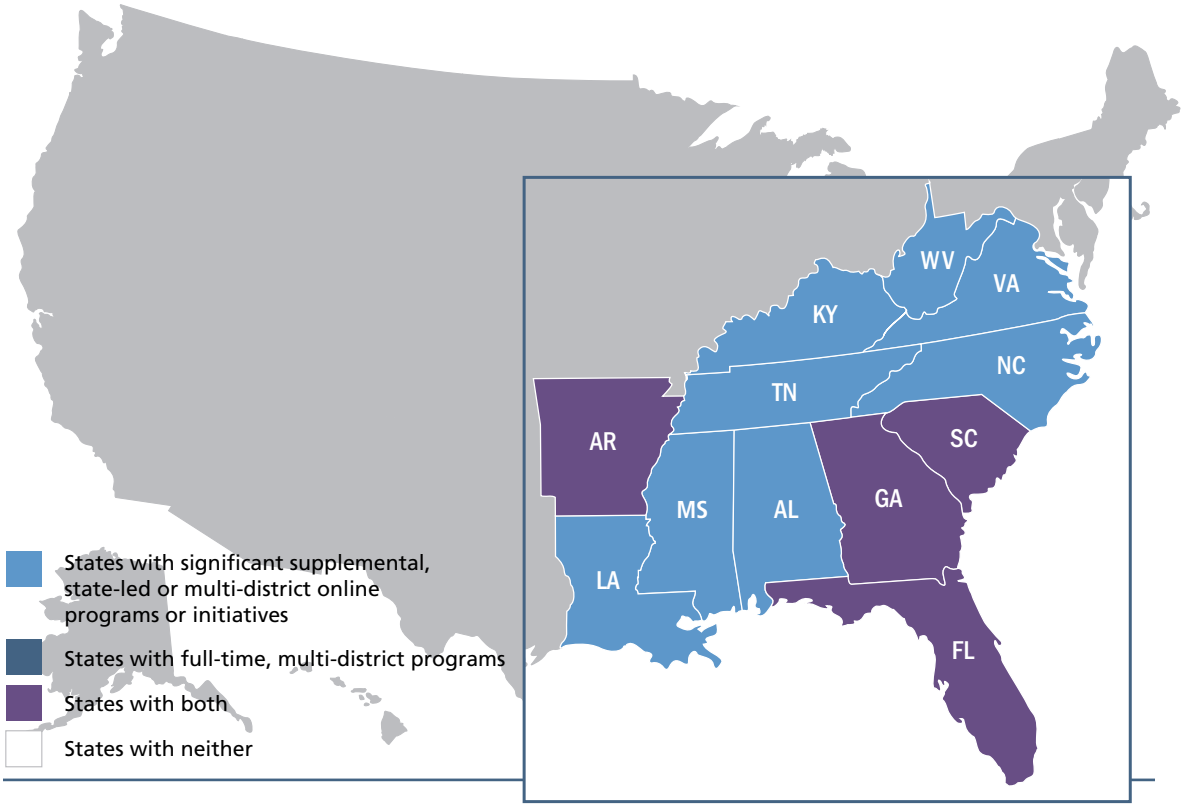
Oregon Virtual School District

The Oregon Virtual School District (ORVSD) is a program within the Oregon Department of Education that seeks to increase access and availability of online learning and teacher resources free of charge to the people of Oregon. ORVSD oversees district and ESD online learning programs throughout the state and provides professional services, digital content and a learning management system among other tools for K-12 Oregon teachers to use in the classroom and beyond. Approximately 80 course templates created from original and licensed content sources are available for middle and high school grade levels. Parents can track a student's progress online and teachers can share teaching strategies with colleagues throughout the state. Interactive instruction, web videos, and podcasts deliver time-tested lessons in cutting edge ways.

Indiana Online Academy (IOA)

Indiana Online Academy is a consortium of school districts under the Central Indiana Educational Service Center (CIESC) that began operation in the fall 2005. It is a supplemental program designed to help allow for flexible delivery. IOA had 1,081 students between summer 2007 and spring 2008 with 1,500 students enrolled for the summer of 2008. All IOA courses are written by Indiana teachers and are aligned to Indiana standards. Credits are awarded by the student's home school. Students must be approved by their home school in order to enroll and must take and pass the final exam in person before credit is earned. Indiana Online Academy is also a member of a broader consortium of Indiana online programs, the Indiana Virtual Learning Academy, which also includes the Indiana Virtual Academy, the Indiana University High School, Ivy Tech Community College, Indiana Academy for Science, Mathematics, and Humanities (a program of Ball State University).

Southeastern states



Alabama
Alabama ACCESS is a state-led program that combines course development with technology infrastructure and is among the best funded; no charter school law. In 2008 AL became the second state to create an online learning requirement.

Arkansas
State-led AR Virtual High School; state code has rules governing distance learning.

Florida
FL Virtual School is largest in the country; 2008 legislation requires all school districts to offer online programs by 2009.

Georgia
GA Virtual School and several suburban Atlanta districts have online programs; online charter schools allowed via 2006 amendment to charter school law, but only one has been authorized as of 2008.

Kentucky
KY Virtual Schools is state-led supplemental program; large district program in Jefferson County.

Louisiana
LA Virtual School; LA Department of Education has rules on distance education.

Mississippi
2006 legislation authorized Mississippi Virtual Public School Program to replace/expand previous Mississippi Online Learning Institute among other initiatives; a pilot full-time K-8 program in 2007 was not funded for 2008.

North Carolina
NC Virtual Public School is a state-led program created by legislation in 2006 that had its first students in summer 2007; district programs exist as well.

South Carolina
SC Virtual School is state-led program; charter organization authorized three virtual charters in 2008 that have waiting lists due to high demand.

Tennessee
e4TN is a statewide supplemental program providing courses for over 50 districts; 2008 legislation allows LEAs to sponsor a virtual school.

Virginia
Virtual Virginia is state-led program; several single district programs.

West Virginia
WV Virtual School is state-led program; no other significant programs.

Alabama

Category	Yes/No	Comments
State-led program	Yes	ACCESS Distance Learning
Other statewide programs	No	No charter school law
Other significant online programs	No	
State-level policy	Yes	State code includes numerous provisions regarding online courses that govern ACCESS

Essentially all the online education activity in Alabama is through ACCESS (Alabama Connecting Classrooms, Educators, & Students Statewide), a state-sponsored distance learning initiative. Alabama does not have a charter school law.

In 2008, the Alabama State Board of Education established a rule that, "…beginning with the ninth-grade class of 2009-2010 (graduating class of 2012-2013), students shall be required to take and receive a passing grade in one on-line/technology enhanced course in either a core course (mathematics, science, social studies, or English) or an elective with waivers being possible for students with a justifiable reason(s)."[32]

Online programs

ACCESS is a non-credit granting, supplemental program started in fall 2005. The program grew from approximately 7,300 course registrations in 2006-2007 to 18,955 course registrations in 2007-2008. ACCESS has funding for 30,000 enrollments in 2009-2010. Five remediation modules for the Alabama High School Graduation Exam are also available to students. ACCESS offers 61 unique courses with approximately 59% purchased from out-of-state vendors and aligned with state standards and modified as needed.

The program provides access to instruction and coursework for grades 9-12 by providing courses via the Internet and interactive videoconferencing (IVC) as well as the technical infrastructure to deliver these courses. ACCESS blends Internet- and video-based coursework with Alabama certified teachers from delivery school sites and delivers to receiving school sites that otherwise would not have an Alabama certified teacher to instruct the course. The main difference between ACCESS and other state-led programs is the focus of ACCESS on development of the technology infrastructure for receiving online and video courses at school sites throughout the state, which means in part that a significant portion of the relatively high level of funding (compared to other state-led online programs) is going towards technology infrastructure. ACCESS also has a blended learning component, as one of its objectives is to provide teachers with additional multimedia and technology tools to enhance classroom instruction.

Another key distinction of ACCESS is that it provides online courses to students in public school classrooms, during a set school period, not primarily at home. The funding to pilot and expansion site high schools includes bandwidth, tablet computers, IVC equipment, and other technology needed for a 21st century learning environment. ACCESS also provides funding for professional development.

[32] Alabama State Code, 290-3-1-.02-(8)(d)4; retrieved September 17, 2008, http://www.alabamaadministrativecode.state.al.us/docs/ed/McWord290-3-1.pdf

State policies

State code includes a section on online education that governs ACCESS; policies listed below are from this code, the *Alabama Administrative Code (AAC) Rule 290-3-1-.02(12) for Online Courses*.[33]

Funding

$20.7 million in state appropriation for 2007-2008 for ACCESS, plus federal funding of $1 million was awarded by the Appalachian Regional Commission.

Governance, tracking, and accountability

Because all activity is through ACCESS, there is no need for additional tracking.

Quality assurance, teaching, and curriculum

- Courses must be delivered by ACCESS or from institutions accredited by one of several accrediting organizations.
- Students must complete all scheduled tests and labs "during a regular class scheduled within the normal school day." "The normal school day shall include night school, summer school, or other scheduled extended day periods as approved by the local school."
- "All online courses shall have an adult facilitator approved by the local school who has completed professional development in online methodology and technical aspects of Web-based instruction and serves as a liaison to on-line teachers and providers."
- Teachers must be certified and highly qualified, or must be "faculty members of an institution of higher education" and "must have participated in in-service education, sponsored by the providing institution, pertaining to instructional methodology and technical aspects of online delivery."
- Core courses other than those provided by the SDE must be "approved and registered" by the State Department of Education; elective courses do not need to be approved but must be registered.
- "Online courses qualifying for credit in required courses must contain all required content identified in Alabama courses of study."
- "Homebound students may participate in approved online courses upon request and notification to the SDE of students' homebound status by the local school system superintendent."
- "Schools enrolling students in online courses will provide students with appropriate technology, adequate supervision, and technical assistance, in accordance with State Department of Education (SDE) online technology requirements for local implementation."

[33] Section 12 of Alabama Code 290-3-1-.02; retrieved August 18, 2008, from http://www.alabamaadministrativecode.state.al.us/UpdatedMonthly/AAM-JUL-07/290-3-1-.02.pdf

Arkansas

Category	Yes/No	Comments
State-led program	Yes	Arkansas Virtual High School (AVHS)
Other statewide programs	Yes	Arkansas Virtual Academy
Other significant online programs	Yes	At least one district program exists; the Pulaski County Special School District Cyber Academy serves alternative students grades 7-12
State-level policy	Yes	Formal rules covering AVHS

Arkansas has a supplemental state-led program, the Arkansas Virtual High School (AVHS), and one full-time, statewide charter school, the Arkansas Virtual Academy. AVHS was started in spring 2000 and generated approximately 3,000 high school course registrations in 2007-2008. AVHS is funded through an annual Department of Education grant of $740,000 in 2008, the same grant amount as 2007. Arkansas Virtual Academy, which serves grades K-8 across the state, is limited by legislation[34] to 500 unique students and maintains a waiting list of students interested in attending. The Virtual Academy operates as its own school district and is thus funded through the same student FTE formula as a physical school.

Arkansas has Department of Education rules governing distance learning[35] which include:

- The Department of Education must approve all distance learning courses.
- Courses must have a licensed or approved primary instructor.
- An adult facilitator must be present to proctor any student achievement assessments used to determine a student's final grade. A student's final grade is determined by the teacher of record for a course.
- Class size for synchronous distance-learning courses shall be the same as for courses not taught by distance learning as specified in the Arkansas Standards for Accreditation. Class size requirements do not apply to asynchronous distance-learning instruction.
- Student interaction with the primary instructor or an appropriately licensed teacher(s) shall be available at a ratio of no more than 30 students per class and 150 students each day for both synchronous and asynchronous courses.

[34] Act 1420, April 2007; retrieved August 2008, http://www.arkleg.state.ar.us/ftproot/acts/2007/public/act1420.pdf

[35] Arkansas Department of Education Rules Governing Distance Education, July 11, 2005; retrieved August 18, 2008, http://arkansased.org/rules/pdf/current/ade_210_distance_learning.pdf

Florida

Category	Yes/No	Comments
State-led program	Yes	Florida Virtual School (FLVS)
Other statewide programs	Yes	The Florida K-8 School Pilot Program will continue to serve re-enrolled students from across the state in 2008-2009, but will not enroll any new students
Other significant online programs	Yes	District programs and FLVS franchises
State-level policy	Yes	HB7067 (Florida Statute 1002.45), passed in May 2008, requires individual school districts to provide a full-time virtual program for K-8, and full- or part-time programs for grades 9-12 in specific curriculum areas, by 2009-2010; previous statutes set policy for FLVS

Florida has the largest supplemental online program in the U.S., Florida Virtual School (FLVS), and two full-time K-8 online schools, Florida Virtual Academy and Florida Connections Academy. Legislation passed in July 2008 has dramatically altered the online learning landscape in the state. Florida Statute 1002.45[36] requires school districts to provide virtual learning programs "to make online and distance learning instruction available to full-time virtual students in grades kindergarten through grade 8 (K-8)" by 2009-2010.[37] Districts already have to provide FLVS as an option to middle and high school students, and are now required to offer their own online courses to students in grades 9-12 in certain areas; Department of Juvenile Justice (DJJ) and dropout prevention. The law also creates reporting requirements for district and contracted online providers to the Department of Education.

Online programs

- Florida Virtual School (FLVS) is the largest supplemental online program in the country, and among the oldest, dating back to 1997. It had more than 120,000 course registrations and 96,000 unique students in 2007-2008. In 2000, legislation established FLVS as an independent education entity. Legislation enacted in 2002 and 2003 granted parental right for public school choice, listed FLVS as an option, and defined full-time-equivalent (FTE) students for FLVS based on "course completion and performance" rather than on traditional seat time. FLVS is funded through the state FTE public education formula.
- Two full-time schools in the K-8 Virtual School Pilot Program, Florida Virtual Academy and Florida Connections Academy, have operated since 2003 when the Florida Legislature funded the K–8 Virtual School Pilot Program. New enrollments in the K-8 Virtual School Pilot Program have been frozen, but the two full-time schools are approved online learning providers under the new legislation.[38]
- Eight district franchises of FLVS, including Broward Virtual School, with 1,850 students, and Miami Dade Virtual School, with about 750 half-credit course registrations and 600 students.

[36] http://www.leg.state.fl.us/statutes/index.cfm

[37] Florida Department of Education, House Bill 7067 Executive Summary, July 1, 2008, http://www.fldoe.org/GR/Bill_Summary/2008/HB7067.pdf

[38] General Appropriations Act for Fiscal 2008-2009, Item 93, http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=&Session=2008&DocumentType=General%20Appropriations%20Act&FileName=confreprt08.pdf

- The University of Miami Online High School is a private college preparatory school operated by Kaplan Virtual Education offering full- and part-time study for students in grades 8-12.
- School District Virtual Instructional Programs are required of all school districts by 2009-2010, and districts are allowed to begin providing online programs in 2008.

State policies

Information in this section comes from Florida Statute 1002.45 and the Department of Education House Bill 7067 Executive Summary.[39] Additional state policies address the operations, funding, and governance of FLVS, most of which are not covered below.

Funding

- The School District Virtual Instruction Program (K-8) will be funded through the Florida Education Finance Program (FEFP) based on successful completions rather than seat time. For grades K-8 students this is a promotion to a higher grade and for grades 9-12, it is based on credit completions. School districts may use the funding to operate their own online program, or they may contract with an approved online learning provider. The district may negotiate a cost for the online program at a rate that may be less than the per-pupil funding provided through the FEFP.
- FLVS funding is also based on FEFP and students have the right to choose an online course.

Governance and tracking

FLVS is governed by Florida Statute 1002.37; students will retain the right to choose FLVS courses to satisfy their educational goals and requirements.

Under the new Florida Statute 1002.45, students may also choose to take courses through a district virtual program. The following rules and policies apply to district virtual programs:

- Each district's virtual program can be operated by the school or contracted to a provider approved by the Department of Education (DOE). Districts may operate programs individually, through multi-district contracts or regional consortia of districts. Charter schools may enter agreements with local school districts to participate in those approved virtual programs.
- Students must take online courses from the district in which they reside, or through an online program provided by a multi-district consortium to which the resident district belongs.
- Providers must be approved by the DOE and annually meet the following qualifications:
    - Locate administrative offices in Florida, require administrators to be Florida residents and teachers to be Florida-certified
    - Have successful experience in offering online programs

[39] Florida House Bill 7067; retrieved July 21, 2008, http://www.fldoe.org/ese/pdf/7067ER.pdf and Florida Department of Education Executive Summary; retrieved July 21, 2008

- Use instructional model that relies on certified teachers, not parents, for most of the instruction
- Be regionally accredited

- The legislation provides an exemption from reporting on the provider qualifications for some existing virtual school programs; the Florida Virtual School and K-8 Virtual School Program providers (Connections Academy and K12 Inc.).
- The DOE must provide a list of approved providers by March 1, 2009.
- A provider of digital or online curriculum used to supplement instruction of students not enrolled in this program does not have to meet the requirements of this law.

Quality assurance, teaching and curriculum

"School district virtual instructional programs must meet the following requirements:

- Require all instructional staff to be certified professional educators
- Conduct background screening of all employees
- Align virtual course curriculum and course content to the Sunshine State Standards
- Provide students with all necessary instructional materials
- Provide, when appropriate, each household having a full-time student enrolled in the program with:
  - All equipment necessary for participations in the program, including but not limited to, a computer, a computer monitor, a printer; and
  - Access to reimbursement for all Internet services necessary for online delivery of instruction
  - Not require tuition or student registration fees
  - Participate in the statewide assessment program, in the state's education performance accountability system, and receive a school grade for programs with full time student, however, the performance of part-time student shall be included in the school grade of the non-virtual school providing the student's primary instruction."
- Beginning with the 2010-2011 school year a school district (except courses offered by the Florida Virtual School) may not increase the enrollment for its full-time virtual instruction program in excess of its prior school year enrollment unless the program for the previous year received a grade of "C", making satisfactory progress, or better under the school grading system.
- A school district virtual program that receives a D or an F must file a school improvement plan with the DOE and develop a plan for correction and improvement. The school district must terminate a program that earns a grade of D or F for two of four consecutive years and must contract with a provider selected and approved by the DOE until the school district receives approval from the DOE to operate a new virtual instruction program.

- School district marketing of this program must include information about opportunities offered by Florida Virtual School and the parent's and student's right to access Florida Virtual School courses.
- Full-time or part-time virtual instruction program courses for students in grades 9 through 12 offered by individual districts, are limited to DJJ (Department of Juvenile Justice) programs, dropout prevention programs and career and vocational programs. Districts are required to offer these programs for the 2009-2010 school year.

Georgia

Category	Yes/No	Comments
State-led program	Yes	Georgia Virtual School
Other statewide programs	Yes	Georgia Virtual Academy is a charter school serving grades K-8
Other significant online programs	Yes	Several suburban Atlanta districts have online programs. Online charter schools were allowed via a 2006 amendment to charter school law, but no fully online charter schools have been approved by local chartering authorizers
State-level policy	Yes	Legislation creating Georgia Virtual School and allowing online charter schools

Georgia has several prominent district online programs, primarily in suburban Atlanta, and the state-led Georgia Virtual School (GAVS). GAVS was created by legislation in 2005,[40] and in 2006 the State Board of Education created the rule that governs the school.[41] GAVS is unusual in that its students take end-of-course exams that are common across the state, and tracked by the state, allowing for a comparison of test scores between students in online courses and state averages. The State Board rule calls for the Department of Education to "develop criteria for schools or local school systems to become a Georgia Virtual School Approved Entity" in order to offer an online program.

The Georgia Legislature passed a law in 2006 that amended charter school law to allow for online charter schools, but only allowed local district boards to act as charter school authorizers.[42] New charter school legislation passed in 2008, House Bill 881, creates the "Georgia Charter Schools Commission as an independent, state-level charter school authorizing entity… empowered to approve commission charter schools,"[43] but the State Board of Education can overrule the commission's approval of a charter with a two-thirds vote. For the first time, the new charter school law provides equal funding for local charters, but it gives the commission authority to reduce the funding amount for virtual charter schools; "…based on factors that affect the cost of providing instruction."[44] As of August 2008 no new fully online charter schools have been approved, but previously, in July 2007, the Georgia Virtual Academy, operating in conjunction with the brick and mortar Odyssey School, was approved and had 2,900 students in grades K-8 enrolled at the end of the 2007-2008 academic year.

[40] O.C.G.A. 20-2-31 (Senate Bill 33); retrieved July 29, 2008, http://www.legis.state.ga.us/legis/2005_06/versions/sb33_AP_16.htm

[41] 160-8-1-.01; retrieved July 29, 2008, http://www.doe.k12.ga.us/_documents/doe/legalservices/160-8-1-.01.pdf

[42] Senate Bill 610; retrieved July 29, 2008, http://www.legis.state.ga.us/legis/2005_06/versions/sb610_AP_6.htm

[43] Georgia House Bill 881; retrieved July 29, 2008, http://www.legis.state.ga.us/legis/2007_08/sum/hb881.htm

[44] Ibid

Online programs

Georgia Virtual School (GAVS) had 9,404 course enrollments and 5,956 students in 2007-2008, an increase of more than 50%. Georgia Virtual School implemented online test preparation courses in spring 2008 to assist students across the state meet the demands of an 8th grade math test required to graduate to high school. Also, 2008 marks the first year an aggressive state math curriculum reform launched in 2006 reaches the high school level, and GAVS is instituting new online courses and teacher training in the new curriculum. The Georgia Department of Education has designated GAVS as its leading partner in implementing a statewide credit recovery program. GAVS supplies an online, teacher-less program where students progress on their own, but the program is administered by the participating school districts. Department of Education guidelines, effective August 1, 2008, require that:

- All schools must agree to proctor each unit's pre-test, post-test and final exam. As schools enroll students for the GaDOE Credit Recovery Program, they will be prompted to agree to proctor each unit's pre-test, post-test and final exam.
- For each unit, students not passing the pre-test with a score greater than 85% must view all content items for that unit before the unit post-test will be available.
- In order to move out of one unit and into the next, students must score a 70% or higher on the post-test.

Currently over 175 schools from 86 Georgia public school districts are participating in the online credit recovery program.

Several suburban Atlanta districts have online programs including Gwinnett County Online Campus and eHigh School (Cobb County). The Georgia Virtual Academy (GVA) is a full-time virtual charter school for grades K-8 with approximately 2,900 unique students in 2007-2008.

State policies

The following policies refer to the Georgia Virtual School (GAVS) and are taken from state code.[45]

Funding

GAVS is funded as a line item appropriation in the state budget. Districts whose students take a GAVS class have their FTE funding reduced by the proportionate amount for each course registration, although the funds are not transferred to GAVS directly. The districts receive $25 per course segment to defer administrative costs. School districts have the choice as to whether or not to allow a local student to take a GAVS course under this funding formula.

"The amount of funds requested by the State Board for (GAVS) shall be based on the following criteria:

(i) …The amount that the participating students would have earned if they had been in equivalent FTE general education programs in a local school system for that portion of the

[45] 160-8-1-.01; retrieved July 29, 2008, http://www.doe.k12.ga.us/_documents/doe/legalservices/160-8-1-.01.pdf

instructional day in which the students were enrolled in Georgia Virtual School Program courses.

(ii) For private and home study students an equivalent amount that the participating students would have generated if they had been in corresponding FTE general education programs…"

Governance, tracking, and accountability

- "The Georgia Virtual School Program and approved entities shall limit participation per student to a maximum of one Carnegie unit per semester during the regular school year for FTE credit. The Department and approved entities shall provide an exception to this policy for hospital/homebound students, students enrolled in Alternative Education programs and Residential Programs…"
- Students in public schools in Georgia are given priority for GAVS courses, but private school and home school students are eligible to take courses as well.
- "Students registered in a Georgia public school, private school or home study program shall receive written approval from a facilitator prior to being enrolled in a Georgia Virtual School Program online learning course."

Quality assurance, teaching, and curriculum

- "Every Georgia Virtual School Program teacher is highly qualified, certified in the state of Georgia, and required to complete training as outlined in the Georgia Virtual School Program Teacher Handbook."

5.5 Kentucky

Category	Yes/No	Comments
State-led program	Yes	Kentucky Virtual Schools
Other statewide programs	No	No charter school law
Other significant online programs	Yes	Prominent supplemental program in Jefferson County
State-level policy	No	

The Kentucky Virtual Schools (KYVS) includes the former Kentucky Virtual High School, eLearning Kentucky (online professional development), Area Technology Centers (ATCs), and other state agency partners. The Kentucky Virtual High School (KVHS), created by the state governor in January 2000, is the main online learning program in Kentucky and serves grades 6-12 across the state. KYVS enrolled approximately 2,214 students in 2007-2008, and offers over 70 unique courses, including 23 Advanced Placement courses. KYVS is funded through an annual state legislative allocation of $800,000 as well as course fees.

KYVS supports collaboration of all statewide online learning initiatives, and is expanding its focus to supporting blended learning environments in traditional classrooms. KYVS will provide local schools with access to high-quality online content, and support to help teachers integrate online learning. These online education programs are all in a shared learning management system, allowing them to collaborate on teacher professional development, content development, content repositories, and technical support.

Kentucky is one of the first states to implement a common P-20 learning management system, and obtained funding to provide 15,000 licensed users in the LMS for taking online curriculum to the classroom. KYVS provides access to a "course shell" for a teacher for a year, along with professional development and technical support. Teachers have the flexibility to enroll students in an online course environment for work both inside and outside the classroom, or use the course to bring online content into the classroom, or both. Although the blended learning support is available to teachers across the state, a formal request must be made to provide a level of quality control.

KYVS is also collaborating on a three-year blended learning research project with the Appalachian Education Laboratory and the Collaborative for Teaching and Learning to document and compare student performance and teacher engagement levels. The study uses KYVS online curriculum (algebra was the course chosen for the study), professional development and teacher mentoring for a control group implementing a blended learning classroom methodology, while another group uses traditional face-to-face instruction. This is believed to be one of the first research studies, if not the first, designed specifically to gauge the effectiveness of blended learning with secondary students.

Kentucky does not have charter schools or charter school legislation. There is a prominent district online program in Jefferson County, but there are no state online education policies governing that program.

5.6 Louisiana

Category	Yes/No	Comments
State-led program	Yes	Louisiana Virtual School
Other statewide programs	No	
Other significant online programs	No	
State-level policy	Yes	Louisiana Department of Education has published rules for distance education

Louisiana has a state-led program, the Louisiana Virtual School (LVS). Louisiana does not have any online charter schools, but it does have charter schools and online charter schools are not prohibited. The state also has district programs offering distance learning courses, including satellite and compressed video.

Online programs

LVS was started in fall 2000 and is a supplemental program for grades 8-12. In 2007-2008, LVS had over 5,800 registrations in more than 50 courses.

Most schools utilize the LVS program due to the lack of certified/highly qualified teachers to teach the desired content area, or not having a sufficient number of students to warrant offering the course. One notable program of the LVS is its Algebra I Online Program.[46] The program is approaching its seventh year of implementation and provides Louisiana students with a certified Algebra I instructor and a standards-based Algebra I curriculum delivered

[46] Algebra I Online Project, http://www.louisianavirtualschool.net/?algebra; retrieved August 12, 2008

through a web-based course. The Algebra I Online Project also provides the mathematics teacher with face-to-face and online professional development opportunities that will assist with the facilitation of the in-class Algebra learning activities for students and support their efforts toward mathematics certification.

State policies

The Department of Education has published *State Standards for Distance Education*[47] that cover online learning and other types of distance education. Policies listed in this section are from these standards; many of the policies hold distance education programs to the same standards as face-to-face programs. For example, the standards state that "distance education shall comply with all policies of the *Louisiana Handbook for School Administrators*." All quotes below are from the *State Standards*. All distance learning programs in Louisiana are supplemental, and the policies distinguish between the provider of distance education courses and the "receiving" school or local education agency (LEA). Specific, separate requirements for providers and for schools and LEAs are delineated.

Funding

For 2007-2008, LVS received $4.2 million from a variety of state, federal, and private sources.

Governance, tracking, and accountability

- LVS registrations and vendor-provided courses are tracked if funds flow through to districts to pay for the courses.
- Because all courses are supplemental, state assessments are handled through the local school.

Quality assurance, teaching, and curriculum

- Courses must incorporate state content standards.
- Schools or local education agencies with students in distance education programs must "ensure that each distance education course is provided by an institution accredited by a nationally recognized accrediting body or is authorized by the LEA."
- "Content, instruction, and assessment" of online courses must be "comparable" in "rigor and breadth to a traditionally delivered course."
- Schools must provide a "facilitator" for their students taking online courses; the facilitator must hold Louisiana certification.
- Distance education providers must "judiciously address issues relative to course load and student-teacher ratio as appropriate for the particular method of delivery and particular course content."

[47] State Standards for Distance Education, January 2000, published by the Louisiana Department of Education; retrieved August 12, 2008, from http://www.doe.state.la.us/lde/uploads/738.pdf

Mississippi

Category	Yes/No	Comments
State-led program	Yes	Mississippi Virtual Public School
Other statewide programs	No	The Mississippi Virtual School Pilot conducted in spring 2008 did not receive funding for 2008-2009
Other significant online programs	Yes	Some districts run local online programs, such as the Jackson Public School district that runs online credit recovery
State-level policy	Yes	State Board of Education rules for virtual schools

The Mississippi Virtual Public School (MVPS) is a state-led supplemental program serving students who qualify to take courses offered by MVPS, which is determined by the local school district's policy. The virtual school was established by legislation in 2006.[48] MVPS is funded by state appropriation at $1.85 million in 2007-2008 and $1.9 for 2008-2009, with some supplemental grant funding.

The Mississippi Department of Education contracted with K12 Inc. (grades K-3) and Connections Academy (grades 4-8) to conduct the Mississippi Virtual School Pilot (MVSP) program for K-8 learning in early 2008. The pilot did not receive continued funding for the 2008-2009 school year.

The State Board of Education established policy for virtual schools in 2006 and retains approval authority for all coursework and policy of the Mississippi Virtual Public School and any other state virtual schools. The State Board established a set of "guiding principles" for virtual schools that is administered by Mississippi Department of Education (MDE):[49]

- "Credits for course work will be granted by local educational agency (LEA)
- All decisions will be guided by focusing on what is best for the students
- The MVS academic calendar will be coordinated with the districts' calendar
- Most online courses will be taught by Mississippi teachers licensed in the subject area and proficient in web-based course delivery
- Development or selection of courses will involve teacher input and will be aligned to National and Mississippi Frameworks standards
- The quality and assessment for online courses must equal or exceed that for traditional courses
- A needs assessment process will determine the sequence of course development for MVS."

[48] Mississippi Code; retrieved August 22, 2008, http://michie.com/mississippi/lpext.dll/mscode/95a5/b5a6/b5ad?f=templates&fn=document-frame.htm&2.0#JD_37-161-3

[49] State Board Policy; retrieved August 8, 2008, http://www.mde.k12.ms.us/SBE_policymanual/5400.htm

North Carolina

Category	Yes/No	Comments
State-led program	Yes	North Carolina Virtual Public School
Other statewide programs	No	
Other significant online programs	No	
State-level policy	Yes	Session Law 2005-276 created the pilot for North Carolina Virtual Public School in 2005 and Session Law 2006-66 Section 7.16 funded the program.

North Carolina has established a state-led virtual program, the North Carolina Virtual Public School (NCVPS), which has grown out of the recommendations of the e-learning commission within the Business Education Technology Alliance (BETA) created by the Lt. Governor and the State Board of Education. The State Board agreed with the recommendations, and State Board action in August 2005 formally created the program.[50] The General Assembly funded NCVPS with a $2.7 million appropriation for the 2007-2008 fiscal year[51] with a one-time ability to roll unexpended funds into the following operational year, and followed that up with another $2.7 million appropriation in 2008. The North Carolina General Assembly has also charged NCVPS to develop and implement a funding plan based upon average daily membership or enrollment. This funding formula is to be finalized and in place by January 2009.

In January 2008, the Business Education Technology Alliance (BETA), the School Technology Commission and the Joint Legislative Oversight Committee for Information Technology to the North Carolina General Assembly, submitted *A Joint Report on Information Technology* to the North Carolina General Assembly.[52] The report makes a number of recommendations based on implementing four essential elements "to fully infuse technology into the Public Schools of North Carolina:

1. Delivery of 21st Century Curriculum, Instruction, Assessments and Accountability
2. Presence of Technology Tools in the Classroom
3. Existence of accessible and relevant Personnel and Professional Development
4. Pervasive existence of high bandwidth connectivity and scalable networks"

Legislation passed in July 2007 established the Learn and Earn Online program, a dual enrollment program that allows public high school students to earn college credits. In January 2008, NCVPS became the coordinator for Learn and Earn Online (LEO) services between UNC-Greensboro's iSchool, the North Carolina Community College System and the Department of Public Instruction. The State Board of Education allots funds for "tuition, fees, and textbooks on the basis of, and after verification of, the credit hour enrollment of high school students in Learn and Earn Online courses." Students in grades 9-12 participating in LEO are permitted to enroll in online courses through a community college for college credit regardless of the college service areas in which they reside.

[50] North Carolina General Assembly Session Law 2005-276 Senate Bill 622, Section 7.41 Plan and Funding for a Virtual High School by the State Board of Education. Retrieved August 2, 2007, from http://www.ncga.state.nc.us/EnactedLegislation/SessionLaws/HTML/2005-2006/SL2005-276.html

[51] North Carolina General Assembly Session Law 2006-66 Senate Bill 1741, Section 7.16 North Carolina Virtual Public School. Retrieved August 2, 2007, from http://www.ncga.state.nc.us/Sessions/2005/Bills/Senate/HTML/S1741v8.html

[52] A Joint Report on Information Technology, January 2008; retrieved August 18, 2008, http://www.betanc.com/files/reports/February%2008-Info%20Tech%20Joint%20Report.pdf

Online programs[53]

NCVPS officially opened its doors for the summer 2007 session, offering courses in grades 9-12, with over 19,000 course registrations across the state in 2007-2008. Legislation directs that "…all e-learning opportunities offered by state-funded entities to public school students are consolidated under the North Carolina Virtual Public School program, eliminating course duplication." The legislation requires NCVPS to "prioritize e-learning course offerings for students residing in rural and low-wealth county LEAs." It also instructs NCVPS to make its first e-learning courses those "required as part of the standard course of study for high school graduation and AP offerings not otherwise available." North Carolina is also working through the e-learning Commission to create a cabinet level body (North Carolina Virtual) that will oversee all online programs in the state.

State policies

Information in this section comes from Session Law 2005-276 and HB1473 unless otherwise noted.

Funding

- Section 7.16(d) of Session Law 2006-66 requires the State Board of Education to develop an allotment formula based on projected ADM to fund e-learning in the future. HB1473 states that "NCVPS shall be available at no cost to all students in North Carolina… in North Carolina's public schools, Department of Defense schools, and schools operated by the Bureau of Indian Affairs."

Governance, tracking, and accountability

- NCVPS reports to the State Board of Education

Quality assurance, teaching, and curriculum

- "Subsequent to course consolidation, the Director will prioritize e-learning course offerings for students residing in rural and low-wealth county LEAs, in order to expand available instructional opportunities. First-available e-learning instructional opportunities should include courses required as part of the standard course of study for high school graduation and AP offerings not otherwise available."
- "The State Board of Education shall include in the pilot program instruction on personal financial literacy. This instruction shall be designed to equip students with the knowledge and skills they need, before they become self-supporting, to make critical decisions regarding their personal finances."

[53] Quotes in the following two sections are from Sections 7.16(b) and (c) of S1741v.8; retrieved August 2, 2007 from http://www.ncga.state.nc.us/Sessions/2005/Bills/Senate/HTML/S1741v8.html

South Carolina

Category	Yes/No	Comments
State-led program	Yes	South Carolina Virtual School Program
Other statewide programs	Yes	South Carolina Connections Academy, South Carolina Virtual Charter School, and Insight School of South Carolina are opening fall 2008
State-level policy	Yes	Act 26 of 2007 establishes the Virtual School and allows virtual charter schools

South Carolina formally established the South Carolina Virtual School Program with the passage of Act 26 in 2007. The bill makes the South Carolina Virtual School Program available to all students under age 21, including private school and home school students, and limits students to three online credits per year and 12 throughout high school. The Virtual School Program is a supplemental middle and high school program, operated by the state education agency with over 7,389 course registrations, including Adult Education students, and a budget of $3.1 million in 2007-2008.

The law also allows online charter schools but restricts instruction: "no more than seventy-five percent of a student's core academic instruction in kindergarten through twelfth grade via an online or computer instruction program."[54] The law states that the 25% of non-online instruction can be accomplished through "regular instructional opportunities in real time that are directly related to the school's curricular objectives, including, but not limited to, meetings with teachers and educational field trips and outings." The terms "online," "computer instruction," and "real-time," were not clearly defined by legislature during the passing of the law, allowing some incorrect distinction between real-time and online. The South Carolina Department of Education clarified the law by issuing guidance as to what instructional methods meet the requirement for "regular instructional opportunities in real-time:"[55]

- Web conferencing software that creates an interactive meeting environment via the web where teachers and students can communicate
- Audio conferencing using Voice over IP (VoIP)
- Educational field trips and outings
- Face-to-face group meeting
- Student clubs (Math, Language, Science, Eco, Honors, Etc.) related to core academic areas

By including web conferencing and audio conferencing, the Department maintained the ability of full-time online schools to meet the law's requirements without significant changes to their instructional methods.

The South Carolina Public Charter School District (SCPCSD) approves virtual charter school applications and authorized at least three full-time statewide online charter schools starting fall 2008. Public demand has been high and the virtual charters were required to

[54] South Carolina General Assembly; retrieved July 28, 2008, http://www.scstatehouse.net/sess117_2007-2008/bills/3097.htm

[55] South Carolina Charter School Application Review Guide (Virtual Start-Up Charter Schools)

conduct lotteries per state code, and have waiting lists for future enrollments.[56] There are no enrollment limits for charter schools. The SCPCSD is one of the first charter authorizing agencies in the country to be a LEA (local education agency) as well as a charter authorizer.

Online programs

In addition to the state-led South Carolina Virtual School, at least three virtual charter schools will serve students from across the state as of fall 2008. South Carolina Virtual Charter School (SCVCS) is a statewide public school program served by K12 Inc. SCVCS will enroll up to 1,000 students in grades K-12. South Carolina Connections Academy (SCCA) is serving students in grades K–12 and Insight School of South Carolina serving grades 9-12 starting fall 2008.

State policies

Funding

Virtual charter schools are funded by the same formula applied to all charter schools in the state. All virtual charter school funds are distributed by the South Carolina Public Charter School District.

Governance

The following requirements are specific to virtual charter school applicants:[57]

"If the governing body of a charter school offers as part of its curriculum a program of online or computer instruction, this information shall be included in the application and the governing body shall be required to:

1. Provide each student enrolled in the program with a course or courses of online or computer instruction approved by the State Department of Education that must meet or exceed the South Carolina content and grade specific standards. Students enrolled in the program of online or computer instruction must receive all instructional materials required for the student's program.

2. Ensure that the persons who operate the program on a day-to-day basis comply with and carry out all applicable requirements, statutes, regulations, rules, and policies of the charter school.

3. Ensure that each course offered through the program is taught by a teacher meeting the requirements of Section 59-40-50.

4. Ensure that a parent or legal guardian of each student verifies the number of hours of educational activities completed by the student each school year.

5. Adopt a plan by which it will provide:

    a. frequent, ongoing monitoring to ensure and verify that each student is participating in the program, including proctored assessment(s) per semester in core subjects graded or evaluated by the teacher, and at least bi-weekly parent-teacher conferences in person or by telephone;

[56] Personal communication with Phillip Willis, South Carolina Public Charter School District, July 18, 2008

[57] South Carolina Charter School Application Review Guide (Virtual Start-Up Charter Schools)

b. regular instructional opportunities in real time that are directly related to the school's curricular objectives, including, but not limited to, meetings with teachers and educational field trips and outings; *(see SDE guidance)

c. verification of ongoing student attendance in the program;

d. verification of ongoing student progress and performance in each course as documented by ongoing assessments and examples of student coursework;

6. Administer to all students in a proctored setting all applicable assessments as required by the South Carolina Education Accountability Act."

All virtual charter school online courses must be reviewed and approved by the Department of Education as one of the last steps in charter school authorization.

Tennessee

Category	Yes/No	Comments
State-led program	Yes	e4TN
Other statewide programs	No	
Other online programs	Yes	Hamilton County Virtual School and other district-run programs
State-level policy	Yes	Tennessee enacted a virtual public school law (PC1096) in June, 2008 and the State Board approved policies specific to distance and e-learning in September, 2008

Tennessee has a state-led online learning program, e4TN, funded through an annually renewable grant that was originally awarded to the program in partnership with Hamilton County Department of Education in 2005. In 2008 the Tennessee Legislature passed a law that creates the opportunity for online charter schools.

Online programs

e4TN is entering its implementation phase in 2008. The early emphasis for e4TN has been on the development of 17 original online courses and conducting a three-year Beta Test Pilot (BTP) phase with districts across the state. The program has also created a teacher pool across Tennessee that has been trained and is experienced in online learning. A secondary portion of the original grant was awarded to seven school districts. Students, teachers, and administrators in these districts were involved in piloting licensed courses through the Host Membership Pilot (HMP), which has also tested procedures in online learning created by Hamilton County teachers and technical staff.[58] In 2008, e4TN will offer courses to students in grades 7-12 in approximately 50 school districts across the state that have been part of the two pilot programs. e4TN had 2,791 course enrollments in 2007-2008 between the BTP and HMP pilot programs.

There are some district-run online programs, such as Hamilton County Virtual School (HCVS). HCVS led the Host Membership Pilot (HMP) with e4TN and will continue to operate its virtual school to serve the students of Hamilton County.

[58] https://www.e4tn.org/cms/index.php?page=about

State policies

The Tennessee Legislature passed Public Chapter 1096 (SB2008)[59] in June 2008 that directs the State Board of Education to develop policies and guidelines for the Department of Education and LEAs (Local Education Agencies) to operate virtual schools, further stating "A virtual school would be provided equitable treatment and resources as any other public school in the state." The bill authorizes local education agencies to use BEP (Basic Education Program) funds to implement and operate virtual education programs. The language of the statute regarding access to online courses is unclear: "participation in a virtual education program by a student shall be at the discretion of the local education agency in which the student is enrolled or zoned to attend."

The SBE policy,[60] published in August 2008, places the responsibility and control of implementing online learning programs in the hands of the local education agencies. The policies support the use of supplemental online learning to provide students with specific needs more options:

> "Districts are encouraged to utilize e-learning and distance learning for students with health related issues, for credit recovery, for alternative learning settings, to ameliorate issues of education equity, or for any other student need where non-traditional instructional delivery is appropriate… Students may be permitted to access distance learning and e-learning courses to expand and enhance the curricular offerings available to them. These may include highly rigorous courses that are otherwise unavailable including, but not limited to courses that lead to college credit."

A key phrase of the SBE policy states, "In an onsite education setting, e-learning and distance learning may, in exceptional cases and in accordance with local education agency policy, be a student's primary source of instruction."

PC1096 requires the Department of Education to submit an annual report including the following:

1. "The operation of virtual education programs;
2. The number of students enrolling in these programs and the success of the students;
3. Efforts made to improve the programs and the delivery of classes;
4. Funding received and the adequacy of the funding"[61]

Virtual schools will be evaluated annually by sponsor organizations based on the following criteria:

- "The extent to which the school demonstrates increases in student achievement according to the goals of its authorizing contract and state academic standards;
- The accountability and viability of the virtual school, as demonstrated by its academic, fiscal, and operational performance."

[59] Public Charter 1096 (SB2008), passed June 5, 2008, http://www.legislature.state.tn.us/bills/currentga/Chapter/PC1096.pdf

[60] Tennessee State Board of Education, Approved Board Policies, Standards and Guidelines; retrieved September 18, 2008, 3.205, http://tennessee.gov/sbe/policies.html

[61] Tennessee legislative brief; retrieved, June 29, 2008, http://www.legislature.state.tn.us/bills/currentga/asp/WebBillInfo/Summary.aspx?BillNumber=HB1872

All teachers employed by a virtual school must have a current Tennessee teaching license or meet the minimum requirements for licensure as defined by the State Board of Education.

The law also limits online schools to students who were in the public education system the previous year, along with students "who are receiving hospital or homebound instruction."

Virginia

Category	Yes/No	Comments
State-led program	Yes	Virtual Virginia
Other statewide programs	No	
Other significant online programs	Yes	District and regional programs
State-level policy	No	

Virtual Virginia is the distance learning program of the Virginia Department of Education that provides access to Advanced Placement, world language, and elective courses to students in schools that have too few students to justify hiring a full-time teacher or that are unable to locate a qualified teacher. Virtual Virginia emerged through the process of combining the Virginia Satellite Education Network, a program that started with video courses in 1983, and the Virginia Virtual Advanced Placement School, which began offering online courses to students in 2003. In 2007–2008, course registrations nearly doubled to 6,052 with 3,026 unique students: 2,873 public school students, 130 private school students and 23 home school students. Virtual Virginia guarantees enrollment for students registered by June 30 of the upcoming academic year, with acceptance pending availability after June 30. The program receives funding through state appropriations and charges course registration fees to out-of-state and non-public school students. Pre-Advanced Placement courses, electives, and world language courses are free to public school students. A per student, per course fee is charged school districts for AP courses based upon the local composite index. The range for this fee is $75-$300 dollars. If a public school student qualifies as an Early College Scholar he/she may take an AP course free of charge. A significant portion of Virtual Virginia students take AP (over 60%) and the program does not currently offer a credit recovery program.

Distance learning courses are governed by the Virginia Standards of Accrediting Public Schools and each local school district is required to establish a district distance learning policy. The Accreditation Standards indicate that the distance course should be "equivalent" to a regular school course and that the work must be under the supervision of a licensed teacher, or a person eligible to hold a Virginia teaching license and approved by the school board. Local schools are responsible for administering Virginia's Standard of Learning (SOL) test for each course for which this test is required. The Virginia Department of Education confirms that there are no new state-level initiatives or developments in policies or legislation specific to online education.

Online programs

In addition to the state-led program, several significant district and regional online programs exist. These programs are supplemental and at this time there are no full-time online programs in the state. Virginia has a charter school law and several charter schools in

operation; however, there are no online charter schools. A partial list of online programs in Virginia includes:

- Virtual Virginia
- Fairfax Public Schools Online Campus
- Arlington Public Schools Distance Learning
- Prince William County Schools Virtual High School
- Halifax Virtual Academy
- Montgomery County Public Schools
- Pittsylvania County Schools K12 Virtual School Program
- Roanoke County Public School
- Virtual Virginia Beach (Virginia Beach City Public Schools)
- York County Virtual High School

In addition, there are several governor's schools that are virtual: A. Linwood Holton Virtual Governor's School, Commonwealth Governor's School, and Blue Ridge Virtual Governor's School.

West Virginia

Category	Yes/No	Comments
State-led program	Yes	West Virginia Virtual School
Other statewide programs	No	
Other significant online programs	No	No major district programs, no charter school law; some small district programs
State-level policy	Yes	State Board Policy 2450

Most of the online education activity in West Virginia is through the West Virginia Virtual School (WVVS), a supplemental program serving students in grades 7–12. WVVS was created by statute in 2000 and first enrolled students in the spring of 2002. WVVS is housed within the West Virginia Department of Education and is governed by statute and State Board Policy 2450.[62] It now offers approximately 250 courses; all except the WVVS-created Spanish courses are provided by third-party course providers. The WVVS budget ($450,000 for the 2007-2008 school year) pays for online courses on a first-come, first-served basis; after that, students may take courses if the course fee is paid by their local school or, in some cases, by their parents. Fees range from $150 to $850 per credit depending on the course provider. WVVS had 1,705 registrations in 2007-2008.

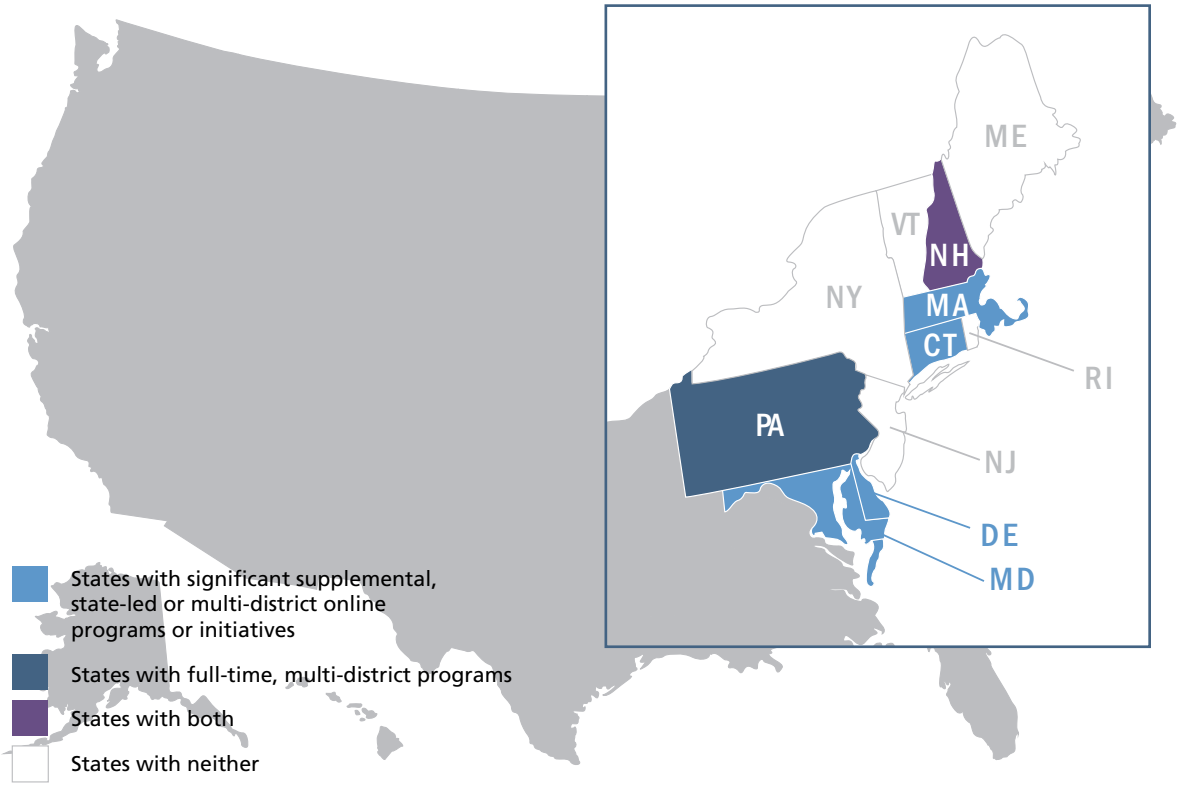
There are no other major online programs or initiatives in West Virginia, although some districts such as Kanawha County and Harrison County have online programs.

[62] West Virginia Department of Education, Title 126, Legislative Rule, State Board of Education, Series 48, Distance Learning and the West Virginia Virtual School (2450); http://wvde.state.wv.us/policies/p2450.html; retrieved August 20, 2008

In summer 2008, State Board Policy 2510 was amended to recommend that students complete an online learning experience as part of graduation requirements, beginning with students entering 9th grade in the 2008-2009 school year.[63] The Office of Instructional Technology with the WV Department of Education is developing guidance for districts and counties for the online learning experience recommendation. The guidance includes options such as West Virginia Virtual School courses or use of the WVLearns e-learning platform for an online component in face-to-face classrooms to extend student learning opportunities. The WVLearns platform is also being utilized to provide professional development courses at no cost to any West Virginia educator.

[63] West Virginia Department of Education, Title 126, Legislative Rule, State Board of Education, Series 42, Assuring the Quality of Education: Regulations for Education Programs (2510), page 19; http://wvde.state.wv.us/policies/p2510.pdf; retrieved August 21, 2008

Northeastern states



Connecticut
Launched state-led Connecticut Virtual Learning Center in 2008. CT Adult Virtual High School offers online diploma program for adults, and a consortium of regional education agencies offers courses through the Virtual High School Global Consortium to over 60 high schools.

Delaware
Delaware Virtual School will continue in a limited pilot phase in 2008 after statewide budget cuts in education eliminated DVS funding for 2008-2009. About 20 high schools participate in the University of Delaware's Online High School.

Maine
Maine Distance Learning Project uses videoconferencing primarily, with a growing number of Advanced Placement courses now available online.

Maryland
State-led Maryland Virtual Learning Opportunities operates three separate programs for students and teachers: the Maryland Virtual School (MVS), Online Professional Development (OPD), and High School Assessments (HSA). Online charter schools are effectively prohibited by charter school law.

Massachusetts
MassONE is a state-led initiative to provide online professional development and course management tools to teachers and students across the state, including a pilot of a statewide CMS application; over 100 high schools (30%) offer courses via the Virtual High School Global Consortium.

New Hampshire
State has formal rules on distance learning; the first statewide online charter school, the New Hampshire Virtual Learning Academy Charter Schools, launched in January 2008.

New Jersey
Distance learning is primarily through video, although some school districts contract with providers and 23 high schools provide online courses through membership in the Virtual High School Global Consortium.

New York
Online learning is provided by individual BOCES across the state, including AccelerateU; charter cap and past charter denials currently block online charter development.

Pennsylvania
Eleven online charter schools and extensive state oversight. House Bill 1067 established a Virtual High School Commission to study the costs and feasibility of creating a state-led virtual school.

Rhode Island
No state-led or statewide online programs, although six high schools have begun offering online courses through the Virtual High School Global Consortium.

Vermont
State Department of Education task force made recommendations to the General Assembly concerning the development of a statewide, managed network offering high-quality distance learning. Recommendations from the secondary education transformation team on how to proceed with the creation of a statewide distance learning program are expected by fall 2008.

Connecticut

Category	Yes/No	Comments
State-led program	Yes	CT Virtual Learning Center
Other statewide programs	Yes	CT Adult Virtual High School, CT Virtual Learning Academy
Other significant online programs	Yes	Approximately 60 high schools are members of the Virtual High School Global Consortium
State-level policy	No	

The Connecticut Department of Education launched the CT Virtual Learning Center (CTVLC), a state-led program funded by the General Assembly to offer supplemental online courses to public high schools[64] in January 2008. Spring 2008 had about 250 course registrations; about 85% of these were evenly split between credit recovery and AP courses. CTVLC will offer 25 courses in fall 2008. The CT Virtual Learning Center is operated by the Connecticut Distance Learning Consortium (CTDLC), within the Department of Higher Education in partnership with the State Department of Education.

The Virtual Learning Center initially received two years of funding (for the 2007-2008 and 2008-2009 school years), but the second year was then retracted due to state budget constraints. The program had planned to shift to a self-sustaining funding model based on course fees for fall 2009, but will now enact the model a year earlier than planned, in fall 2008. Tuition is paid by the participating school districts at a cost of $375 per course registration for a semester long course. The CTDLC will continue to provide technology infrastructure and other operational support for the program despite the budget cuts.[65]

Although legislation regarding K-12 online learning was introduced in 2007 and 2008, no laws were passed, leaving Connecticut without formal policies regarding course quality, professional development, and other online learning issues.

Three other online programs exist in the state. The Virtual Learning Academy offers online credit recovery courses and curriculum for a variety of students: home bound, expelled, drop-outs, special needs, at-risk, incarcerated youth, non-traditional schedules, and athletes.[66] The Connecticut Adult Virtual High School (CTAVHS) is a statewide online program, also run by the CTDLC, that provides students enrolled in Connecticut's Adult Credit Diploma Programs the option of earning credits online. This program is funded through state grants funded by federal Department of Education dollars. The CTAVHS has more than doubled course enrollments during 2007-2008 to over 1,000 registrations.[67] Finally, the Connecticut Regional Educational Service Center (RESC) has a partnership with Massachusetts-based Virtual High School (VHS) to provide VHS membership to schools at reduced rates to more than 61 high schools (27%) across the state.

[64] *Online Courses Available to Connecticut High School Students*, Connecticut State Department of Education, January 2008; retrieved June 8, 2008, http://www.sde.ct.gov/sde/lib/sde/word_docs/Pressroom/OnlineCourses_Available_CTHigh_School_Students.doc

[65] Personal communication with Gretchen Hayden, Connecticut Distance Learning Consortium, June 18, 2008

[66] *Online Courses Available to Connecticut High School Students*, Connecticut State Department of Education, January 2008; retrieved June 8, 2008, http://www.sde.ct.gov/sde/lib/sde/word_docs/Pressroom/OnlineCourses_Available_CTHigh_School_Students.doc

[67] Personal communication with Gretchen Hayden, Connecticut Distance Learning Consortium, June 18, 2008

Delaware

Category	Yes/No	Comments
State-led program	Yes	Delaware Virtual School
Other statewide programs	No	
Other significant online programs	No	
State-level policy	No	

In 2007, Delaware completed planning for the Delaware Virtual School and funded a pilot program that began in January 2008. With support from the state's Vision 2015 education initiative, the Virtual School offered six online courses through 27 high schools, but the Virtual School's 2008-2009 budget has been eliminated due to $29 million in budget cuts for education in the state. A limited version of the pilot program will be continued in fall 2008[68]. Access to online Advanced Placement courses is available through nine high school districts as part of the APIP (Advanced Placement Incentive Program). Delaware does not have any online charter schools. Some districts use vendor courses and some high schools participate in the University of Delaware's Online High School, which provides dual enrollment courses for high schools students across Delaware.

Maine

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	No	
Other significant online programs	Yes	Approximately 20 high schools are members of the Virtual High School Global Consortium
State-level policy	No	No charter school law

Maine has no charter school law, no state-led online program, and no major multi-district online programs or state-level online education policy. Most distance education at the state level is delivered through videoconferencing by the Maine Distance Learning Project (MDLP), which connects 91 sites including 83 of Maine's 131 public (or approved private) high schools. The MDLP also offers some online Advanced Placement courses through the AP4ALL project funded by the DOE using APIP federal funds, and is increasing the program to 11 courses in 2008-2009. The Maine Learning Technology Initiative (MLTI) has equipped all the state's 7th-and 8th-grade students and teachers with one-to-one 24/7 access to wireless notebook computers and the Internet for the past six years. In June 2006, the legislature approved a budget that contained $41 million for another four years of the laptop program and the Department of Education renewed its contract with Apple Computer for 38,000 new iBook laptops, training and technical support.[69] A State Department of Education study (late in 2007) reported the Maine laptop program is improving students' writing skills, and plans additional studies to examine other student skills impacted by access to laptops and Internet. In June 2007 it was announced that

[68] Delaware Virtual School, State of Delaware website, http://www.dcet.k12.de.us/dvs/, 2008, and $29 million in education cuts leave little for Vision 2015 initiative, Jennifer Price, The News Journal, May 24, 2008, http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20080524/NEWS03/805240339)

[69] Retrieved June 10, 2008, http://pressherald.mainetoday.com/story.php?id=107195&ac=PHnws&pg=2

all educators and administrators in grades 9-12 will receive professional development, equipment, and support that has been available to their counterparts in middle school.[70]

The Virtual High School Global Consortium provides online courses and services to 20 high schools (14%) in Maine. The Maine Department of Education also provides online test preparation as part of the Advanced Placement Incentive Program (APIP) for Maine high school students.

Maryland

Category	Yes/No	Comments
State-led program	Yes	Maryland Virtual Learning Opportunities
Other statewide programs	No	
Other significant online programs	Yes	A few districts have started hybrid programs
State-level policy	Yes	Maryland charter school law effectively prohibits online charter schools

Maryland's state-led online program, Maryland Virtual Learning Opportunities (MVLO), is part of the Maryland State Department of Education (MSDE) and offers supplemental courses. No other MSDE-approved programs exist in the state. Because a provision of charter school law requires that students be "physically present on school premises,"[71] there are no online charter schools. During 2002, the General Assembly passed House Bill 1197, Public Schools – Technology for Education. That bill, which amended Education Article §7-901, §7-902, §7-904, §7-906, and §7-1001 of the Annotated Code of Maryland, updated the original 1994 act to reflect recent changes in the acquisition and use of technology in education throughout the state. Additionally, §7-1002 instituted the establishment of the Maryland Virtual Learning Opportunities Program and directed the Department of Education to report to the Governor and the General Assembly on the progress of the Maryland Virtual Learning Opportunities and the availability of online courses and services. For online courses, COMAR 13A.03.02.05D(1) specifies that credit may be given for MSDE-approved online courses.

MVLO opened in fall 2002, and now encompasses three separate programs for students and teachers: the Maryland Virtual School (MVS), Online Professional Development (OPD), and High School Assessments (HSA).

MVS is a supplemental online course provider for grades 6-12 that had 398 students and 927 course registrations in the 2007-2008 school year. Over 60% of the course registrations were for AP courses. MVS is funded largely through course fees paid by school districts for local students enrolled in MVS courses. Course fees range from $15 per student per course for districts that simply want to license and host a course through MVS, up to $800 for courses that include instruction provided by third party providers. The average per-student, per-course fee to a district is $450-600.

MVLO also operates the Online Professional Development (OPD) program, which makes online teacher training available to instructors across the state, and the HSA (High School Assessments) program, an online test preparation program covering four required course

[70] Retrieved June 10, 2008, http://www.mainelearns.org/story_detail?story_id=738

[71] Maryland State Code § 9-102; retrieved September 1, 2008, from http://www.marylandpublicschools.org/NR/rdonlyres/64999462-AD67-47E0-9366-35457DCBACF2/7967/ModelPolicyGuide.pdf

areas (English 2, Biology, Algebra/Data Analysis, and U.S. Government). MVLO has extended access to these specific courses for teachers and students at no cost because these are subjects that have end of course state assessments that all students (starting with students who entered grade 9 in 2005) must take and pass in order to graduate.

MVLO does not receive a legislative appropriation. MVLO receives funding from various departments within the MSDE along with online course tuition fees and some federal funding including a $375,000, 2-year, Title II-D grant.

Massachusetts

Category	Yes/No	Comments
State-led initiative	Yes	Massachusetts Online Network for Education (MassONE) provides online tools and resources for educators and students across the state
Other statewide programs	No	
Other significant online programs	Yes	About 30% of districts are members of the Virtual High School Global Consortium
State-level policy	Yes	*Recommended Criteria for Distance Learning Courses* published by the Department of Education in 2003

Massachusetts has a state-led learning portal, MassONE, which offers online tools and resources to all teachers in the state. Teachers are rostering their students into their "classes" for blended (face-to-face and online) course work. Currently, 250,000 teachers and students have registered as MassONE users.

The Massachusetts Department of Elementary and Secondary Education is piloting the use of Moodle, a course management system, to provide teachers with a more complete structure for conducting online coursework.[72] The pilot is supported through NCLB Title II-D competitive grants and the federal Special Education, Project Focus grant. The pilot will have approximately 16 to 20 courses online in the fall to complement 10 professional development courses offered in the summer 2008.

Approximately 118 high schools (30%) in Massachusetts are participating in online courses through the Virtual High School Global Consortium.

State policies

Massachusetts does not have any state policies that govern online courses. In 2003 the State Department of Education published *"Massachusetts Recommended Criteria for Distance Learning Courses,"* which states "Since the Department does not approve or oversee online courses, it is up to each school district to decide if it will allow students to take online courses, determine which students can take online courses, and evaluate the available online course offerings."[73] The recommended criteria include:

- "The content of the course is aligned with the Massachusetts Curriculum Frameworks and is equivalent in rigor to traditionally delivered courses.

[72] Personal communication with Connie Louie, Massachusetts Department of Education, May 27, 2008

[73] Recommended Criteria for Distance Learning Courses published by the Department of Education in 2003; retrieved July 23, 2008, from www.doe.mass.edu/edtech/news03/dl_letter.html

- The course makes the best use of available technologies and online resources to enrich the content. Face-to-face or other real-time meetings are provided for any content that cannot be effectively delivered online.
- The course provides frequent and timely interactions between the students and the online teacher, as well as among the students.
- The course provides ways to assess students' participation and achievement of learning goals.
- The online teacher is fully qualified in the content area being taught.
- The online teacher has been trained and is skilled in methods of teaching online.
- The school designates an onsite coordinator, who manages technical and administrative issues and serves as the primary contact person between the school, the students, and the course provider.
- The learning environment and course materials are universally designed, making them accessible to all learners."

The Board of Elementary and Secondary Education and Secretary of Education have convened a Task Force on 21st Century Skills to assist the Board in considering how to infuse 21st century learning into the work of the state's public schools. Specifically, the Task Force is being asked to recommend how the Board might supplement its work on standards, assessments, accountability, curriculum, professional and teacher development to signal educators across the Commonwealth that 21st century skills should be infused into the curriculum.[74]

New Hampshire

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	Virtual Learning Academy Charter School (VLACS) is a statewide virtual charter high school
Other significant online programs	Yes	One district-based charter school offering a blend of online and face-to-face courses, and nearly 30 schools are members of the Virtual High School Global Consortium
State-level policy	Yes	State has formal rules on distance learning

New Hampshire does not have a state-led program, but has a statewide virtual charter high school and at least one other regional online charter. The Virtual Learning Academy Charter School (VLACS) is New Hampshire's first statewide online high school, approved in May 2007 with limited courses offered in January 2008. VLACS offers college-preparatory, Advanced Placement, and special interest classes for high school students, as well as several middle school courses beginning fall 2008.[75] Great Bay eLearning Charter School offers online instruction blended with face-to-face instruction for grades 8-11. In addition, New

[74] Retrieved, May 5, 2008, http://www.doe.mass.edu/news/news.asp?id=4074

[75] SAU 16 Launches NH's First Statewide On-Line High School Virtual School, press release, 2007; retrieved June 2, 2008, http://www.vlacs.org/pr_vlacslaunch.html

Hampshire had 29 high schools (31%) offering online courses through the Virtual High School Global Consortium in 2007-2008.

New Hampshire does not have any state policies that govern online courses specifically, but does have state rules on distance learning that have been in effect since July 2005.[76] Most of the rules describe policies that the local school board must set for distance learning, without going into much detail. One provision states that the School Board must create policies to address "the number of students a teacher may be required to supervise" and "monitoring of student progress, grading of assignments, and testing." Two prescriptive provisions require that "students earning credit for distance education courses shall participate in all [state] assessments," and "credit courses require students to meet similar academic standards as required by the school for students enrolled in credit courses offered by the school."

One of the state rules applicable to digital learning has students develop digital portfolios as part of the state's ICT (information and communication technologies) literacy requirements, which are designed to help meet the NCLB goal of students being technology-literate by the end of 8th grade. Although schools have discretion over the review and dissemination of the digital portfolios, many schools are implementing online applications to use blended learning environments for student-teacher and student-student interaction related to the review and evaluation of the student portfolios.[77]

New Jersey

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	No	
Other significant online programs	Yes	New Jersey Virtual School is not state-led but is an online program of an LEA
State-level policy	No	

New Jersey has no state-led or statewide online programs. The current statute for charter schools has geographic limits to the community of students they serve and requires a 90% enrollment in contiguous districts.[78] Some school districts contract with providers and 23 high schools are members of the Virtual High School Global Consortium. The Educational Technology Plan for New Jersey, a report from the New Jersey Department of Education and published and approved by State Board in December 2007, notes that the Department of Education will provide research and policy support for the development and use of online courses and virtual schools, but does not make any additional references to online learning initiatives in the state.[79]

The New Jersey Department of Education (NJDOE) is in the process of revising its Core Curriculum Content Standards for 2009 that will reflect stronger integration of technology in all core content areas. Further, and as part of New Jersey's Secondary Education Redesign plan, the NJDOE is collaborating with the New Jersey Education Association and other organizations to develop state policies for online learning as a preliminary step towards

[76] Section 306.22 of Rules Ed Chapter 300; retrieved June 2, 2008, from http://www.gencourt.state.nh.us/rules/ed300.html

[77] Personal communication with Cathy Higgins, NH Department of Education, May 27 and June 10, 2008 and state rules, http://www.gencourt.state.nh.us/rules/ed300.html

[78] Correspondence with the New Jersey Department of Education and Sue Sullivan, July 25, 2008

[79] New Jersey Department of Education website; retrieved May 25, 2008, http://www.state.nj.us/education/techno/state_plan.pdf

creating a state infrastructure to facilitate online learning.[80] New Jersey is a member of the Partnership for 21st Century Skills initiative and is committed to increasing student achievement using 21st century technologies.

Monmouth Ocean Educational Service Commission (ESC) has legal ownership of the "New Jersey Virtual School" name and offers online classes, but is not a virtual school run by the state.

New York

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	No	
Other significant online programs	Yes	AccelerateU provides courses for partner districts and BOCES. Charter school cap and past charter denials currently block online charters.
State-level policy	No	

New York does not have a state-led or statewide online program or state-level policy. Local education agencies, including school districts or Boards of Cooperative Educational Services (BOCES), may choose to create and offer online courses for students under the guidance and supervision of their boards. Wayne-Finger Lakes BOCES has created Project Accelerate and AccelerateU, which provide online courses for students and professional development and instructional support for teachers. Through agreement with other BOCES, the online courses have been available to students and teachers from other regions. For example, the Monroe 2-Orleans BOCES Distance Learning program offers online high school courses, primarily for credit recovery. Courses are asynchronous and both self-paced and with set start and end dates. The project was originally funded through a New York State Title III Technology Grant five years ago. Student courses are now funded by an enrollment fee paid by districts and by course fees. Districts who meet certain state requirements then receive aid back from the state in the following fiscal year, ranging from 50-75% of the amount paid.

Pennsylvania

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	11 cyber charter schools and some district programs, many of whom draw students from across the state
State-level policy	Yes	Cyber charters are approved by the PA Department of Education, which has a tracking and review process in place

Online charter schools in Pennsylvania are authorized by the Pennsylvania Department of Education (PDE).[81] The PDE has a system of cyber charter review in place,[82] which may be partly a result of previous funding controversy surrounding these schools. Pennsylvania law requires that the home district of a student forward per-pupil funding allotments to the

[80] Correspondence with the New Jersey Department of Education and Sue Sullivan, July 25, 2008

[81] Retrieved July 23, 2008, http://www.pde.state.pa.us/charter_schools/lib/charter_schools/2006-07_Cyber_List.pdf

[82] Retrieved July 23, 2008, http://www.pde.state.pa.us/charter_schools/lib/charter_schools/PASCCR.pdf

student's school of choice. In 2001, school districts refused to pay student funds to the cyber charter schools and joined the Pennsylvania School Boards Association in filing a lawsuit that challenged the legitimacy of the cyber charter schools. The school districts lost in court; but, in response to their concerns, Act 88 (2002)[83] was passed. (Direct quotes below are from this legislation.) The new law designated the PDE as the authorizer of any new cyber charter school and of any renewing charter of an existing cyber school. As of August 2008, the funding controversy continues as legislation (HB446) aimed at reducing payments to cyber charter schools from school districts has been introduced (but not passed).

Cyber charter school oversight is regulated by a combination of charter school law that oversees all charter schools, and regulations specific to cyber charters. The Pennsylvania System of Cyber Charter Review (PASCCR) was developed by the PDE's charter school team to specifically address cyber charter school issues. Together PASCCR, the charter school's annual report to the state, and the original charter school application to PDE explain how the school meets Pennsylvania's academic standards and assessment requirements, what technical support will be given to students, how student work will be monitored, what type of communication will be held with students and parents, and how often that communication will take place.

In July 2008, House Bill 1067 established a Virtual High School Commission within the Department of Education to study the costs and feasibility of creating a state-led virtual school that would be called the Pennsylvania High School. This Commission must submit a report to the governor and legislative leaders no later than December 31, 2009.[84]

Online programs

Pennsylvania has 11 cyber charter schools that are authorized by the Pennsylvania Department of Education, totaling over 21,000 students.[85] In addition, some district-run programs provide online courses for area students, such as South Side Cyber Services, a district-run program of the South Side Area School District.

State policies

Funding

- Local school districts provide funding for students enrolled in cyber charter schools based on a per-pupil cost (approximately 75% of the standard per-pupil cost for the school district to educate the child). The state provides a reimbursement to the sending district of approximately 30% to cover the district's fixed costs.
- A cyber charter school must "satisfy requirements for compulsory attendance," but it is up to the cyber charter school to provide "a description of how the cyber charter school will define and monitor a student's school day."

Governance, tracking, and accountability

- All cyber charter schools are authorized by the PDE, and an annual report and quality review specific to online programs (PASCCR) is required.

[83] Retrieved July 23, 2008, http://www2.legis.state.pa.us/WU01/LI/BI/BT/2001/0/HB0004P4196.pdf

[84] Pennsylvania General Assembly, HB1067, Section 9; retrieved September 2008, http://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2007&sessInd=0&billBody=H&billTyp=B&billNbr=1067&pn=4199

[85] On Cyber School reform, PCCS, June 5, 2007, http://www.pachartercoalition.com/main/news_information/news_20070605.html and personal communication with Tim Daniels, Executive Director of PCCS, June 11, 2008

- Cyber charter school students are required to take the Pennsylvania state assessment.

Quality assurance, teaching, and curriculum

- PDE requires all curricula used by school districts and public charter schools to be aligned with academic standards approved by the State Board of Education. Cyber charter schools must determine compliance with state curriculum standards.
- All charter schools are required to have 75% of staff meet state certification standards. Teacher evaluations must be done by a supervisor holding a Principal Certificate or Letter of Eligibility with the PDE. There are no special provisions for online teachers, but the PASCCR includes teaching and professional development provisions.

Vermont

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	No	
Other significant online programs	No	
State-level policy	No	No charter school law; a 2008 task force reported to the state legislature on recommendations for a state-supported distance learning program

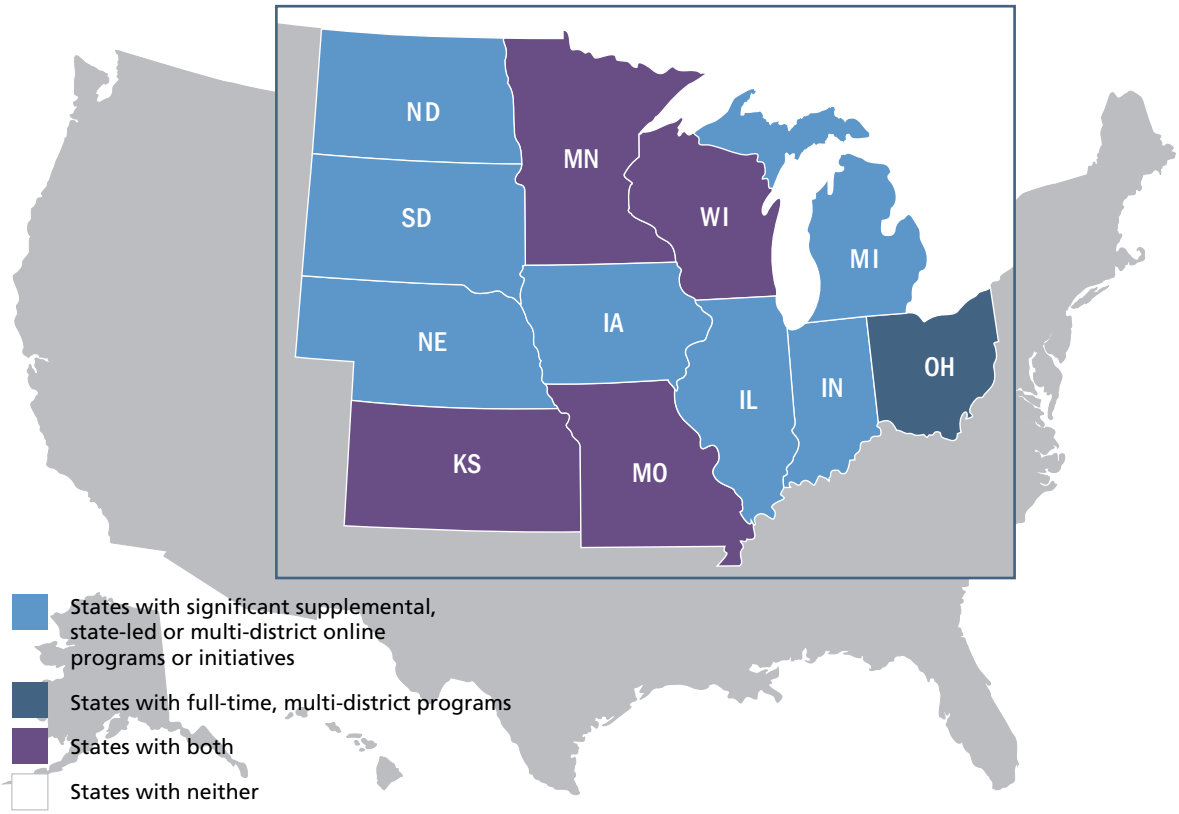
Vermont has no state-led, statewide, or large district online programs. In 2008, a Vermont Department of Education task force made recommendations to the General Assembly concerning the development of a statewide network offering high quality distance learning opportunities to all Vermont schools. The final report, *Managed Statewide Network for Distance Learning,* strongly supports the creation of a "Statewide Education Network," a state-supported distance learning program which aims to improve equity of distribution and improved cost effectiveness of broadband services to Vermont schools, provide a platform for growth of existing and new services, and maximize use of E-Rate funds.[86] The State Board of Education has also initiated "A Framework for Transforming Schools into 21st Century Learning Environments," which includes the development of "flexible learning environments" as one of five key components of providing Vermont students with 21st Century Skills.[87] Recommendations from the secondary education transformation team on how to proceed with the creation of a statewide distance learning program are expected by fall 2008.

Vermont currently has distance education rules that apply to independent schools, however, only a couple of these schools exist and they serve primarily adult learners, and 11 schools (15%) are using the Virtual High School Global Consortium to deliver online classes. Vermont does not have a charter school law.

[86] 2008 Report on Act 66. Section 21, Statewide Network for Distance Learning, January 1, 2008, http://education.vermont.gov/new/html/laws/legislative_reports.html#distance

[87] How Are the Children? A Step toward the Transformation of Education in Vermont, 10/03/2007, Vermont State Board of Education; retrieved August 4, 2008, http://education.vermont.gov/new/pdfdoc/dept/future_of_education/future_of_education.pdf

Central states



Illinois
Illinois Virtual High School is a state-led supplemental program; one full-time online charter school and one blended learning school in Chicago.

Indiana
Online charter schools were denied state funding by legislature in early 2007; two hybrid programs blend online and face-to-face to meet requirements of legislation.

Iowa
Two programs fit the *Keeping Pace* definition of state-led, Iowa Learning Online and the Iowa Online AP Academy; few other online programs.

Kansas
Thirty-five district programs and charter schools; extensive Department of Education oversight has been increased after 2007 state audit questioned whether oversight was effective.

Michigan
Michigan Virtual School is helping schools meet the new requirement that all high school students must have an "online learning experience" to graduate; Superintendent of Public Instruction granted a waiver of the online learning pupil accounting rules to allow one district to implement full-time online program in partnership with MVS.

Minnesota
Many district programs and charter schools and extensive Department of Education oversight; law passed in 2007 changed some oversight provisions.

Missouri
State-led program enrolls both part-time and full-time, and public and private, students at elementary and high school grade levels.

Nebraska
Distance Education Council created by legislation in April 2006 is providing supplemental online courses across the state; implementing online curriculum statewide to all grades P-16.

North Dakota
North Dakota Center for Distance Education (formerly North Dakota Division of Independent Study) is state-led program; new law in 2007 requires the state to set up an approval process for online courses.

Ohio
Many online charter schools (34) with a combined enrollment of over 20,000 students.

South Dakota
South Dakota Virtual High School, Department of Education establishing criteria for approval of other organizations as Distance Learning Providers.

Wisconsin
Wisconsin Web Academy is state-led program, also numerous district programs, and online charter schools.

Illinois

Category	Yes/No	Comments
State-led program	Yes	Illinois Virtual High School
Other state-wide online programs	No	
Other significant online programs	Yes	Chicago Virtual Charter School and the VOISE Academy through Chicago Public schools
State-level policy	No	

The Illinois Virtual High School (IVHS) is a non-credit granting program of the Illinois State Board of Education, operated by the Illinois Mathematics and Science Academy. IVHS serves a high proportion of students from low-income areas; in some cases, IVHS provides scholarships to cover these students' tuition. For school year 2007–2008, 57% of IVHS students were from low-income schools. IVHS saw a growth of nearly 50% in 2007-2008, with total enrollment increasing to 4,031 course registrations and 2,961 students in grades 6-12. Funding for IVHS is through a state appropriation of $1.45 million in 2007-2008 and course enrollment fees. IVHS has over 120 courses and 77 part-time teachers.

The Chicago Virtual Charter School (CVCS), with curriculum and academic services provided by K12 Inc., had its first students in fall 2006. It requires students to meet at a physical location once a week in order to address a legal provision that charter schools not be home-based.[88] In the 2007-2008 school year CVCS had 443 students in grades K-9 enrolled in its program and will expand to include grades K-10 in 2008-2009.

The VOISE (Virtual Opportunities Inside a School Environment) Academy is a new Chicago Public School (CPS) high school opening in fall 2008, which is blending face-to-face instruction with fully online curriculum in its first class of students. VOISE is a neighborhood school chartered under the CPS Renaissance 2010 initiative and will start with an initial 9th grade class of up to 150 students, adding a new class each year to service grades 9-12.

Indiana

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	Several supplemental programs including Indiana Virtual Academy and Indiana Online Academy
Other significant online programs	Yes	Hoosier Academies is a hybrid charter school; Indiana Online Academy; and some district programs including Indianapolis Public Schools
State-level policy	Yes	HB1001, passed in 2007, denies funding to virtual charter schools that offer more than 50% of instruction online

In 2005, legislation was passed that allowed charter schools to provide online courses. Afterwards, one of the charter authorizers, Ball State University, generated guidelines for authorizing virtual charters that were finalized in August 2006. Two charter schools were

[88] Illinois charter school law, 105 ILCS 5/27A-5; retrieved August 4, 2008, http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=010500050K27A-5

authorized to begin operations in fall 2007, but the legislature included a provision in its budget bill to deny funding to virtual charter schools. The provision says,

> "'Virtual charter school' means any entity that provides for the delivery of more than fifty percent (50%) of instruction to students through virtual distance learning, online technologies, or computer based instruction. A virtual charter school is not entitled to any funding from the state of Indiana during the biennium and is not entitled to a distribution of property taxes. This paragraph expires June 30, 2009."

In response to the law, one charter school has moved forward with plans to open in fall 2008 by adding a significant classroom-based component that meets the requirements of HB1001. The Hoosier Academies has two campuses, one in Muncie and another in Indianapolis. They will meet the requirement that more than 50% of the instruction in charter schools be delivered in a face-to-face setting by implementing a program that requires attendance at the physical location two days out of the week and providing online instruction the remainder of the school week. The two days of classroom attendance are longer than school days at traditional district campuses to accommodate the legislative requirements.[89]

There are several other online programs in Indiana that are primarily supplemental and therefore do not violate the requirements of HB1001. The Indiana Virtual Academy is an initiative of the Ripley County Community Foundation to provide virtual learning opportunities for the four Ripley County School Corporations and the County Career Center, and now serves online students across the state.[90] Indiana Virtual Academy is also a member of a broader consortium of Indiana online programs, the Indiana Virtual Learning Academy, which also includes the Indiana Online Academy, the Indiana University High School, Ivy Tech Community College, the Indiana Academy for Science, Mathematics, and Humanities (a program of Ball State University). The Indiana Online Academy is a supplemental program of the Central Indiana Educational Service Center in Indianapolis. The Indiana Academy for Science, Mathematics and Humanities is an accredited residential high school with on online outreach program offering 15 online courses in Advanced Placement and other topics.[91] Indianapolis Public Schools offers an online program, and the Indiana University High School is a diploma granting program providing online courses. Aside from the bill denying funding to online charter schools there are no other state policies related to online learning.

The state is collecting information on the status of virtual learning through several mechanisms in 2008. The Indiana General Assembly has established an interim study committee on K-12 virtual learning authorized by HB1246[92] passed in January 2008. The committee will review and make recommendations to the General Assembly, the State Board of Education, and the Department of Education by November 2008 for the purpose of guiding future legislation action.

The areas to be addressed by the study committee include:

- "The availability of virtual learning for K-12 students in Indiana.

[89] Blending Learning: The Convergence of Online and Face-to-Face Education, NACOL, 2008, http://www.nacol.org/resources/promising_practices.php

[90] Indiana Virtual Academy; retrieved August 7, 2008, http://www.indva.org/

[91] Indiana Academy for Science, Mathematics and Humanities; retrieved June 16, 2008, http://www.bsu.edu/academy/distance/

[92] Indiana General Assembly, HB1246, January 2008; retrieved June 20, 2008, http://www.in.gov/legislative/bills/2008/HCRP/CR124603.001.html

- How virtual learning services are being provided by other states and through state departments of education.
- Standards of quality and alignment with Indiana's content standards recommended for virtual learning.
- Accreditation standards and pricing for virtual learning services if provided by a private provider or nonaccredited nonpublic school.
- Tuition reimbursement for students who enroll in courses that are provided outside their home school corporation."[93]

The Indiana Department of Education is conducting a Survey of Electronic Learning in Indiana, "to determine the extent and nature of e-learning systems and courses used in Indiana's elementary, middle, and high schools during the 2007-2008 school year." The Indiana Department of Education has been asked to provide this data to the General Assembly's Interim Study Committee on Education Matters. The survey is targeted at the person responsible for managing e-learning activities in a school, with all responses due in June 2008. [94]

Iowa

Category	Yes/No	Comments
State-led program	Yes	Iowa Learning Online and the Iowa Online AP Academy
Other statewide programs	Yes	Kirkwood High School Distance Learning, a program of Kirkwood Community College, focuses on providing credit recovery courses and adult diploma options for students across the state
Other significant online programs	No	
State-level policy	Yes	I.C.A. 257.11 A school district may establish a regional academy, which may include a virtual academy.

Iowa has two programs that fit the *Keeping Pace* definition of state-led programs. Iowa Learning Online, which offers a variety of Internet and video-based courses, is a supplemental program of the Iowa Department of Education. The second program is the Iowa Online AP Academy. There is little state policy activity. A weighted funding provision was passed for the 2008-2009 school year that will provide additional funding for schools offering distance courses to other Iowa schools through the use of the Iowa Communication Network.

Online Programs

Iowa Learning Online (ILO) is a non-credit granting, supplemental program started in summer 2004 offering courses at the 9-12 grade level (students grades 6-12), with 317 students and 567 course registrations. ILO offers nine courses with set start/end dates both synchronous and asynchronous. Some of the program's courses in science and math are offered via the statewide video-based Iowa Communication Network. The program received $800,000 in federal funding for the year from E-rate funds. ILO has its first full-time director

[93] Ibid

[94] Survey of Electronic Learning, Indiana Department of education; retrieved June 18, 2008, http://www.surveymonkey.com/s.aspx?sm=3vDF_2f2rCDha2do4TuDP9kw_3d_3d

in 2008 with a mandate from the Iowa Department of Education (IDOE) to integrate the activities of ILO into the daily activities of the IDOE.

Iowa Online AP Academy (IOAPA) offers AP courses through a contract with Apex Learning, as well as professional development for teachers. The AP Academy was initially funded in 2001 with a $1.6 million technology grant from the IA Department of Education, and additional funding of $1.4 million has been awarded to the program by the U.S. Department of Education to extend the program through 2010.

Kirkwood High School Distance Learning (KHSDL) is a program of Kirkwood Community College and works with school districts across Iowa to offer online transfer credit courses largely for students looking for credit recovery opportunities.

Kansas

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	Virtual schools are district-run, but may enroll students from across the state. Some of the 35 districts and service centers registered by the Kansas State Department of Education (KSDE) to provide online courses serve students statewide.
State-level policy	Yes	KSDE has a well-developed set of registration and audit requirements for online programs. SB669, passed in 2008, changes funding for online students and increases supervision of online schools by KSDE.

The Kansas State Department of Education (KSDE) has had a comprehensive set of policies for online schools, including extensive reporting, for several years. However, a state audit released in April 2007[95] questioned whether the Department's policies were being carried out appropriately. A new law passed in 2008, SB669 (the Virtual School Act) increases supervision and regulation of all virtual schools by the department, and changes funding of online students.

Online programs

The state audit and KSDE website list about 35 online programs in Kansas, divided into several types: charter schools, programs within a building, programs within a district, and buildings within a district.[96] The largest program has over 500 FTE, and most programs have less than 100 FTE. Grade levels served range from some programs serving K-12, and others having only high school or elementary level students.

State policies

Information and quotes in this section are based on SB669, a legislative brief and documents available on the Kansas Department of Education website, including an extensive

[95] School District Performance Audit Report, K-12 Education: Reviewing Issues Related to Virtual Schools, April 2007; retrieved July 20, 2008, http://www.kasb.org/legis/2007/07paVirtualSchools.pdf

[96] Retrieved June 20, 2008, from http://www.ksde.org/LinkClick.aspx?fileticket=GSr3jZr5PUI=&tabid=457

explanation of Virtual Education Requirements.[97] Specific requirements are detailed below. The new law defines a virtual school as "any school or educational program that: (1) Is offered for credit; (2) uses distance-learning technologies which predominantly use Internet-based methods to deliver instruction; (3) involves instruction that occurs asynchronously with the teacher and pupil in separate locations; (4) requires the pupil to make academic progress toward the next grade level and matriculation from kindergarten through high school graduation; (5) requires the pupil to demonstrate competence in subject matter for each class or subject in which the pupil is enrolled as part of the virtual school; and (6) requires age-appropriate pupils to complete state assessment tests."[98] It establishes a new method of counting virtual student enrollment based on census date attendance within specific calendar time frames, and states virtual "attendance may be shown by a pupil's on-line activity or entries in the pupil's virtual school journal or log of activities."

Even prior to the new law, KSDE has required that online programs be registered in order to claim FTE funding. Registration and claiming funding requires a desktop audit and an annual report from each program. In addition, the state has published extensive guidance and rules for online programs. Requirements include site visits, personnel and program requirements. The state also mandates that a team of at least two people evaluate each online program to ensure that guidelines have been followed.

Funding

Online students receive FTE funding, with the following requirements:

- The new law sets a rate for online student funding of 105% of the base rate in the state, addressing the inequity that previously existed with online students receiving different levels of funding. "In addition, virtual schools would receive a non-proficient weighting of 25 percent multiplied by the FTE enrollment of non-proficient pupils in an approved at-risk program offered by the virtual school."
- The law encourages Advanced Placement enrollment by funding an additional 8% of the BSAPP paid to virtual schools for each pupil enrolled in at least one Advanced Placement course, with some restrictions.
- The new law requires that online programs maintain a financial account for the online program separate from the rest of the district, addressing concerns about financial issues that were raised in the audit.
- FTE can only be claimed for students who are enrolled in a program that is registered with KSDE and has completed the online requirements application.
- Verifying "enrolled and attending" students in a virtual course is done through an Academic Activity Log or Documentation of Virtual/Online Activity.[99]
- Only students who reside in Kansas are eligible for FTE funding, with some exceptions for out-of-state students.

[97] Retrieved July 20, 2008, Kansas State Department of Education, from http://www.ksde.org/LinkClick.aspx?fileticket=vQyfSb4K6ig%3d&tabid=455 and Kansas SB 669; retrieved July 21, 2008, http://www.kslegislature.org/bills/2008/669.pdf and Legislative brief, SB669; retrieved, July 21, 2008, http://skyways.lib.ks.us/ksleg/KLRD/2008ConfCommRpts/ccrb669_001_23.pdf

[98] Kansas SB669; retrieved July 21, 2008, http://www.kslegislature.org/bills/2008/669.pdf

[99] Counting Virtual/Online Students, KSDE; retrieved July 20, 2008, http://www.ksde.org/portals/0/Virtual%20Schools/virtualcountingfte.pdf

Governance, tracking, and accountability

- Online programs are tracked by the state. The required annual reports and desktop audits allow KSDE to have more information regarding online activity across Kansas than any other state education agency across the country.
- The KSDE accredits schools and districts. If an online program is a program within the district it must be integrated into the district Quality Performance Accreditation (QPA)/NCA plan.

Quality assurance, teaching, and curriculum

- "Course delivery must be based on 'accepted' good practice for online learning. This may include but is not limited to clearly communicating course expectations, grading policies, required/supplemental materials, etc.; establishing timelines; and regular communications with students and parents."
- Orientation training sessions must be provided for students/parents.
- School districts are required to "provide adequate training to teachers who teach in virtual schools or virtual programs," and provide an annual report of that training.
- "Opportunities for students to participate in group activities must be provided. These may include some face-to-face activities such as (but not limited to): field trips, study sessions, additional orientation/training assistance, open houses, conferences, end-of-year celebrations, use of parent resource center, and teacher face-to-face instruction for labs or virtual teaming opportunities."
- "Online communication opportunities must be provided enabling students to share with others; i.e. discussion boards, chats, virtual classrooms, e-mails, group online projects."
- Ongoing feedback regarding student progress must be provided.
- Students/families must be provided a response within a 24-hour turn-around during school days, and a backup plan must be established for handling communication if a teacher isn't available.
- "A person or contracted entity must be designated to implement and evaluate training provided to all staff, students and parents in the use of the online program."
- An assessment coordinator must be designated who will ensure that students 18 and under take all required state assessments for their grade level.
- All data is reported as part of the state's QPA requirements, the federal NCLB requirements (e.g. Adequate Yearly Progress), and NCA requirements, if appropriate.
- All state assessments are proctored by a licensed educator.

Michigan

Category	Yes/No	Comments
State-led program	Yes	Michigan Virtual School
Other statewide programs	No	No online charter schools
Other significant online programs	Yes	A few district programs
State-level policy	Yes	Legislation requiring an "online learning experience" in order to graduate was passed in 2006[98] and regulations implementing the law were released in fall 2006

Michigan is at the forefront of K-12 online education, led by the Michigan Virtual School and the Michigan Legislature, which in 2006 passed a requirement that students have an "online learning experience" before graduating. In late 2006 the Michigan Department of Education (MDE) released its guidelines for the online learning experience, which require that students 1) take an online course, or 2) participate in an online experience, or 3) participate in online experiences incorporated into each of the required credit courses of the Michigan Merit Curriculum.[101]

In addition to defining an online course, the guidelines go on to explain options for the "online learning experience" and state that a "meaningful online experience requires a minimum accumulation of twenty hours… for students to become proficient in using technology tools to virtually explore content." The elements that will satisfy the online learning experience requirement include providing opportunities for students to interact with other students and experts from around the globe, utilizing an online learning management system that allows ongoing interactive opportunities for students, and participating in an online project where students apply understanding of software applications to simulated or real data.

In response to the law, MVS has collaborated with the MDE to develop an online course, *Career Forward™*, which helps Michigan students understand how the new global economy will impact their career opportunities. The course was funded through a grant from Microsoft's Partners in Learning program, was piloted in spring 2007, and is available in three different versions: a Blackboard learning management system (LMS) version, a Moodle LMS version and as a non-LMS web version.

The requirement will likely increase demand for a large number of teachers experienced in online instruction, and affords an opportunity to expand Michigan LearnPort®, an existing collaboration between the MDE and Michigan Virtual University (the parent organization of MVS). LearnPort seeks to redefine how professional development services are delivered in Michigan by making effective use of innovative web-based tools and resources. MVU is required by the Michigan Legislature to offer at least 200 hours of online professional development for classroom teachers free of charge. The LearnPort catalog currently contains 212 online courses or professional development modules, and over 32,000 active users have joined Michigan LearnPort as of August 2008.

In 2008, the Traverse City Area Public Schools (TCAPS) in northwest Michigan faced a temporary increase in student enrollment that will leave the district lacking sufficient

[100] Public Acts 123 and 124 of 2006; retrieved August 10, 2007, from http://www.michigan.gov/documents/PA_123_and_124_159920_7.pdf

[101] Ibid

buildings and space. Because the shortfall will be temporary and construction of a new facility is not practical, the district applied to Michigan's Superintendent of Public Instruction for a waiver of the state's pupil accounting rules to allow eligible full-time students take all of their coursework online. The waiver was granted and TCAPS is working with MVS to implement a program involving the expanded use of online resources to train the district's teachers to become blended instructors and deliver semester-length online courses.

Michigan Virtual School is one of the largest online course providers in the nation with 11,000 course registrations in 2007-2008. MVS partners with local schools to provide core and supplemental courses with over 100 part-time teachers that are Michigan certified, highly qualified instructors. MVS is primarily a supplemental program, although MVS has one full-time program to meet the needs of the Traverse City Area Public Schools.

In summer 2007, the MVS launched the Michigan Virtual Science and Math Camps[102] designed for middle school students. These two-week online enrichment programs help students strengthen study habits and their understanding of essential mathematics and science concepts. The camps utilize online learning simulations called Gizmos™, developed by Explore Learning©, that encourage students to think creatively about complex science and math concepts. The MVS is also developing a pilot project to extend the summer camp program into an after-school enrichment program for middle school students.

In 2008 MVU and the Michigan Mathematics and Science Centers Network formally established a partnership to create a Virtual STEM Academy to expand opportunities in the areas of science, technology, engineering and mathematics. The STEM Academy will be designed to serve as a statewide online learning portal that brings high quality specialized math, science, technology and engineering courses, teacher professional development modules and interactive online resources to K-12 students and teachers.

The MVS became the first virtual school in the U.S. to offer an online Chinese (Mandarin) language course for high school students in 2006. The Confucius Institute at MSU (CI-MSU), MVS and the International Baccalaureate (IB) Organization® are working to develop a comprehensive two-year Online Diploma Programme Mandarin Chinese *ab initio* course and pre-AP and AP Mandarin Chinese courses for high school students. In 2009 MVU, the CI-MSU and the IB Diploma Programme intend to launch a pilot Mandarin Chinese *ab initio* online course involving 250 students located in southern hemisphere IB World Schools.

[102] Available at http://www.mivhs.org/camps

Minnesota

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	Twenty-two charter schools, multi-district programs and consortia of schools are approved by the Minnesota Department of Education; this does not include single-district programs
State-level policy	Yes	State has extensive policies and tracking of many online programs but does not track single-district programs

Minnesota has online charter schools, multi-district programs, intermediate districts, and organizations of two or more districts operating under a joint powers agreement. According to the Minnesota Department of Education (MDE), many school districts in Minnesota offer substantial online learning programs. The Omnibus K–12 Education Act of 2003 (amended in 2007)[103] sets forth a number of policies directly affecting online education. It also directs the MDE to develop and maintain a list of approved online-learning providers and a list of courses and programs that it has reviewed and certified. This certification effort by the MDE is the overarching state-level policy activity, covering most online learning programs except district-level programs that only offer online courses to students enrolled in the district's schools. As of September 2008, there were 22 certified online learning public school providers—six consortia or intermediate districts, seven charter school programs, nine district level programs serving students statewide.[104]

In 2007 the Online Learning Law was amended to:

- Define "supplemental online learning" as an online course taken in place of a course period during the regular school day at a local district school and "full-time online learning provider" as an enrolling school authorized by the Department to deliver comprehensive public education.
- Specify that online learning providers of supplemental courses must make available to the enrolling district the credits to be awarded, start date, confirmation that the course meets the student's graduation plan, course syllabus, standards alignment, content outline, assessment requirements and contact information.
- Restrict supplemental online learning enrollment to 50% of the student's full schedule unless agreed upon by enrolling district. Students may enroll in full-time online programs to a maximum of 12 semester-long courses per year.
- Stipulate that students may enroll in supplemental online learning up to the midpoint of the enrolling district's term unless waived by the enrolling district.
- Establish procedures and timelines for enrollment. Parents and students must identify reason for online learning enrollment and sign a statement of assurance that they have reviewed the course or program and understand expectations.

[103] Retrieved July 22, 2008, from http://www.revisor.leg.state.mn.us/bin/getpub.php?pubtype=STAT_CHAP_SEC&year=current&section=124D.09

[104] Based on document titled Certified Online Learning (OLL) Providers, Minnesota Department of Education (MDE) June 2007; retrieved July 22, 2008, from http://education.state.mn.us/mdeprod/idcplg?IdcService=GET_FILE&dDocName=031616&RevisionSelectionMethod=latest&Rendition=primary

- Change the requirement that online learning providers "affirm" to the commissioner that OLL courses have equivalent standards or instruction, curriculum and assessment requirements as other courses offered to enrolled students to the requirement that providers "demonstrate" these qualities.

In 2005 the Commissioner of Education appointed the K-12 Online Learning Advisory Council to a three-year term to take up online learning issues "related but not limited to program design, program approval, quality assurance, teacher qualifications, equity and access, special education, and attendance."[105] Some of the council's recommendations include:

- "Create an administrative online learning unit to support the development and oversight of policy and practice at the state-level.
- Implement an ongoing advisory board to review and recommend policy to the state education agency and online learning unit.
- Assess outcome-based measures in certified programs. Formative and summative assessments of student learning should be based on student outcomes and attributes that are valued in the world today.
- Recognize and support online teacher education and professional development. Online learning and 21st century skills should be imbedded in teacher development programs. Online learning should be modeled and best practices taught in teacher education programs.
- Refine state certification of online programs by distinguishing between supplemental and comprehensive programs and investing additional resources in planning and evaluation of effective programs.
- Apply national research and emerging standards of quality to online learning programs, courses and teacher professional development in Minnesota (i.e., NACOL Reports: Quality Standards in Online Courses, Online Teaching and Online Programs)."

Online programs

Because Minnesota law requires that online learning providers report annually to the state, the MN Department of Education is able to provide a list of online programs on its website. Additionally, there is a searchable database of certified online learning K-12 courses and programs at http://www.iseek.org. MDE divides programs into several categories:

- Consortia of schools or intermediate districts: providing supplemental online classes to membership schools and students across the state
- Multi-district programs: district-level programs providing comprehensive education and supplemental online learning courses to students across the state
- Charter schools: providing comprehensive education and supplemental online courses to students across the state
- Online learning programs serving special populations and/or school districts

[105] Online Learning in Minnesota: Summary of the Work of the K-12 Online Learning Advisory Council, September 2008

State policies

The policies and quotes in this section are based on Minnesota Statutes 124D.095, Online Learning Option Act.[106]

Funding

- Effective FY 2006, Minnesota provides general education revenue for online students. For students taking online courses from the district in which they are enrolled, funding is the same as if the students were taking all their courses in physical classrooms. For students taking supplemental online courses from outside their enrolling district, the online learning program receives basic revenue for 88% of one-twelfth of an average daily membership (ADM) per completed semester course, weighted based on grade level. The other 12% goes to the student's enrolling district and generates general education revenue unless the student's total ADM has exceeded 1.0 (1.2 for students enrolled in learning year programs). Funding for supplemental courses is generated only for students who complete the online course.

- Funding is tied to the program meeting all requirements of the law that are explained in the sections below.

Governance, tracking, and accountability

- Minnesota annually certifies public school online learning programs. Tracking is based on student financial reporting and an annual program data report. Students register either as fully-enrolled online learning students in a comprehensive program or they access instruction as supplemental online learning students and are reported by online learning course completion file.

- A district that offers online learning classes to students enrolled in that district reports those students as enrolled in the district. No distinction is made for online learning in those cases and these programs may not be state-certified.

- Districts must accept credit for courses from providers certified by the MDE. The law allows an enrolling district to "challenge the validity of a course offered by an online learning provider."

- The department must review such challenges based on the certification procedures "set forth in the online learning statute." The department may initiate its own review of the validity of an online learning course offered by an online learning provider.

- The legislation allows "an online learning student to have the same access to computer hardware and education software available in a school as all other students enrolled in the district," and "an online learning student may participate in the extracurricular activities of the enrolling district on the same basis as other enrolled students."

- The legislation directs the online learning provider to "assist an online learning student whose family qualifies for the education tax credit (under section 290.0674) to acquire computer hardware and educational software for online learning purposes."

[106] Retrieved July 22, 2008, from http://www.revisor.leg.state.mn.us/bin/getpub.php?pubtype=STAT_CHAP_SEC&year=current&section=124D.09

- "An online learning provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications." An enrollment policy is submitted to the department during the certification process.
- The student's enrolling district is responsible for ensuring that students take the Minnesota Comprehensive Assessments. If the enrolling district is the online learning provider, the online program administers annual state tests.
- A legislative education subcommittee has been set up to study the effectiveness of online learning.

Quality assurance, teaching, and curriculum

- "Courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progressions in a single subject." Online courses must have equivalent standards or instruction, curriculum, and assessment as other [non-online] courses..."
- The MDE certification process requires that providers list courses and "demonstrate" their alignment with Minnesota state academic standards.
- The legislation "requires that a [highly qualified] teacher with a Minnesota license be the person that assembles and delivers instruction to online learning students… The instruction may include curriculum developed by persons other than a teacher with a Minnesota license."
- The legislation states that "unless the commissioner grants a waiver, a teacher providing online learning instruction must not instruct more than 40 students in any one online learning course or program."
- Actual teacher contact time or other similar communication, including frequent assessment, is an expected online learning component and the online learning provider must "demonstrate expectations for actual teacher contact time or other student-to-teacher communication." The MDE requires that programs describe the methods and frequency of course interactivity, teacher contact, ongoing instructional assistance and assessment of student learning to comply with the law.

Missouri

Category	Yes/No	Comments
State-led program	Yes	Missouri Virtual Instruction Program (MoVIP)
Other statewide programs	Yes	Tuition-based university sponsored online HS
Other significant online programs	Yes	Some districts offer online programs, but students must remain on campus to meet seat time restrictions
State-level policy	Yes	In 2006, SB912 created MoVIP; SB64, passed in 2007, establishes MoVIP as a choice option

Missouri currently has three major online programs. The newest is the Missouri Virtual Instruction Program (MoVIP) that was created by Senate Bill 912[107] and House Bill 1275 in 2006. MoVIP had over 7,500 course registrations in 2007-2008. The majority of MoVIP's elementary students were full-time (86%) while only 2% of its secondary students were full-time. Approximately 70% of MoVIP students were public and 30% were non-public. Credit earned through MoVIP courses has to be recognized by all K-12 public schools in the state, but MoVIP does not grant diplomas. All 115 counties in Missouri have students participating in MoVIP, which offers 84 secondary level semester courses and 78 elementary level yearlong courses. The K-5 portion of the program is run in partnership with Connections Academy; Northwest Missouri State University (NWMSU) is partnering with MoVIP for grades 6-12.

If public, private, or home school students enroll in MoVIP courses as a part of their regular daily class schedules, they are eligible for state-funded seats during fall and spring semesters. Although these seats are at no cost to the students, these seats are limited by funding and are issued on a first come, first served basis. The legislation creating the virtual school did not establish priorities for any of the various type of students (public or non-public, elementary or secondary, full- or part-time) served.

Other programs include:

- The University of Missouri-Columbia High School (MU High School)[108] is a part of the Center for Distance and Independent Study and provides distance learning courses delivered asynchronously to nearly 16,000 students nationwide. Students can get credit for individual courses or a full diploma.
- Missouri State University has a program called Missouri Virtual School (MVS)[109] offering supplemental high school and dual credit courses emphasizing teacher interaction.
- A growing number of school districts are offering online programs, usually to meet student needs for courses required by the state for graduation (i.e., personal finance). However, students must remain on campus to meet seat time requirements.

[107] Missouri Senate Bill 912; retrieved July 30, 2008, http://www.senate.mo.gov/06info/pdf-bill/tat/SB912.pdf

[108] MU High School; retrieved July 30, 2008, http://cdis.missouri.edu/MUHighSchool/HShome.htm

[109] Missouri Virtual School; retrieved July 30, 2008, http://mvs.missouristate.edu/

State policies[110]

Missouri is unusual in that it has declared that MoVIP will be accountable for all its students taking the Missouri Assessment Program (MAP) tests. Senate Bill 912 states that MoVIP "will comply with all state laws and regulations applicable to school districts, including but not limited to the Missouri school improvement program (MSIP), adequate yearly progress (AYP), annual performance report (APR), teacher certification, and curriculum standards." If a student fails to take the MAP test, MoVIP will place a hold on the student for all future courses so that the student cannot enroll in any other virtual courses. Public School Districts that use district funds to pay tuition for students to take MoVIP classes will be accountable for the MAP scores as well as MoVIP.

Funding

- The new virtual public school was funded for setup costs of $100,000 for 2006-2007. Missouri legislation appropriated $5.2 million for the first year of operations in 2007-2008 and $5.8 million for 2008-2009. The funding is a separate appropriation not included in the formula that supports Missouri schools.
- MoVIP received state funding for 15,000-16,000 semester seats in 2008-2009 with approximately 8,000 reserved for students already in the program. Funding flowing to districts is not affected for students enrolled in MoVIP for these state-funded seats. Non-public school students (home schooled and private) also have no financial cost as long as state-funded seats are available.
- Once state-funded seats are filled:
    - Non-public students may enroll at their own cost at a tuition rate of $375 per semester course for elementary students and $357 per secondary student in 2008-2009.[111]
    - If a student enrolls in a MoVIP class, the enrolling district will receive 15% of its state funding for that class rather than the full amount. The school district has the choice as to whether to allow the student to take the online course or not, except in the instance outlined below.
- Senate Bill 64, passed in 2007, states "that for the school year beginning July 1, 2008, a parent residing in a lapsed, or poor performing school district [one with provisional or uncertified status for two years or more] may enroll their child in the Missouri virtual school if the child first enrolls in the school district of residence. The school district shall include the child's enrollment in the virtual school in determining the district's average daily attendance. The board of the home district shall pay to the virtual school the amount required under current law to be paid for other students enrolled in the virtual school."[112]

Quality assurance, teaching, and curriculum

- The MoVIP is subject to the same laws and regulations as regular school districts including content standards and teacher certification.

[110] Information in this section is quoted from pages on the following site: http://dese.mo.gov/divimprove/curriculum/movip

[111] Missouri Department of Education, MoVIP presentation; retrieved July 28, 2008, www.dese.mo.gov/divimprove/curriculum/movip/documents/June2008newlook.ppt

[112] http://www.senate.mo.gov/07info/BTS_Web/Bill

Nebraska

Category	Yes/No	Comments
State-led program	Yes	Distance Education Council created by legislation in April 2006
Other statewide programs	No	No charter school law
Other significant online programs	Yes	University of Nebraska – Lincoln Independent Study High School, Omaha Public Schools eLearning Program and other district-run programs
State-level policy	Yes	LB1208 passed in 2006; LB603 passed in 2007; LB988 passed in 2008

Nebraska passed legislation in 2006[113] that created the groundwork for expanded distance education courses by:

- Increasing bandwidth into schools—opening the door for blended learning options in the classroom and high quality online or video courses.
- Shifting districts interested in distance learning from a consortium approach into an Educational Service Unit (ESU) model, which facilitates state funding and allows them to enter into contracts with providers.
- Creating a state-level Distance Education Council to, among other tasks, broker and facilitate courses, administer learning management systems, and provide assistance in instructional design and best practices.

The Distance Education Council oversees both videoconferencing and online learning in Nebraska. The Council has designated myelearning.org of Nebraska to implement an asynchronous, web-based learning management system to ensure statewide accessibility for the improvement of staff development and distance education for K-12 students.

In June 2008, the Partnerships for Innovation (PFI), an innovative collaboration between elementary, secondary and post-secondary partners, received a state appropriation from Carl D. Perkins Career and Technical Education Act (Perkins IV) grant funding to access online curriculum from Monterey Institute for Technology and Education (MITE) and make it available statewide to all grades P-16 for the next three years.[114] The content will be made available through various educational organizations in the state and in a variety of learning management systems, including myelearning.org (Angel) and ESU 13 (Moodle). Also, the Distance Education Council teamed with Instructional Design and Development experts from the University of Nebraska Extension Education and Outreach Program to co-develop an "Instructional Design for Teaching via eLearning" professional development course which prepares teachers to teach distance education classes.

Online programs

There are a significant number of district-run programs in Nebraska, including Westside Virtual High School and Omaha Public Schools. OPS' eLearning Program was initially designed to meet the needs of credit recovery students in grades 9-12, but has evolved into a blended learning program for all students. OPS eLearning had over 3,000 course

[113] Retrieved July 20, 2008, http://www.networknebraska.net/denu/FINAL_LB1208_1.pdf

[114] Future Force Nebraska, Partnerships for Innovation, June 16, 2008, http://www.futureforcenebraska.org/Partnerships/ and personal communication with Mike Kozak, June 16, 2008

registrations in 2007-2008. Other Nebraska schools also supplement their curriculum by contracting with online content providers.

The University of Nebraska-Lincoln Independent Study High School, which includes some supplemental online courses in its correspondence course program, operates under Department of Education rules and regulations associated with Dual Credit and all instructors working with high school students must have an active teaching certificate. The Independent Study High School programs graduates approximately 250 students each year, with over 3,000 individual students at any given time.

State policies

Several laws, Legislative Bills 1208 (2006), LB603 (2007), and LB988 (2008), provide the mechanisms for funding statewide distance learning infrastructure and provide incentives for school districts that act to upgrade distance learning technology and curriculum:

- School districts or educational service units (ESU) can receive up to $20,000 per high school building, for upgrades in high bandwidth IP network technology and two-way interactive video.[115]
- Incentives of up to $1,000 for each distance learning unit can be earned by a school district or ESU based on a qualified distance learning course coordinated through the Distance Education Council. Distance Education Units (DEUs) can be earned for distance learning courses sent or received by schools.[116] These incentives currently place emphasis on utilizing the two-way video system heavily invested in by the state, however, it is expected that many of the courses developed in the near future will blend video and online, so asynchronous, Internet-delivered courses are also likely to receive a boost.
- LB603[117] (2007) clarifies and defines what elementary distance education is so that distance education classes delivered at the elementary level will qualify for the distance education incentives payments once all high school incentive programs are reimbursed.

[115] Nebraska state statute 79-1336, July 28, 2008, http://uniweb.legislature.ne.gov/LegalDocs/view.php?page=s7913036000

[116] Nebraska state statute 79-1337, July 28, 2008, http://uniweb.legislature.ne.gov/LegalDocs/view.php?page=s7913037000

[117] Section 9.4 of LB603; retrieved July 28, 2008, from http://uniweb.legislature.ne.gov/FloorDocs/Current/PDF/Final/LB603.pdf

North Dakota

Category	Yes/No	Comments
State-led program		North Dakota Center for Distance Education (formerly North Dakota Division of Independent Study)
Other statewide programs	No	
Other significant online programs	No	
State-level policy	Yes	HB1491 requires the state to set up an approval process for online courses by July 2009

The only significant online program in North Dakota is the North Dakota Center for Distance Education (formerly North Dakota Division of Independent Study), which offers both online and print courses that are self-paced. The Center is a state-funded, supplemental program that was started in fall 1996 and serves middle and high school students. In 2007-2008 the program saw a slight reduction in course registrations (about 5-10%), but still has approximately 5,000 students annually and over 9,000 courses registrations, with 1,808 of those course registrations being online and approximately 1,200 online students. Teachers are each responsible for up to 300 students in a course, which are spread over the course of a calendar year due to the open enrollment policy of the CDE. The Center is funded via state appropriation and course fees. The appropriation for the 2007-2008 biennium was approximately $800,000, with about one-third spent on online learning. Additional funds are generated by course fees ($95 per semester course for in-state students). Local school districts must approve enrollment of local students in CDE courses, and home school students must pay tuition to participate in CDE courses.

The only law related to online education in North Dakota in addition to the ones that created the North Dakota Division of Independent Study,[118] and the law that changed the name to the Center for Distance Education, is a law passed in 2007[119] that requires the Department of Public Instruction (DPI) to set up a process for approving online courses. The entire law has just a few relevant provisions; they do not "apply to a course provided electronically between approved schools in" North Dakota. The relevant provisions are:

> 1. A "person must obtain annual approval from the superintendent of public instruction" before providing "electronic" courses.
>
> 2. … the superintendent shall verify that:
>
> a. All courses… are aligned with state content and performance standards… if standards do not exist… the course content must be sufficiently challenging for students…;
>
> b. All teachers… meet or exceed the qualifications and licensure requirements placed on the teachers by the state in which the course originates; and
>
> c. All students receiving a course electronically have ongoing contact time with the teachers of the course."

[118] Retrieved July 28, 2008, from www.legis.nd.gov/cencode/t15c19.pdf

[119] House Bill 1491; retrieved July 28, 2008, from http://www.legis.nd.gov/assembly/60-2007/bill-text/HBIR0400.pdf

These provisions become effective as of July 1, 2009. The North Dakota DPI is studying procedures to meet these requirements and expects to report to the legislature sometime after January 1, 2009.[120]

Ohio

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	Some of the 34 eCommunity Schools enroll students from across the state
State-level policy	Yes	2003 legislation HB364 provided operational guidance; 2005 legislation HB66 placed a moratorium on new eCommunity schools

As of July 2008, Ohio has 34 eCommunity (charter) schools that served approximately 20,750 students in FY 2007.[121] These include at least seven statewide schools. A community school is similar to charter schools in other states. An eCommunity school is an Internet- or computer-based community school in which the enrolled students work primarily from their residences. eCommunity schools first opened for the 2000-2001 school year. Legislation adopted in April 2003 provided additional guidance for their operation.[122] Legislation enacted in 2005 imposed a moratorium on new eCommunity schools until the General Assembly adopts standards for the schools, due to a number of concerns including:

- Fast growth of some of the eCommunity schools coupled with a lack of additional standards (beyond those captured in the 2003 legislation and general charter law).
- Low state assessment participation rates and aggregate test scores by some eCommunity schools. (In the years since passage of the 2005 legislation, most of the schools moved up one level on Ohio's school report card system.)
- Enrollment of students in eCommunity schools contributing to decreased enrollment in many public school districts.
- Funding issues; because state funding follows the student, districts lose most of the state foundation funding (but none of the local funding) associated with students who go to the eCommunity schools.

As of 2008 the moratorium on new eCommunity Schools remains in effect.

[120] Personal communication with Jon Skaare, ND Department of Public Instruction, August 1, 2008

[121] A list of eCommunity schools can be found at http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=1168&ContentID=9473&Content=52456

[122] Information in this section is based on and updated from the 2004-2005 Annual Report on Ohio Community Schools and legislation passed in 2005, House Bill 66; retrieved June 17, 2008, from http://www.legislature.state.oh.us/BillText126/126_HB_66_EN1_N.html

State policies

Funding

- Community schools, including eCommunity schools, receive state funds directly from the state; these funds have been transferred from school district allocations.[123] eComunity schools are funded at the same formula per-pupil as traditional districts ($5,565 for 2007-2008).[124]
- eCommunity schools no longer are eligible to receive poverty-based funding.
- Beginning in FY 2007, each eCommunity school shall spend a designated amount for pupil instruction or face a possible fine of up to 5% of state payments to the school.

Governance, tracking, and accountability

- Each student enrolled in an eCommunity school must have an "affiliation" with at least one "teacher of record" licensed by the State Board of Education. The "teacher of record is responsible for the overall academic development and achievement of a student and not merely the student's instruction in a single subject."
- No teacher of record can be responsible for more than 125 students.
- Each eCommunity school must provide a minimum of 920 hours of "learning opportunities" to students per school year. Only 10 hours in any 24-hour period can count toward this total.
- eCommunity schools can count student learning in terms of days instead of hours; in this case, a "day" must consist of at least five hours.
- Each child enrolled in an eCommunity school is entitled to a computer supplied by the school. If there is more than one child per household, the parent can request fewer computers than children enrolled in the school.
- eCommunity schools may not provide a stipend in lieu of a computer; they must provide an actual computer.

Quality assurance, teaching, and curriculum

- eCommunity schools must administer the state-developed achievement tests and diagnostic assessments in the same manner as school districts, and must provide students a location within 50 miles of the student's residence for the assessments.
- Whenever an eCommunity school student fails to participate in the spring administration of a grade-level achievement test for two consecutive school years, the school must withdraw that student from enrollment unless the parent pays tuition equal to the state funds the school otherwise would receive for that student. eCommunity schools must report these students to the state, the state must maintain a list of these students, and no eCommunity school will receive funds for students appearing on this list.
- Each eCommunity school "must submit to its sponsor a plan for providing special education and related services to disabled students enrolled in the school."

[123] Legislative Committee on Education Oversight (2004), Funding for Charter Schools; retrieved August 11, 2006, from http://www.loeo.state.oh.us/reports/PreEleSecPDF/FundingforCharterSchools_web.pdf

[124] HB119, Sec. 3317.012.(B)(4); retrieved August 5, 2008, http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=879&ContentID=3364&Content=44135

South Dakota

Category	Yes/No	Comments
State-led program	Yes	South Dakota Virtual High School
Other statewide programs	Yes	DIAL Virtual School is an initiative of the Dakota Interactive Academic Link (DIAL) consortium of schools focusing on Career and Technical Education courses
Other significant online programs	No	
State-level policy	Yes	HB1236[124] signed in March 2006 creates the Virtual High School and Advisory Council; HB1113[125] essentially limits state to the SDVHS program

In summer 2004, the Department of Education hosted a series of discussions about education in South Dakota. The resulting 2010 Education Plan has as one of its main objectives to "increase 21st century skills using advanced technology to enhance learning" through various initiatives. These included the creation of the South Dakota Virtual High School and a one-to-one laptop initiative.

Online programs

House Bill 1236 (2006) created the supplemental South Dakota Virtual High School as a consortium of approved statewide distance education providers within the South Dakota Department of Education. The Department of Education will establish criteria for approval of other organizations as Distance Learning Providers (DLP), and review each course offered by a DLP.[127]

The Virtual School was launched in March 2007. So far 91 different courses have been approved. In February 2007 HB1113 was signed into law, which restricts districts from putting a grade on a student transcript unless the course was from an approved DLP.[128] This is intended to centralize quality control and will effectively limit any other programs.

The DIAL Virtual School is an initiative of the Dakota Interactive Academic Link or (DIAL) consortium of schools. The program began classes in August 2002 and during 2007-2008 served 29 school districts across South Dakota with 222 online and 424 interactive video course registrations. The focus of the online program is to provide Career and Technical Education class elective options primarily for rural schools.

State policies

The following policies are detailed in state administrative rules.[129] As of August 2008, the State Department of Education is currently in the process of writing additional administrative rules and clarifying their definition of distance courses. Once approved, these new rules are expected to go into place within two years.

[125] South Dakota State Legislature HB1236; retrieved August 2, 2007, from http://legis.state.sd.us/sessions/2006/bills/HB1236H.pdf

[126] South Dakota State Legislature HB1113; retrieved August 2, 2007, from http://legis.state.sd.us/sessions/2007/bills/HB1113HED.pdf

[127] http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=24:43:12:11

[128] A list of approved DLPs is available at http://www.sdvs.k12.sd.us/Providers/About.aspx; retrieved July 28, 2008

[129] From South Dakota administrative rules specific to distance learning and the virtual school retrieved from http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=24:43:12

Two rules approved in July 2008 focus on distance learning providers.[130]

- "The South Dakota Virtual School may include only approved distance learning providers. A provider may be added to the school at any time during the year."
- "The Department of Education shall review and approve each course offered by an approved distance learning provider before posting the course offering to the South Dakota Virtual School (rule 24:43:12:11). Each course shall be approved contingent on: (1) Alignment with state content standards; (2) Qualified instructional staff; (3) Evaluation component for students to demonstrate course completion; and (4) Assurance that the approved distance learning provider will work with the local district to meet special needs in order to be in compliance with the Americans with Disabilities Act, as amended to July 1, 2006; (5) Being identified as a need by the South Dakota Virtual School Advisory Council. Each course description must include prerequisites, course duration, number of credits, delivery method, syllabus, and fee amount."

Funding

Fee-based rules are currently being proposed by an advisory council. There is already separate government funding restricted to higher level courses and related to remote districts as determined by a "sparsity" formula.

Governance, tracking, and accountability

- State DOE certifies DLPs to be listed on the website through an application and review process. The certified DLPs are required to report on the type of courses offered, the number and names of districts served, number of course registrations, completion rates, and other information. The certification applies to any DLPs, including the already existing Digital Interactive Academic Link (DIAL) program. The certification only applies to programs originating from outside the school district being served.
- State will require proctored exams.

Quality assurance, teaching, and curriculum

- Distance learning instructional staff must annually demonstrate proficiency in delivering instruction using the distance learning provider's delivery system. South Dakota will not require DLPs to use any particular LMS over another.
- Current professional development for instructional staff delivering coursework in the distance learning environment is offered by the distance learning provider.

[130] South Dakota State Legislature administrative rule 24:43:12:11; retrieved August 2008, http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=24:43:12:11

Wisconsin

Category	Yes/No	Comments
State-led program	Yes	Wisconsin Virtual School (WVS) is Wisconsin's Web Academy, a state-led program established in July 2008
Other statewide programs	Yes	There are about 18 virtual schools enrolling a total of about 3,000 students in 2007-2008;[129] most of these are statewide
State-level policy	Yes	Act 222, passed in 2008, sets policy for virtual charter schools

Online learning in Wisconsin gained national attention when an appeals court ruled in December 2007 that the Wisconsin Virtual Academy (WIVA), a charter school established by the Northern Ozaukee School District and affiliated with K12 Inc., violated state laws and was not eligible for state funding. To prevent online charter schools across the state from being denied funding and closing, the legislature responded by enacting Act 222, which makes changes to charter school, open enrollment, and teacher licensing laws to allow virtual charter schools in Wisconsin to operate with public funding. Prior to the passage of Act 222, online charter schools had been governed by regulations which created accountability in three major areas (1) student performance (i.e., state assessments), (2) fiscal management, and (3) adherence to their contracts and the charter school law. None of these were specific to online schools. Although in previous years the Wisconsin Department of Public Instruction had pulled together a stakeholder group and created a set of recommendations for online policies, these had not been enacted by the legislature.

Act 222 defines a virtual charter school as: "[A] charter school… in which all or a portion of the instruction is provided through… the Internet, and the pupils enrolled in and instructional staff employed by the school are geographically remote from each other." It is unclear whether this definition would cover schools that use a blended instructional approach such that students and teachers are sometimes in a physical classroom.

The act also specifies that for open enrollment and other purposes, a virtual charter school is located in the school district that has contracted for the school's establishment. This was a key element of the lawsuit and subsequent debate, centered on the question of where an online school should be considered to be geographically located.

As in most states, Wisconsin requires that any person who teaches in a public school must hold a teaching license or permit issued by the state. In the appeals court case, the plaintiffs contended that because WIVA parents engaged in teaching, they required a license. The new law exempts parents and other persons providing educational services in the student's home, other than instructional staff, from the licensing requirement. The act also defines the role of the online teacher, separate from the parent, stipulating that the instructional staff member is responsible for "improving learning by planned instruction; diagnosing learning needs; prescribing content delivery through class activities; assessing learning; reporting outcomes to administrators and parents and guardians; and evaluating the effects of instruction." Also, the act requires that starting in 2010 online teachers must have completed at least 30 hours of professional development designed to prepare a teacher for online teaching.

[131] This number, and much of the text and data in this state profile, are from the Wisconsin Legislative Reference Bureau, Legislative Brief 08–6, May 2008

Other key provisions:

- If a student fails to respond appropriately to instructional staff within five school days, the virtual school must notify the student's parent or guardian.
- If a student fails to participate three times in a semester, he or she may be transferred to another school or program.
- Beginning in the 2009-2010 school year, the total number of students attending virtual charter schools through the Open Enrollment Program in any school year may not exceed 5,250. Siblings of virtual school students are not included in this enrollment cap. If demand for online slots exceeds the cap, the DPI is to determine the students who may enroll in online schools "at random."
- The act directs the Legislative Audit Bureau to perform a financial and performance evaluation audit of virtual charter schools by December 30, 2009.
- The act requires licensed educators and a minimum number of days of instruction for virtual charter schools.
- The act creates a state web academy that opens online learning to more students without having to open enroll in another school.
- Teachers are required to be available for at least the minimum numbers of hours specified by grade level under current law (no more than 10 hours in any 24-hour period), and to respond to inquiries from pupils or parents by the end of the first school day following the day on which the inquiry is received.
- Online charter schools are required to report to students' resident districts the students who will be attending the charter school, in June prior to the school year.

Online programs

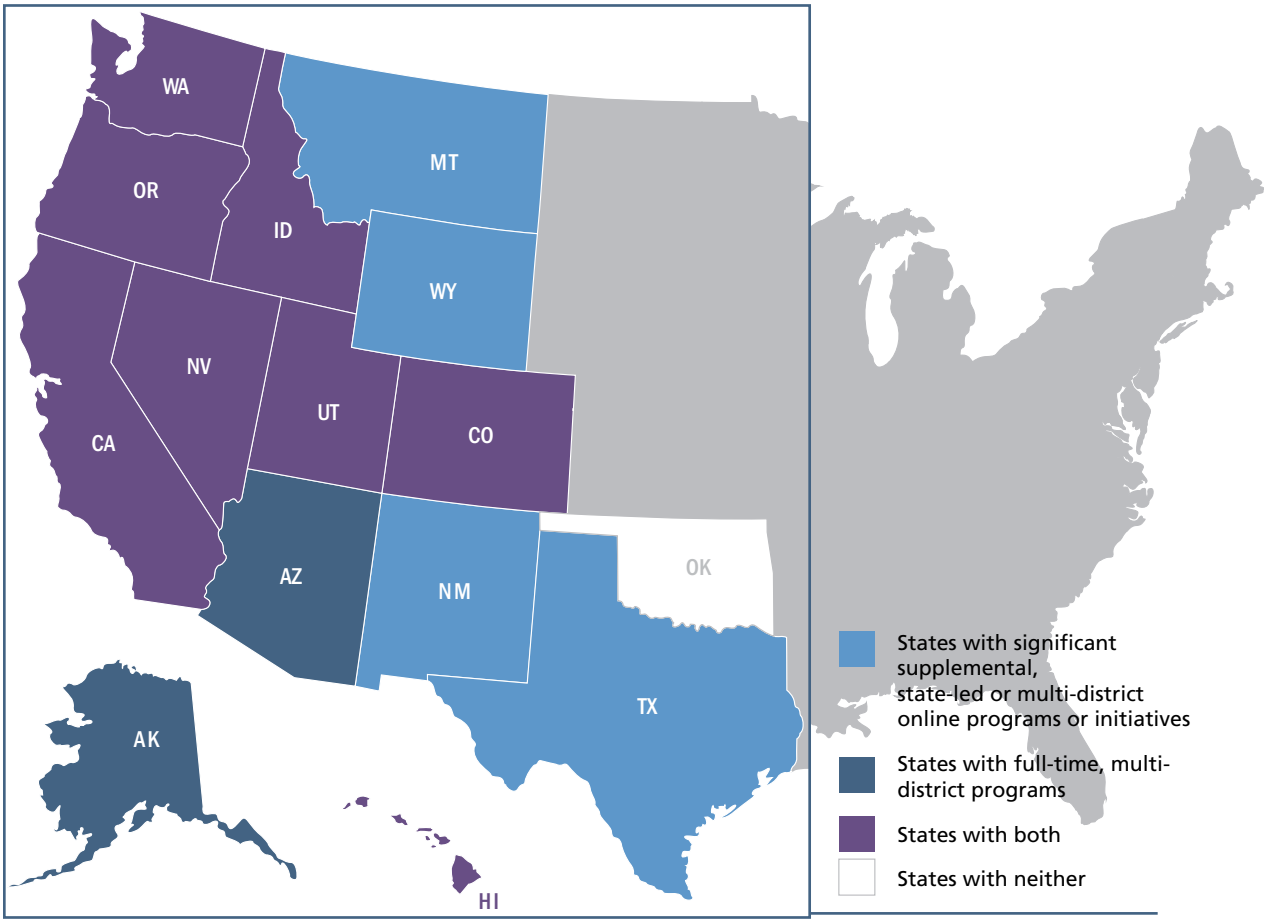
The Wisconsin Virtual School (WVS) is a supplemental state-led program created through a partnership between the Wisconsin Department of Public Instruction (DPI) and Cooperative Educational Service Agency (CESA) 9. WVS, which has been in operation since 2000, is Wisconsin's Web Academy (WWA) beginning fall 2008 as called for in Act 222. The Wisconsin Virtual School offers more than 70 online courses for high school students and another 20 courses in Advanced Placement courses subjects, plus online test preparation programs and middle school courses.[132]

The DPI categorizes "online programs" as supplemental providers and virtual charter schools as those that directly enroll students.[133] It lists four online programs and 14 virtual charter schools.

[132] Wisconsin Department of Public Instruction; retrieved July 29, 2008, http://dpi.wi.gov/

[133] Wisconsin Department of Public instruction; retrieved July 2008, http://dpi.wi.gov/imt/onlinevir.html

Western states



Alaska
Some district online programs; at least one statewide online charter school.

Arizona
TAPBI program has 14 schools offering online courses including seven charter schools; TAPBI audit in late 2007 raised concerns that are being addressed by the Arizona Department of Education.

California
Many district programs and online charter schools; University of California College Prep is a state-led initiative with partner schools delivering online content and instruction.

Colorado
State audit released in December 2006 led to passage of state law in 2007 creating new online division within the Department of Education and new oversight mechanisms.

Hawaii
ESchool is state-led program; new online charter opening in 2008.

Idaho
Idaho Digital Learning Academy is state-led program; several online charters and district programs; Idaho Education Network created to provide technology infrastructure.

Montana
Many supplemental district programs and an online learning consortium.

Nevada
Online charter schools and district online programs including Clark County Virtual High School; Nevada Revised Statutes set distance education program requirements.

New Mexico
New state-led program, IDEAL-NM launched in 2008; implementation of statewide CMS for P-20+ includes government agencies and workforce development.

Oklahoma
State code sets simple distance learning guidelines; two university online high schools.

Oregon
Law in 2005 created Oregon Virtual School District; several district programs and statewide online charter schools.

Texas
Texas Virtual School Network (TxVSN) based on legislation passed in 2007 is establishing a "virtual learning network;" some large district programs.

Utah
Utah Electronic High School is state-led program; Utah Virtual Academy is the state's first statewide online charter.

Washington
District programs serving statewide; no charter school law; extensive state rules governing online learning.

Wyoming
The state-led initiative, Wyoming Switchboard Network (WSN,) coordinates distance learning among districts.

Alaska

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	Delta Cyber School is fully online and statewide; other charter schools and district programs offer a few online courses and/or online curriculum mostly to students within their districts
Other significant online programs	Yes	Fairbanks North Star Borough School District's Building Educational Success Together (B.E.S.T.)
State-level policy	Yes	State regulation 4 AAC 33.410 establishes rules for correspondence programs and reporting requirements for out-of-district and part-time students

Alaska's schools have historically offered correspondence courses to support students working at home, and increasingly these courses are being offered online. There are seven schools that K12 Inc. lists in Alaska as using its online curriculum; these are not full-time charter schools. One fully online charter school is the Delta Cyber School. It operates out of the Delta/Greely School District, and is available to students ages 5-19 statewide. It is free of charge to any Alaskan student not attending another public school; however, tuition-based courses are also available for public school students.[134]

Fairbanks North Star Borough School District launched Building Educational Success Together (B.E.S.T.) in fall 2008, a new correspondence program which includes an option for students grades 7-12 to take online courses. The classes, from Advanced Academics, align with district and state standards.[135]

In 2008, the Department of Education and Early Development (EED) established new regulations (4 AAC 33.410) governing correspondence programs which include online learning programs. The purpose of the regulations is to establish reporting requirements for districts enrolling out-of-district students and part-time students, ensure that standards for curriculum, instruction, and student assessment are consistent with state standards, and to ensure that the spending of public money by the programs is consistent with the public interest. One key element of the regulations is their requirement that online programs develop individual learning plans for students.[136]

[134] Delta Cyber School; retrieved July 22, 2008, http://www.dcs.k12.ak.us/about.html?section=general

[135] Fairbanks North Star Borough School District web site; retrieved August 18, 2008, http://www.northstar.k12.ak.us/

[136] Department of Education and Early Development; retrieved August 19, 2008, http://www.eed.state.ak.us/regs/adopted/4AAC_33s.pdf

Arizona

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	Fourteen online programs in the Technology Assisted Project-Based Instruction Program (TAPBI); eight of these are statewide
State-level policy	Yes	Legislation created and updated TAPBI

Over the last several years Arizona first passed and then updated[137] legislation creating the Technology Assisted Project-Based Instruction (TAPBI) program,[138] a pilot program consisting of seven public schools and seven charter schools[139] offering online courses. In 2007 Arizona Governor Napolitano vetoed Senate Bill 1019, which would have increased the number of TAPBI school sites by two charter schools and two district schools, and a 2008 bill to expand TAPBI did not reach a floor vote. The Governor indicated that the results of a state audit of TAPBI should be considered before the program is expanded.[140]

The TAPBI audit, conducted by the State of Arizona Office of the Auditor General and released in November 2007, concluded that the TAPBI program had been over funded by $6.4 million dollars due to the way TAPBI students are counted (but not due to accounting practices of the online schools). The audit also noted that "On average, TAPBI Program per-pupil costs were lower than traditional schools because transportation, food services, and classrooms do not have to be provided. The Program's effect on student achievement cannot be measured at this time."[141]

The audit made recommendations to the Arizona Department of Education (ADE) and the Arizona State Board of Charter Schools. The ADE agreed with each of the Office of the Auditor General recommendations and is implementing plans to comply,[142] including a revision of the SAIS (Student Accountability Information System).[143] The Arizona State Board of Charter Schools also agreed to most findings of the audit.

In July 2008, the Arizona eLearning Task Force (ELTF) released its legislative report which addressed the goals of the task force: "1) Examine e-learning programs in other States, 2) Analyze potential methods to implement e-learning programs in this State, 3) Develop innovative e-learning solutions, and 4) Annually report to the legislature regarding e-learning programs and solutions."

An RFP to select a provider for the Middle School Math Pilot Program will be awarded in 2008. The eLearning Pilot Program intends to deliver digital middle school mathematics content and assessments aligned to Arizona State Academic Standards for math grades

[137] Arizona Senate Bill 1422; retrieved July 21, 2008, from http://www.azleg.gov/legtext/47leg/1r/bills/sb1422h.pdf

[138] Arizona Revised Statutes § 15-808 describing the program; retrieved July 18, 2008, from http://law.justia.com/arizona/codes/title15/00808.html

[139] Participating schools, listed at http://www.ade.state.az.us/stateboard/tapbi.asp, retrieved July 21, 2008

[140] Newsletter; retrieved July 21, 2008 from http://www.asbcs.state.az.us/pdf/Newsletter/2007%20Board%20Briefs/6-11-07%20FINAL.pdf

[141] TAPBI Audit, State of Arizona Office of the Auditor General, retrieved July 23, 2008, http://www.auditorgen.state.az.us/Reports/School_Districts/Statewide/tapbi/Oct07/tapbi_execsumm.htm and http://www.auditorgen.state.az.us/Reports/School_Districts/Statewide/tapbi/Oct07/TAPBI.pdf

[142] Arizona Department of Education, Response to TAPBI Audit; retrieved July 23, http://www.auditorgen.state.az.us/Reports/School_Districts/Statewide/tapbi/Oct07/TAPBI_Responses.pdf

[143] SAIS plan; retrieved July 23, 2008, http://www.ade.az.gov/sais/Downloads/FY-09_SAIS_Overview.doc

6-9 through the use of laptop computers. The review and selection of a provider is being overseen by the ELTF.

Online programs

There are 14 participants in the TAPBI program, made up of both charter schools and school districts. There were over 15,000 students participating in the TAPBI schools during the 2005-2006 school year. Reported test scores for TAPBI students are slightly above state averages in reading and language and slightly below in math and writing.[144]

TAPBI charter schools are Arizona Connections Academy, Arizona Virtual Academy, Kids at Hope Online Academy, Humanities & Sciences of the United States, Pinnacle Education, and Primavera Technical Learning Center. School districts participating in TAPBI are Lake Havasu, Marana, Peoria, Tucson, Tempe Union High School District, Deer Valley, Mesa, and Arizona Distance Learning School.[145]

State policies

Schools participating in TAPBI receive public funding and must provide an annual report describing the program and how student achievement will be measured. Schools must also survey students annually and include survey information in their reports. The State Board of Education is to compile the information from the pilot program reports and report to the legislature on the effectiveness and cost of the pilot program.

Funding

- Online schools receive standard FTE student funding based on ADM (Average Daily Membership), no more than 1.0 FTE.
- FTE funding may be split between a pilot program school and another charter school or district based on the time the student spends in each.
- For funding purposes, programs must maintain a daily student log describing the amount of time spent by each pupil on academic tasks.
- 80% of the students accepted into a school must have previously been public school students.

Governance, tracking, and accountability

- Each school must provide an annual report to the state that describes numerous aspects of the program, including student and parent surveys, and a description of the cost-effectiveness of the program, and information on students' academic advancement.
- Students must participate in state assessments; if a student does not take the state assessment and the school has less than 95% participation in the assessments, the student may not continue in the online program.

[144] Student numbers and test score information; retrieved July 30, 2008, from http://az.gov/webapp/portal/SiteSearch?sitehome=http%3A%2F%2Fazed.gov&sitename=ADE&returnlink=http%3A%2F%2Fwww.ade.state.az.us%2Fstateboard%2Ftapbi.asp&template=http%3A%2F%2Fazed.gov%2FSearch_Results.asp&q=cache:qFahu9EBMPAJ:www.azed.gov/stateboard/minutes/2006/12-04-06.pdf+TAPBI&access=p&output=xml_no_dtd&ie=UTF-8&client=azportal&oe=UTF-8&proxystylesheet=azportal

[145] TAPBI approved charter schools; retrieved July 21, 2008, http://www.ade.state.az.us/stateboard/downloads/TAPBISchoolsContactListFY07.pdf

California

Category	Yes/No	Comments
State-led program	Yes	UCCP (University of California College Prep) initiative and partner organizations
Other statewide programs	No	Charter schools cannot operate statewide due to geographic restriction to contiguous counties
Other significant online programs	Yes	Numerous online charter schools, district programs, and some college high school programs
State-level policy	Yes	Most online programs are governed by independent study regulations that cover all non-classroom based instruction; charter laws also apply to some programs

California has extensive online education activity, including a state-led initiative and roughly 25 online charter schools and district programs, many of which are supplemental. Online learning is regulated via a combination of laws and regulations that are explained below. The Online Learning Classroom Pilot Program was created in 2004 and officially ended at the start of 2007. A bill is in the California Legislature to extend the program (AB2457), but stalled in the Assembly Appropriations Committee in May 2008.

Online programs

The University of California College Prep (UCCP) is funded by the state and operated by the University of California Santa Cruz. UCCP began as a response to the lack of availability of AP courses in many high schools across California, and grew to offer a wide variety of high school courses and instruction. UCCP continues to make online course content available through partner organizations, but does not offer instructed, teacher-led courses. At least two institutions are offering the UCCP curriculum accompanied by instruction and course credit to meet the needs of students for discrete courses, including UC-Irvine College Prep[146] and Riverside Virtual School.[147] Online college prep courses must meet "a-g" policy standards[148] in order to satisfy the UC and CSU entrance requirements.

California also has numerous online charter schools and district online programs. These include:

- California Virtual Academies, a network of nine online charter schools located across the state, with curriculum and academic services provided by K12 Inc.
- Capistrano Connections Academy (CapoCA) is an online charter school serving Orange, San Diego, Los Angeles, San Bernardino, and Riverside counties. A sister school, Central California Connections Academy, serves Tulare, Fresno, King, Kern, and Inyo counties.
- RAI Digital High School and Choice 2000 are online charter schools that offer synchronous courses.
- eScholar Academy serves students grades 3-12 with self-paced courses based on mastery of the subject area.

[146] UC-Irvine College Prep; retrieved July 21, 2008, http://unex.uci.edu/collegeprep/

[147] Riverside Virtual School; retrieved July 21, 2008

[148] a-g policy website; retrieved July 21, 2008, http://www.ucop.edu/a-gGuide/ag/faq.html

- The LAUSD Online Learning Program (formerly LAVA) and Pacific Coast High School are online high school programs that use a blended delivery model with asynchronous, synchronous, and traditional classroom content delivery methods.
- Online Classroom Pilot Program Districts: AB294 established a pilot program of school sites offering online courses. In 2006 the California Department of Education reported nine participating districts with a total of about 1,800 students taking supplemental online courses from their schools.
- Insight Schools of California, a subsidiary of the Apollo group, operates two charter schools located in Los Angeles and the North Bay area.
- Riverside Virtual School (RVS) serves approximately 530 students in grades 6-12 in the Riverside Unified School District. Although primarily a supplemental program, in 2008-2009 RVS began enrolling students from across the state in a full-time college preparatory program initially designed for 120 students in courses grades 9-10. The program is expected to expand to include grades K-12 in subsequent years.
- Orange LIVE (Learning through Interactive Virtual Education) is a district-run program for grades 9-12.

Some districts have formed consortia for sharing online courses developed by their member schools. For example, Pacific Coast High School[149] (Orange County Department of Education) has developed its online course offerings over the last 10 years and has been working with other districts to form a consortium to help programs develop their own online courses, sharing courses and ideas among participating districts.

State policies[150]

Online programs in California are governed by one or two sets of laws:

- Independent study regulations for all non-classroom based instruction.
- Charter school laws, some of which are specific to online programs (see SB740, below) and others that are not.

Online charter schools are governed by charter school law and the independent study provisions.

Funding

- Online curriculum may be presented either in a classroom setting or through independent study; the appropriate method of attendance accounting for such classes is dependent upon the instructional setting utilized.
- For online courses in a classroom setting, in which students are under the "immediate supervision and control" of a teacher, regular ADA funding applies through the provisions of AB294. For online courses not offered in a classroom setting, independent study attendance accounting applies.

[149] Pacific Coast High School; retrieved July 21, 2008. http://www.pchs.k12.ca.us/eSchool.html

[150] This section based on the report The State of Online Learning in California: A Look at Current K-12 Policies and Practices, published by the University of California College Prep Online, 2006; retrieved July 20, 2008, from http://www.cudi.edu.mx/educacion/publicaciones/final_elearning.pdf

Quality assurance, teaching, and curriculum

Online courses delivered outside the classroom are subject to independent study provisions, including that the student-teacher ratio for independent study cannot exceed the ratio of classroom-based students to classroom-based teachers. "Independent study is an alternative instructional strategy, not an alternative curriculum. Students work independently, according to a written agreement and under the general supervision of a credentialed teacher."[151]

In 2005, however, new regulations were created[152] that allow schools to avoid the pupil-teacher ratio provisions of the law if the school "has and maintains an 8 or above Academic Performance Index (API) rank in either its statewide or similar schools ranking and has no less than a 6 in the other of these two rankings." In this case the school must spend at least 85% of its budget on instruction but is freed from other expenditure requirements. Other elements of the law include:

- Instruction must include "standards-based guided lessons, lesson plans, initial testing of students, [and] periodic assessment of student achievement…"
- Each student must have an individualized learning plan;
- All students must be given "access to a computer, Internet service, printer, monitor, and standards-aligned materials based on State Board adopted academic content standards for each grade level and for each subject studied;" and
- All students eligible for special education services must receive these services, and the charter school must recruit a student population with ethnic and racial representation similar to the counties served by the program.

Online charter schools are governed in part by provisions of SB740, passed in 2001, which require a charter school to:

- Spend 80% or more of total revenues on instruction;
- Spend 40% or more of public revenues on certificated staff salaries and benefits;
- Have a pupil-teacher ratio equal or lower than 25:1 or equal to or lower than the pupil-teacher ratio in the largest unified school district in the county or counties in which the school operates.

[151] Independent study requirements are complex, and explained in documents available at http://www.cde.ca.gov/sp/eo/is/; retrieved, July 20, 2008

[152] Title 5. EDUCATION, Division 1. California Department of Education, Subchapter 13. Independent Study, Article 3. Provisions Unique to Charter Schools; retrieved July 20, 2008, from www.cde.ca.gov/be/ag/ag/yr05/documents/bluejul05item37a2.doc

Colorado

Category	Yes/No	Comments
State-led program	Yes	Colorado Online Learning
Other statewide programs	Yes	At least one state-wide cyber charter
Other significant online programs	Yes	Numerous district programs and charter schools
State-level policy	Yes	SB215 and HB1066 passed in 2007

Colorado has a state-led supplemental program, numerous full-time programs with over 10,500 online students, and extensive policy activity. In December 2006 the Office of the State Auditor released an audit reviewing full-time online programs and the performance of the State Department of Education in overseeing online programs.[153] The Trujillo Commission,[154] formed in response to the audit, and a task force formed by the State Board of Educations[155] suggested recommendations for legislators who had requested the audit and expressed concerns about the lack of oversight of full-time online programs. In response the legislature passed Senate Bill 215[156] in May 2007, which made numerous changes to online education regulations. The key elements, among many details of the bill, are:

- A distinction between multi-district online programs and single-district programs; while both types of programs must submit an annual report to the Colorado Department of Education (CDE), the multi-district online programs are subject to greater oversight because the authorizers of multi-district programs must be state-certified as demonstrating capacity to run an online program.
- A requirement that online programs that use physical facilities in which students meet enter into a Memorandum of Understanding with the school district in which the physical facility is located.
- Removal of the existing prohibition on funding online students who were not public school students in the prior year, as of June 2008.
- A requirement that all online programs report annually to the state.

Another important provision of the law was the creation of a new division within CDE to facilitate certification of multi-district online programs. The new Unit of Online Education[157] began operations in October 2007 and was tasked with first addressing the statutory requirements of SB215, including the creation of new quality standards that are now a cornerstone of the rules for the online program accreditation process. The Unit is now focused on facilitating the certification of programs, as well as providing support for parents, students, authorizers and other entities related to online learning by providing information

[153] Retrieved September 5, 2008, from http://www.leg.state.co.us/OSA/coauditor1.nsf/All/6D2762978BB1D6DF8725723E005ED7D4/$FILE/1768%20Online%20Ed%20Perf%20rel%20Dec%202006.pdf

[154] The Trujillo Commission's report; retrieved September 5, 2008, from http://www.dkfoundation.org/PDF/TrujilloCommissionOnlineEducationFinalReport-2-15-2007.pdf

[155] Retrieved September 2, 2008 from Colorado Department of Education website, http://www.cde.state.co.us/cdecomm/download/pdf/OnlineReportInterimReport.pdf

[156] Retrieved September 2, 2008 from Colorado General Assembly website, http://www.leg.state.co.us/CLICS/CLICS2007A/csl.nsf/fsbillcont3/E4DFB9DF18308CC487257251007C783E?Open&file=215_enr.pdf

[157] Retrieved September 2, 2008 from Colorado Department of Education website, http://www.cde.state.co.us/onlinelearning/index.htm

and access to available data. This support includes creating workshops[158] for school districts regarding the new definitions[159] for what qualifies as an online program.

A second online education law was also passed in Colorado 2007. House Bill 1066 provides $480,000 to fund a Board of Cooperative Educational Services (BOCES) to contract with a provider of supplemental online courses to provide online courses to school districts across the state for no more than $200 per student per semester. The law does not mention a specific provider. Colorado Online Learning (COL), a 501(c)3 organization that grew out of the Colorado Online School Consortium in response to a series of task forces created by the state over several years, was selected as the statewide provider by the Mountain BOCES at the conclusion of its RFP process.

Online programs

In addition to COL, the CDE website lists 18 full-time online programs and the 2007 pupil count included 10,500 online students. Programs include:

- Colorado Virtual Academy, a school chartered by the Adams 12 district and served by K12 Inc.
- Denver Connections Academy, a full-time program run by Denver Public Schools in partnership with Connections Academy, with 475 students in 2007-2008
- Hope Online Learning Academy, chartered by the Vilas school district, with 3,270 students in 2007-2008
- Branson Online, run by the Branson school district, with 570 students in 2007-2008
- Vilas Online, also run by the Vilas school district, separate from Hope Academy, with 401 students in October 2007-2008

State policies

State policies are based on SB215 and HB1066, both passed in 2007.

Funding

- Funding for all public school students in Colorado is based almost entirely on per-pupil revenue (PPR), an FTE funding model that sets a minimum level of funding, which is adjusted upward based on a number of factors for brick-and-mortar districts, but which remains at the state minimum for online students. PPR funding is limited to 1.0 FTE per student and may be split in half but not into smaller units. Most online students are funded at the state minimum PPR level.
- In cases where students are taking more than half of an FTE class load in two schools, the districts involved negotiate the payment split or, in rare cases, the split is determined by the Department of Education.

[158] A Power Point presentation on this topic is available from the CDE website; retrieved September 5, 2008, http://www.cde.state.co.us/onlinelearning/download/IsitanOnline%20Program.pdf

[159] The definitions are found on the CDE website; retrieved September 5, 2008, http://www.cde.state.co.us/onlinelearning/download/Definitions.pdf

- Single-district online schools get funded at the district's regular PPR unless the student is taking more than 50% of courses online and at home, in which case the district receives the state minimum.
- No official policy exists for determining a seat-time equivalent for online students, but CDE is exploring seat time issues and may recommend a change in 2009.
- State law had prohibited online schools from obtaining PPR funds for most students in grades 2 and higher who were not enrolled in a public school in the previous school year, but the prohibition has been repealed.

Governance, tracking, and accountability

- The Unit of Online Education within the Colorado Department of Education (CDE) oversees online programs.
- Multi-district program authorizers must be certified by the CDE, this includes any program with more than 10 students from outside of the original district; single district programs do not require certification.
- All online programs must adhere to quality standards that have been created by CDE Unit of Online Education.
- All online programs must report to the CDE annually.
- SB215 created an online education advisory board that reports annually to the State Board of Education.
- The supplemental online program funding provided by HB1066 requires an annual report to the legislature noting number of students taking courses, completion rates, and other information.

Quality assurance, teaching, and curriculum

- Quality standards created by the CDE Unit of Online Education with the State Board of Education include "standards-based curricula and data-driven instructional practices," and are used in accreditation and program reporting[160].
- Multi-district program authorizers must demonstrate capacity to oversee online program curriculum and instruction.

[160] The Quality Standards for Online Programs can be found as section 3.0 of Code of Colorado Regulations document CCR301-71, Rules for the Administration of the Colorado State Board of Education.; retrieved August 5, 2008 from http://www.sos.state.co.us/CCR/NumericalSubDocList.do?deptID=4&deptName=300%20Department%20of%20Education&agencyID=109&agencyName=301%20Colorado%20State%20Board%20of%20Education&ccrDocID=2981&ccrDocName=1%20CCR%20301-71%20RULES%20FOR%20THE%20ADMINISTRATION

Hawaii

Category	Yes/No	Comments
State-led program	Yes	Hawaii Department of Education's E-School
Other statewide programs	Yes	Myron B. Thompson Academy (MBTA), Hawaii Technology Academy
State-level policy	Yes	HB2971 SD2, passed in 2008

During 2007 and 2008 Hawaii addressed the opportunities and challenges of online learning through a formal planning process. In 2007 the Hawaii Legislature created an online learning task force, which reported to the 2008 legislature.[161] The legislature followed through in 2008 by passing HB2971 SD2, which implemented the recommendations of the task force. The bill directs the Department of Education to expand online learning opportunities for students across the state by building on existing online programs, and proclaims "online learning is a strategic vehicle that will define the Department as a 21st century learning institution."[162]

The most important part of the legislation directs the agency to "Follow a two-pronged delivery model of services and continue to operate the Myron B. Thompson… full-time cyber academy, or similar schools, as well as establish a Hawaii virtual learning network for supplemental programs." This approach, if implemented with sufficient funding, will put Hawaii among the handful of states that provide both full-time online programs and a state-led supplemental program.

Online programs

The Hawaii Department of Education's E-School is a supplemental, credit-granting program offering courses to grades 9-12[163] that has become part of the virtual learning network in the new law. E-School has 400 to 600 students per semester coming from about 40 secondary schools in the Hawaii school system. Students come from public schools or charter schools; students from private schools or who are homeschooled may only take courses during the summer school session. During the regular school year there is no charge for courses. All students pay for courses offered during summer school.

Myron B. Thompson Academy (MBTA) is a full-time charter school that serves students across most of Hawaii. It is mostly online, although has some face-to-face requirements. In April 2008, the Hawaii Charter School Review Panel approved the Hawaii Technology Academy (HTA), a statewide online charter school managed by K12 Inc., for grades K-12, which will open for grades K-8 in fall 2008. HTA will combine face-to-face and online instruction through a centrally located learning center on Oahu. The SEED Academy is a public, accredited high school program of the University of Hawaii at Manoa (UHM) and Kapolei High School, offering a blended curriculum of core courses taken online and hands-on STEM electives taken on-campus at Kapolei High School.[164]

[161] Report retrieved June 26, 2008, from http://doe.k12.hi.us/reports/tolegislature/A20-EduOnlineLearningTaskForce.pdf

[162] State of Hawaii House of Representatives, HB2971; retrieved June 26, 2008 from http://www.capitol.hawaii.gov/session2008/bills/HB2971_sd2_.htm

[163] Hawaii Department of Education, Advanced Technology Research Branch; retrieved June 18, 2008, http://165.248.2.18/

[164] The SEED Academy; retrieved July 28, 2008, http://www.uhmseedacademy.org/kapoleihighschool/

State policies

HB2971 does not set much firm policy beyond supporting both full-time and supplemental online learning opportunities and directing the Department of Education to create policies to oversee online programs. It specifically directs the agency to:

- "Establish a task force to review the State's education policies, requirements, and oversight functions for congruency with the needs and potential of online learning;
- Develop and establish a mentoring and training program for online teachers, collaborating with the University of Hawaii Department of Educational Technology as needed;
- Develop and establish an online training program to increase the number of highly qualified teachers, administrators, and paraprofessionals;
- Provide support and incentives to teachers who become qualified to teach online courses and for teachers who utilize online courses to incorporate project-based and work-relevant learning;
- Standardize the procedure for granting credits for online coursework;
- Assist schools with online standards-based college preparatory curriculum;
- Expand credit recovery courses and remediation courses;
- Emphasize online science, technology, engineering, and mathematics courses and aggressively work to offer certain online courses through the department, including algebra I, English I, eighth-grade math and English, and career guidance;
- Expand distance education through interactive digital television;
- Establish an online course and resource center to include training modules and other support resources;
- Establish online and in-person tutoring and mentoring programs for students, partnering with the University of Hawaii as needed; and
- Develop recommendations on appropriate funding mechanisms."

In addition, the Department of Education is directed to assess the digital literacy of teachers, students, and other personnel in order to ensure maximum success of the online learning programs. The Department must "systematically establish the infrastructure for online learning based on institution type, in the following order of priority: high schools (including charter high schools), middle and elementary schools, adult community schools, charter middle and elementary schools, the University of Hawaii system (particularly the community colleges), private secondary and post-secondary institutions (for a fee), and adult populations for remedial education and upgrading of workforce skill."

Idaho

Category	Yes/No	Comments
State-led program	Yes	Idaho Digital Learning Academy (IDLA)
Other statewide programs	Yes	Four programs identified by state audit with 3,900 students in 2007-2008, with a fifth starting fall 2008
State-level policy	Yes	The 2007 state audit prompted the passage of HB423 in 2008, and HB552 changed some of the policy provisions of IDLA

Idaho has a state-led supplemental program, and four full-time online charter schools. A fifth charter school has been authorized to open in fall of 2008. Two laws related to online learning were passed in 2008; one addressing a couple of concerns raised in a previous state audit, and one clarifying some provisions of Idaho Digital Learning Academy (IDLA). A third law, House Bill 543, establishes the Idaho Education Network (IEN), a "coordinated, statewide telecommunications distribution system for distance learning for each public school, including two-way interactive video, data, Internet access and other telecommunications services for providing distance learning." The EIN is also expected to include connections to higher education institutions "and other locations as necessary to facilitate distance education, teacher training and other related services."

In March 2007 the Office of Performance Evaluations of the Idaho Legislature released an audit of the online charter schools. The audit discussed how online charter schools are recognized and defined in charter school law, and the lack of any similar definition or recognition of online programs that are not charter schools. It stated:

> "Staff at the Department of Education are not aware of any other school in Idaho offering [an online] program [other than the online charter schools]… However, the department does not have a process for determining whether any other school is offering a virtual program. Commission staff are also not aware of any other school offering virtual programs, but stated they would only be aware of a virtual program offered at a school they authorized… Currently, state law does not appear to prohibit a school from offering a virtual or distance program. However, they are not subject to the same approval and oversight as the virtual schools discussed in this report…

The audit concluded with several recommendations, including defining virtual public schools, requiring that all online charter schools be authorized by the Public Charter School Commission, and recommending additional reporting requirements. In 2008, the Idaho Legislature responded to some of the audit's suggestions. House Bill 423[165] clarified the definition of a public virtual school as follows:

> "'Virtual school' means a school that delivers a full-time, sequential program of synchronous and/or asynchronous instruction primarily through the use of technology via the Internet in a distributed environment. Schools classified as virtual must have an online component to their school with online lessons and tools for student and data management."

[165] Idaho House Bill 423, July 18, 2008, http://www3.state.id.us/oasis/H0423.html

The law, put forward by the Public Charter School Commission (PCSC) with the support of the State Department of Education,[166] also created new requirements for virtual schools seeking a charter, which are discussed below.

Online programs

The 2007 state audit identified six online programs. Four are full-time charter schools with a total of 3,944 students: Idaho Distance Education Academy, Idaho Virtual Academy, INSPIRE Connections Academy, and Richard McKenna Charter High School (formerly Idaho Virtual High School, combines both on-site and online instruction). A fifth full-time virtual charter, iSucceed, (contracted with Insight Schools) is expected to have its first students in fall 2008. Idaho Digital Learning Academy (IDLA), the state-led supplemental program, had 6,619 course registrations in 2007-2008 (an 80% increase). There are no district online programs as of summer 2008.

State policies

Although charter schools, including online charters, are not required to comply with some of the rules made by the State Board of Education, most voluntarily comply with the general education laws and rules of the state[167] as well as the laws that specifically apply to charter schools. Initial oversight of virtual schools occurs throughout the petition approval process (which now includes some provisions specific to online schools). The Public Charter School Commission and the Northwest Association of Accredited Schools accreditation process provide ongoing oversight of virtual schools in operation, including an annual review of authorizers, annual site visits by both the State Department of Education (SDE) and an accreditation team, and site visits from SDE teams in special areas, such as special education. Idaho statute requires that all public charter schools perform an annual programmatic operations audit and an annual fiscal audit and submit the results of those audits to their authorized chartering agency. All online public charter schools that are authorized by the Idaho Public Charter School Commission submit additional audit criteria that are specific to online schools as described below.[168] Staff from Idaho Virtual Academy worked with the SDE and the Idaho Charter School Network to present a data academy workshop at the statewide charter school conference that focused on how public charter schools, both bricks and mortar and online, can use data to more effectively manage a program.

In addition to the new online learning laws, the policies and quotes in this section are also based on two laws: charter school law[169] and a statute addressing "technological instruction."[170]

Funding

- Charter schools, including online charters, are funded based on average daily attendance and a specific formula.
- Districts offering distance learning programs may count students' time in an online course for ADA funding purposes. They are not allowed to claim more ADA funding than the FTE of a regular term of attendance for a single student.

[166] Personal communication with Shirley Rau, School Choice Coordinator, Idaho State Department of Education, July 11, 2008

[167] Ibid

[168] The Idaho Public Charter School Commission, FAQ: Annual Programmatic Operations Audits; retrieved July 14, 2008, http://www.chartercommission.id.gov/documents/ProgAuditStandards.pdf

[169] Idaho Statutes Title 33, Chapter 52; retrieved July 11, 2008, from http://www3.state.id.us/idstat/TOC/33052KTOC.html

[170] Idaho Statutes, Title 33; retrieved July 21, 2008, http://www3.state.id.us/cgi-bin/newidst?sctid=330100003C.K

Governance, tracking, and accountability

- All schools in Idaho must be accredited by the Northwest Association of Accredited Schools, including online schools; therefore the department has a list of full-time online learning programs.
- New virtual schools, when seeking a charter, must report on:
  - "The learning management system by which courses will be delivered;
  - The role of the online teacher, including the consistent availability of the teacher to provide guidance around course material, methods of individualized learning in the online course and the means by which student work will be assessed;
  - A plan for the provision of professional development specific to the public virtual school environment;
  - The means by which public virtual school students will receive appropriate teacher-to-student interaction, including timely, frequent feedback about student progress;
  - The means by which the public virtual school will verify student attendance and award course credit. Attendance at public virtual schools shall focus primarily on coursework and activities that are correlated to the Idaho state thoroughness standards;
  - A plan for the provision of technical support relevant to the delivery of online courses;
  - The means by which the public virtual school will provide opportunity for student-to-student interaction; and
  - A plan for ensuring equal access to all students, including the provision of necessary hardware, software and Internet connectivity required for participation in online coursework."

These are in addition to other data elements that must be reported for all charter schools.

Online charter schools that are authorized by the Idaho Public Charter School Commission must report on the following in their annual audit:[171]

- "Effectiveness of the learning management program
- Effectiveness of special services provided to qualifying students
- Average turnaround time for teacher review of student work
- Frequency and method of teacher/student and student/student interaction
- Frequency and method of teacher/parent interaction
- Professional development specific to the virtual school environment
- Effectiveness of technical support relevant to delivery of online courses"

[171] The Idaho Public Charter School Commission, FAQ: Annual Programmatic Operations Audits; retrieved July 14, 2008, http://www.chartercommission.id.gov/documents/ProgAuditStandards.pdf

These are in addition to the annual reporting that all charter schools must do.

Quality assurance, teaching, and curriculum

Online charter schools, as with all charter schools in Idaho, must describe:

- "The measurable student educational standards identified for use by the… school."
- "The method by which student progress in meeting those student educational standards is to be measured."
- All charter schools must meet state accreditation standards that include curriculum quality indicators; these are not specific to online courses.
- "The certification requirements for… a distance learning program may be met by having a properly certificated teacher available on a consultant tutorial basis. The consultant tutors will be available by telephone, fax, e-mail, or in person at the school site on a daily basis."

HB552: New legislation affecting IDLA

A second law related to online learning, HB552,[172] also passed in 2008. HB552 is specific to IDLA and has the following main provisions:

- Removes IDLA from the State Department of Education. "It is legislative intent that the Idaho Digital Learning Academy operate and be recognized not as a state agency or department, but as a governmental entity whose creation has been authorized by the state, much in the manner as other single purpose districts." The law goes on to exempt IDLA from some of the employment provisions that school districts are subject to.
- Removes some of the positions that were previously detailed in state code, requiring that IDLA have a curriculum and instruction coordinator. This change suggests that the legislature is becoming comfortable with IDLA and no longer feels the need to require specific positions within the organization.
- Removes restrictions on grade levels that IDLA may serve, which were previously grades 7-12.
- Recognizes that IDLA does not grant credit, and changes the terminology of "credit earned" to "grade percentages." This is an important element in that previously the legislation confused the role of IDLA, which works with local school districts and does not grant credits directly.
- Since its founding, IDLA financial accounts were run through a "host school district." HB552 removed this restriction to give IDLA financial independence.

[172] Idaho House Bill 552; retrieved July 7, 2008, http://www3.state.id.us/oasis/H0552.html

Montana

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	No	
Other significant online programs	Yes	No charter school law, but several district programs
State-level policy	Yes	Senate Bill 359; Montana Distance Learning Standard A.R.M. 10.55.907[172]

In 2006, the Montana State Board of Public Education established a Distance Learning Task Force to address issues of distance learning and report in multiple phases. In September 2008, based on recommendations made by the task force, the Board of Public Education approved a new distance learning rule to amend the state administrative rules to require that either the teacher delivering the online course or a local facilitator for students in online courses be licensed or endorsed by an entity approved by the Northwest Association of Accredited Schools in the area of instruction taught. This is in response to the "highly qualified teachers" requirement in NCLB. The state also requires distance learning providers to register with the state and provide program and course descriptions, including demonstrating that students have "ongoing contact" with the online teacher, and verifying the qualifications of teachers.

Montana also has the Montana Schools e-Learning Consortium (MSeLC). The MSeLC is a group of districts and professional associations working together to provide online learning opportunities using properly licensed educators through a self-funded, member-governed, statewide program. According to the MSeLC website, The School of Education at the University of Montana administers MSeLC. After running a prototype spring 2008 semester, they are expanding to offer 13 courses to member districts in fall 2008.

State policies

Montana policy states that districts may receive or provide distance learning, and may receive supplemental distance learning instruction "without restriction."

Funding

Effective July 1, 2006 students enrolled at district expense in online, distance or technology delivered education are included when calculating "average number belonging" (ANB) for school districts used for calculating state entitlements.[174]

- Montana allows school districts to report to OPI the students who took distance learning courses during the year but were not enrolled on the official count dates. Information reported is used to determine the additional ANB the district is qualified to budget for the ensuing year.

[173] Montana Office of Public Instruction, Administrative Rules of Montana, Title 10 Education, Chapter 55 Academic Requirements, Section 907 Distance, Online, and Technology Delivered Learning; retrieved July 23, 2008, http://www.opi.mt.gov/pdf/arm/55chapter.pdf

[174] Montana Senate Bill 359; retrieved July 22, 2008, http://data.opi.state.mt.us/bills/2005/billhtml/SB0359.htm

Governance, tracking, and accountability

Providers [other than Montana school districts] will annually:

- Register with the Montana Office of Public Instruction;
- Identify all Montana school districts to whom they are delivering distance learning;
- Verify the professional qualifications of course teachers;
- Provide course descriptions, including content and delivery model, for each program and/or course; and
- Demonstrate that students have ongoing contact with the distance-learning teachers.

Quality assurance, teaching, and curriculum

- "School districts receiving distance, online, and technology delivered learning programs described in this rule shall have a distance learning facilitator as provided in this rule assigned for each course and available to the students.
- When a teacher of distance, online, and technology delivered learning programs and/or courses is not licensed and endorsed as provided in this rule, the facilitator must hold a Montana educator license.
- When a teacher of distance, online, and technology delivered learning programs is licensed and endorsed in the area of instruction, as provided in this rule, the receiving school district's facilitator shall be a licensed teacher or a para-educator.
- The school district must see to it that the facilitator receives in-service training on technology delivered instruction…
- A school district shall provide a report to the Office of Public Instruction documenting how it is meeting the needs of students under the accreditation standards who are taking a majority of courses during each grading period via distance, online, and /or technology-delivered programs."[175]

[175] Page 33 of the Distance Learning Task Force Phase I final report, http://bpe.mt.gov/pdf/Distance%20Learning%20Final%20Report.pdf

Nevada

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	Yes	Several statewide charter schools
Other online programs	Yes	Some district online programs, including the Clark Country School District Virtual High School
State-level policy	Yes	Nevada Revised Statues & Nevada Administrative Code set distance education program requirements

Nevada has online charter schools and district online programs. The state is unique in that 70% of its students are in one district, the Clark County School District, which has a Virtual High School. The state also has policies governing distance education, which include video and online delivery and are discussed in the following section. Policies governing distance education apply to both district programs and charter schools.

Prior to 2008 the State Board of Education had prohibited two statewide distance education charter schools from serving grades K-3. After hearing evidence of satisfaction rates consistently above 90% among parents of K-3 online students in other states, and recognizing that Nevada's own longstanding Odyssey Charter School had earned "School of Excellence" state report card status for its K-5 online program for the second year in a row, the State Board voted in August 2008 to open the statewide online charters to grades K-3.

Online programs

- Clark County School District Virtual High School began in fall 2004.
- Silver State Charter High School accepts full-time students from districts across the state. Students attend synchronous courses in a cohort and are required to meet with a teacher at a school once a week.
- Odyssey Charter School serves grades K-12 and is authorized by the Clark County School District.
- Nevada Connections Academy is a full-time online charter school with 427 students (as of Nevada Count Day 9/2007) in grades 4-11.
- The Nevada Virtual Academy is a full-time online charter school with 280 students (as of Nevada Count Day 9/2007) in grades 4-8.
- Insight School of Nevada is a statewide charter school serving grades 9-12 with an emphasis on at-risk students beginning fall 2008.

State policies

Nevada online education policies set forth programmatic and reporting requirements, have the state maintain a list of courses and programs that meet its requirements, allow the state to review or audit distance programs, and allow the state to revoke its approval of a distance education program that does not meet the requirements. Unless otherwise noted, the following information is taken from Nevada Revised Statutes,[176] with quotes from the Nevada Department of Education web page on distance learning.[177]

[176] Retrieved July 18, 2008, from http://www.leg.state.nv.us/nrs/NRS-388.html and http://www.leg.state.nv.us/NAC/NAC-388.html

[177] Nevada Department of Education; retrieved July 28, 2008, http://www.doe.nv.gov/Tech_DistanceEd.htm

Funding

- Students must get permission from their own school district before taking part in another school district's (non-charter) online program. This allows FTE funding to go to the school district offering the online program. If the student is taking online courses as part of the school day, the two districts agree to the apportionment of funds. The written agreement must be filed with the state to allow the student funding to go to the district providing the instruction.
- Virtual charter schools are not required to obtain permission from a student's local school district, but must inform the district that the student is enrolling in the charter school before that student begins classes. Funding follows the student from the district in which the student resides to the charter school program.

Governance, tracking, and accountability

Specific reporting requirements for distance education programs were repealed in 2008. Previously, each online program had to report to the state on a list of requirements specific to online education, including program expenditures, the number of students, and more. Now each online program must report the same information as regular brick and mortar schools report annually to the Nevada Department of Education.

Quality assurance, teaching, and curriculum

- The teacher must meet with or otherwise communicate with the pupil at least once each week during the course to discuss the pupil's progress.
- "If a program of distance education is provided for pupils on a full-time basis, the program must include at least as many hours or minutes of instruction as would be provided under a program consisting of 180 days."
- New State Board policy addressing student attendance strengthens the request for competency-based instruction in lieu of seat time. Distance education programs must meet the same state attendance standards as other students unless the district "Obtains the written approval of the Superintendent of Public Instruction for a program that demonstrates progress or completion by pupils in a curriculum that is equivalent to the regular school curriculum. Approval of a plan for an adult high school program, an alternative program, or a distance education program which contains a request for a program that demonstrates progress or completion will be considered as approval by the Superintendent of Public Instruction. Demonstrated competency in curriculum that meets the state standards may be considered equivalent for purposes of this paragraph."[178]
- Distance learning course providers must submit course outlines to the Department of Education for a review process to ensure the course content meets state curriculum standards.[179]

[178] Regulation of the State Board of Education, LCB File No. R134-07; retrieved July 22, 2008, http://www.leg.state.nv.us/register/RegsReviewed/$R134-07A.pdf

[179] Nevada Department of Education approved distance learning course provider list; retrieved July 21, 2008, http://www.doe.nv.gov/Tech_DistanceEd_ACPL.htm

New Mexico

Category	Yes/No	Comments
State-led program	Yes	IDEAL-NM (Innovative Digital Education and Learning New Mexico)
Other statewide programs	Yes	The Cyber Academy Act and Distance Learning Rule allow districts and charter schools to provide online learning courses statewide as long as there are written agreements in place between host and resident districts
Other significant online programs	Yes	Some districts have programs for in-district students
State-level policy	Yes	The Distance Learning Rule of the New Mexico Administrative Code sets distance learning guidelines; SB209, passed in spring 2007, created the statewide Cyber Academy

New Mexico has a relatively new state-led program, IDEAL-NM (Innovative Digital Education and Learning New Mexico), which was created by the 2007 Statewide Cyber Academy Act. New distance learning rules have recently been approved that set requirements for IDEAL-NM; they also allow districts and charter schools to provide online learning courses to statewide students as long as there are written agreements in place between host and resident districts.

IDEAL-NM is unusual in that it provides a statewide learning management system (LMS) by which online K-12, higher education, and state agency training courses are delivered. School districts may use the LMS to create their own online courses, or use the content developed by IDEAL-NM to teach their own courses. In addition, a statewide eLearning Service Center supports the use of the shared LMS among all the education and training entities, including providing technical support.[180]

The New Mexico Laptop Learning Initiative has been in place for approximately five years. The laptop initiative for 7th graders provided computers to 1,355 students at 21 sites statewide in 2007, expanding the program to serve nearly 5,000 students at 31 sites statewide.[181] Results from a survey among initiative participants have shown positive improvement in written materials, increase in teacher usage of technology, increase in student attendance and a decrease in truancy.[182]

Online programs

IDEAL-NM launched a pilot program in 2007-2008 that had 246 course registrations in 53 courses. Seventeen of New Mexico's 89 school districts participated in the pilot.

In addition to IDEAL-NM, some school districts provide online programs including districts in Albuquerque, Rio Rancho, Hobbs, and Roy.

The new distance learning rules allow for creation of new full-time, multi-district online schools, but as of September 2008 none exist.

[180] IDEAL-NM; retrieved July 2008, http://www.ideal-nm.org/

[181] NM PED, Making Schools Work, 2007-2008 Accomplishments, April 2008, http://www.ped.state.nm.us/Sec.of.Ed/accomplishments07-08.pdf

[182] Information regarding Laptop Initiative from individual conversation with Dr. Jim Holloway, New Mexico Public Education Department, Rural Education program

State policies

New Mexico Administrative Code Title 6, Chapter 30, Part 8 establishes requirements for distance learning programs taken for credit or a grade by students enrolled in a school district or charter school, and sets forth implementation of statewide e-learning courses via IDEAL-NM. An opinion from the Attorney General's Office issued in February 2008 found that New Mexico's open enrollment law does not apply to online schools and therefore does not conflict with the distance learning rules.[183]

The following policy provisions are based on the Administrative Code, legislation passed in September 2008, and the new distance learning rules. [184]

Funding

- $7.5M was appropriated in FY 2007-2008 to implement a statewide e-learning delivery system for K-12, higher education, and government agencies, including the procurement of a statewide LMS. Part of this funding was earmarked to leverage this system to offer a statewide virtual school, originally named the New Mexico Cyber Academy and now IDEAL-NM. $2.0M was appropriated in FY 2008-2009 for continued IDEAL-NM operations, including program and technology services.
- Students must have a primary enrolling district. Should a student enroll in a distance learning course offered by a district or charter school other than the student's enrolling district, the student can only be counted once as a qualified student for state equalization guarantee funding purposes. Any reimbursement for cross-district enrollment for distance learning courses shall be arranged between the districts or charter schools through signed written documents.

Governance, tracking, and accountability

- "Qualified distance learning students participating in asynchronous distance learning courses must log on to their distance learning courses at least the same number of days per week as the traditional face-to-face classes occur at the schools in which they are enrolled, and certify that they are the enrolled students.
- While distance learning technologies may occasionally be used as full-time educational programming for students in unusual circumstances, asynchronous distance learning shall not be used as a substitute for all direct, face-to-face student and teacher interactions unless approved by the local board of education.
- Local distance learning sites shall provide onsite access to the necessary technology for participation in distance learning courses involving Internet-based instruction.
- Qualified distance learning students must receive grades or academic credits for taking a distance learning course unless not taken for credit. Public school districts and charter schools entering into written agreements with each other for distance learning courses shall determine through such agreements which entity or institution shall be responsible for granting students' grades and credits. Should a district or charter school determine that a student fails to comply with any provision of this

[183] Letter from Assistant Attorney General Andrea Buzzard to New Mexico State Representative Al Park, "Opinion request—open enrollment and distance education, February 19, 2008

[184] New Mexico Administrative Code; 6.30.8.1 NMAC - Rp, 6.30.8.1 NMAC, 9-30-08, Title 6, Chapter 30, Part 8, New Mexico Public Education Department, September 2008

rule or the local distance learning site's policies, in addition to any other disciplinary actions, the student may be denied credit for the distance learning course or program in which the student was participating.

- Local distance learning sites shall provide accompanying electronic formats that are usable by a person with a disability using assistive technology, and those formats shall be based on the American standard code for information interchange, hypertext markup language, and extensible markup language.
- Each qualified distance learning student participating in a distance learning course or program shall be evaluated, tested and monitored and shall be subject to the statewide assessments as required in the Assessment and Accountability Act. No student shall be allowed to participate in the statewide assessments at a place other than a department authorized site.
- A qualified distance learning student may participate in and receive credit or a grade for a distance learning course that is at a different grade level than the student's current grade level. If allowed by district policy, a student may retake a course to earn a higher grade. However, credit cannot be earned twice for the same course."

Quality assurance, teaching, and curriculum

- "A public school student must be enrolled in a public school district, charter school, state institution or educational program conducted in a state institution and must have the written permission of the student's enrolling district, charter school, state institution or educational program conducted in a state institution."
- School districts and charter schools providing distance learning courses to students statewide shall enter into written agreements with students' enrolling districts or charter schools prior to providing distance learning courses to students.
- "… the student shall be counted only once as a qualified student for state equalization guarantee funding purposes… Any reimbursement for cross-district participation for distance learning courses shall be arranged between the districts or charter schools through signed written agreements."
- "School districts and charter schools providing distance learning courses to students statewide shall enter into written agreements with students' enrolling districts or charter schools prior to providing distance learning courses to students."

The new rules also define state education services provided by IDEAL-NM and specify local policies regarding distance learning courses.

Oklahoma

Category	Yes/No	Comments
State-led program	No	
Other statewide programs	No	
Other significant online programs	Yes	Two university sponsored, tuition-based high school programs
State-level policy	Yes	State code in place since 2000 sets distance learning guidelines

There are two university sponsored programs in Oklahoma. The Oklahoma State University K-12 Distance Learning Academy[185] is a supplemental program offering a handful of courses. The University of Oklahoma Independent Learning High School[186], started in 2000, is supplemental but also has a diploma granting arm known as OU High School. Some of the more than 100 courses are online; many are correspondence.

State policies

Oklahoma has formal policy that requires that local school boards develop policies for online courses, and provides a few guidelines, which are detailed below. Quotes are taken directly from state code.[187]

Funding

Oklahoma funds its schools using average daily membership. Local boards set policy for online learning which typically means districts pay for the online courses.

Governance, tracking, and accountability

- The school board policy must address "monitoring of student progress, graded assignments, and testing."
- Students in an online program must be "regularly enrolled" in the school district of the online program; however, a district may make an exception for students who have dropped out or have been suspended if they were Oklahoma public school students at any time in the previous three years.

Quality assurance, teaching, and curriculum

- Teachers "shall be provided in-service training" in distance learning technology.
- Each school must designate a staff member to serve as a local facilitator for students.
- The school must formally approve each student's participation in an online course.
- Teachers may be certified in another state, or may be a faculty member at a postsecondary institution. Students in online courses must take the state assessments at "the school site at which the student is enrolled."
- Local school board must set a policy for the number of students each instructor will have in an asynchronous course; in a synchronous course the number of students per class and per day is the same as in face-to-face courses.

[185] Oklahoma State University K-12 Distance Learning Academy, http://k12.okstate.edu/; retrieved August 12, 2008

[186] The University of Oklahoma Independent Learning High School, http://ouhigh.ou.edu/; retrieved August 12, 2008

[187] Information in this section is based on Oklahoma State Code 210:35-21-2: Alternative Instructional Delivery Systems; retrieved August 12, 2008, http://www.oar.state.ok.us/

Oregon

Category	Yes/No	Comments
State-led initiative	Yes	Oregon Virtual School District (ORVSD)
Other statewide programs	Yes	Three statewide online charters
Other significant online programs	Yes	Numerous district programs
State-level policy	Yes	Senate Bill 1071 created the ORVSD

Oregon has several district online programs, a consortium of districts providing online courses (Oregon Online), and a history of extensive discussions about online learning policy at the state level[188] that have resulted in the Oregon Virtual School District (ORVSD).[189] Senate Bill 1071, passed in 2005, provides for the creation of the ORVSD within the Oregon Department of Education (ODE). [190] The bill authorizes the State Board of Education to create rules under which the ODE will establish quality criteria and policies for the ORVSD, including development and delivery of virtual content and teacher training.

The Oregon Virtual School District is a resource for teachers to find and access courses, content, providers, and tools. The site includes links to the ORVSD-created course management system, the ORVSD Content Library, pod casting services, video streaming services and a teacher professional development site. The ORVSD Repository offers teachers access to 82 course templates, 2,300 learning objects and streaming video lessons for instruction. ORVSD does not register students, but students can use ORVSD to supplement their classes. ORVSD also offers school districts access to the Knowledge Community Portal. The Knowledge Community is a web portal that integrates student data into digital courses, collaboration forums and student ePortfolios. The platform also allows teachers and parents to track the progress of individual students. The Knowledge Community is funded through a public-private partnership with the Intel Corporation.

Even before the creation of ORVSD the state has had a well-developed distance learning infrastructure, both Internet-based and video-based. These programs continue to flourish as the state provides digital instruction resources to all districts.

State policies

Online programs and schools are sponsored by school districts and are governed by their school district guidelines for operations and education delivery. There are also specific rules for public education providers of online learning when using the Oregon Virtual School District resources. These are outlined in Oregon Administrative Rule chapter 581, division 20.[191] Quotes in the policies listed below come from this rule.

Oregon Revised Statute (ORS) 338.125, section 5 (2)(b) states that "if a public charter school offers any online courses as part of the curriculum of the school, then 50 percent or more of the students who attend the public charter school must reside in the school district in which the public charter school is located."[192] This had limited the number of statewide

[188] See Distance Education in Oregon Policy Brief, October 2004, for a history of these efforts. Retrieved July 31, 2008, http://www.ode.state.or.us/initiatives/elearning/ecs_policybrieffinal.pdf

[189] Oregon Virtual School District, http://orvsd.org; retrieved July 31, 2008

[190] Senate Bill 1071; retrieved July 31, 2008, from Oregon State Legislature website, from http://www.leg.state.or.us/05reg/measpdf/sb1000.dir/sb1071.en.pdf. Quotes in this section are taken from the law

[191] Oregon Administrative Rule chapter 581, division 20; retrieved July 31, 2008 from http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_020.html

[192] Oregon Revised Statues, Chapter 338, Public Charter Schools, http://www.leg.state.or.us/ors/338.html

online charter schools, applying to charters established after September 2, 2005. Oregon Administrative Rule (OAR) 581.020-0339 (6), adopted in 2008, added a waiver provision, and subsequently the Oregon State Board of Education granted a 2-year waiver from the 50% rule to the Oregon Virtual Academy (ORVA).

Online programs

The wide range of programs in the state includes:

- Oregon Online is a program of Southern Oregon Education Service District that provides online courses to students, professional development for educators, and helps schools support and accommodate online teachers and learners.
- COOLSchool offers an array of online courses designed to complement local curriculum and align with Oregon Content Standards.
- Salem-Keizer Online offers Internet-based courses for high school students in math, science, lingual arts, social studies, health, and computer electives.
- Corvallis Online (Corvallis Public Schools) offers classes for students with scheduling conflicts, acceleration or remediation needs, medical needs, a preference for self-directed learning; students who school privately or at home, and students seeking to recover credits.
- Oregon Connections Academy (ORCA) is a statewide virtual charter school with approximately 2010 students in grades K-11 in 2007-2008.
- Oregon Virtual Academy (ORVA), a statewide online public charter school served by K12 Inc., will serve 600 students in 2008-2009. [193]
- OSU K-12 Online offers numerous high school courses in a variety of subjects.
- Portland State University Independent Study offers 40 high school correspondence courses, many of which are available online.
- Insight School of Oregon, sponsored by the Lincoln County School District, was approved to operate as a Private Alternative High School, a designation that exempts it from the 50% requirement.

Funding

- ORVSD initially received $2 million for two years beginning July 2005 in a fund separate from standard FTE funding. The budget for two years beginning in July 2007 transferred $1.8 million from the State School Fund to continue funding ORVSD operations.

Governance, tracking, and accountability

- The ODE lists courses taught by Oregon educators and outside online course providers on their website.[194] Providers work directly with school districts for reporting annual yearly progress (AYP).

[193] Oregon Virtual Academy State Board waiver, http://www.ode.state.or.us/news/announcements/announcement.aspx?=3905; retrieved August 12, 2008

[194] List of online schools on Oregon Department of Education website, http://www.ode.state.or.us/search/results/?id=334; retrieved July 31, 2008

Quality assurance, teaching, and curriculum

- Teachers must be "properly licensed or registered." Teacher licensing and professional development requirements are done by the Oregon Teacher Standards and Practices Commission.
- "Student/Teacher Ratio. Online learning providers are required to have guidelines in place for reasonable student to instructor ratios that allow for regular, individualized interaction with instructors."
- "Student Teacher Interaction. Online learning providers are required to have guidelines in place for reasonable student to instructor communication that allow for, individualized interaction with instructors as needed. Communication includes, but is not limited to, electronic mail, online discussion groups, telephone interaction and face to face discussions between teacher and student."
- "Timeframe for Teacher Response to Student Questions. Online learning providers are required to have guidelines in place for the time and process that teachers will provide prompt response to student inquiries and requests for assistance."
- "Online learning providers are required to have policies for teacher professional development. Teachers need to have appropriate training for the delivery of online instruction. Providers receiving public support must maintain Oregon teaching licensure for all teachers consistent with TSPC professional development requirements."
- Courses must meet academic content standards. "Courses offered are governed by individual school district guidelines, including, but not limited to, courses meeting requirements for high school diploma, electives as well as supplementary instruction."

Texas

Category	Yes/No	Comments
State-led initiative	Yes	Texas Virtual School Network (TxVSN) and Electronic Course Pilot (eCP)
Other statewide programs	No	
Other significant online programs	Yes	Online learning programs exist in a growing number of districts
State-level policy	Yes	Senate Bill 1788 established a state virtual school network, codified in Texas Education Code (TEC) 30A; also, the Electronic Course Pilot (eCP), codified in TEC 29.909

During the 80th Legislative Session, Senate Bill 1788 established a state virtual school network to provide online courses for Texas students. The Texas Virtual School Network (TxVSN) legislation set forth the operational, course evaluation, and professional development requirements. A request for proposal process identified TxVSN partners to work under the direction of the Texas Education Agency (TEA):

- Region 10 Education Service Center, in collaboration with Harris County Department of Education, will serve as TxVSN Central Operations. Central Operations will

coordinate course registration and student enrollments; ensure eligibility of virtual school providers; provide a list of approved electronic courses; and coordinate reporting requirements. Development of these key elements began during summer 2008.

- Region 4 Education Service Center will conduct the review of electronic courses to be offered through the network to ensure that all courses meet or exceed the state curriculum standards, the Texas Essential Knowledge and Skills, as well as the rigorous online course standards developed by the Southern Regional Education Board and endorsed and adopted by the North Atlantic Council for Online Learning (NACOL). The review process for high school courses began in summer 2008.

- Five professional development providers will train educators to deliver online instruction through the TxVSN: Education Development Center, Inc.; ESC Region 4; ESC Region 11; Harris County Department of Education; and Texas A&M University Center for Distance Learning Research. Each teacher delivering an online course through the TxVSN must complete required professional development from an approved provider. Approved providers began to deliver training during summer 2008.

Courses offered through the TxVSN will be provided by TxVSN Provider Districts.[195] Only TxVSN Provider Districts may submit courses to the TxVSN for review and approval. They may submit courses they developed independently, or courses developed by a third party. TxVSN Provider Districts will be responsible for instruction and for ensuring that teachers teaching courses offered through the TxVSN meet the eligibility requirements; that they are certified under Texas guidelines and have completed the professional development required by the TxVSN prior to teaching courses offered through the network.

The current plan is to have TxVSN courses available for Texas students in time for the spring semester 2009. The TxVSN contact at the student's home district will authorize enrollment of students in TxVSN courses. Information on courses available via the TxVSN will be posted online at www.txvsn.org in fall 2008.

A Request for Applications (RFA) was also issued to build the capacity of districts to participate in the state virtual school network by providing federal NCLB Title II, Part D funds (Vision 2020 grant) to districts. The purpose of the grant is to fund students taking online courses offered via the TxVSN, professional development for onsite facilitators and administrators and for teachers teaching online courses, and and other related activities and expenses.

Additionally, TEA is continuing to administer an electronic course pilot (eCP) that allows participating public school districts and open-enrollment charter schools to earn state funding for students taking online courses in a virtual setting. This program has been in operation since spring 2005, with two districts participating. The pilot will be reopened to allow additional districts to participate and will serve students in grades 3-8 in the 2008-2009 school year.

[195] A TxVSN Provider District or school is an eligible Texas school district or open-enrollment charter school that provides an electronic course through the TxVSN to students enrolled in that district or students enrolled in another school district or school. A Texas public or private institution of higher education may also provide courses through the TxVSN, and a regional education service center may participate, per commissioner rule.

Online programs

Texas does not have statewide online charter schools, but a growing number of school districts are offering virtual courses or programs. The University of Texas and Texas Tech also offer online high school courses but these are not funded by state K-12 education funds; the programs charge tuition.

Recognizing the educational opportunity that online learning offers students and educators across the state, the Texas State Board of Education incorporates online learning throughout its *Long-Range Plan for Technology 2006-2020* and includes online learning in key recommendations to all stakeholder groups. The Texas Education Agency Educational Technology Advisory Committee (ETAC) developed the Texas School Technology and Readiness (STaR) Chart, an online resource tool for teachers, campuses and districts to self-assess their efforts to effectively integrate technology across the curriculum. In 2006, online learning was added as one of six focus areas addressed in the Teacher and Campus Texas STaR Charts.

State policies

Texas authorizes all public schools to offer online courses to their students as state- funded supplemental programs. Districts may grant credit for a course if they have determined that the course meets or exceeds the state's curriculum standards for that content area. In order for the district to receive state funding, students must meet the normal attendance accounting rules of the state.

In addition to general state policies for distance learning, there are specific program requirements and policies for districts participating in the TxVSN and the eCP. Information on policies for the TxVSN is available at: www.txvsn.org and for the eCP at: www.tea.state.tx.us/technology/ecp.

Funding

Public school funding is based on average daily attendance (ADA), a full-time equivalency model based on seat time. To receive Foundation School Program (FSP) state funding for distance learning programs, schools must abide by the ADA standard, meaning students must be physically present to be eligible for state funding under normal attendance accounting rules.

TxVSN Funding

- For the 2007-2008 school year, $1 million for the TxVSN Central Operations and the Course Review process was provided through state funding, not direct appropriation to the program.
- Funding to build capacity for the network was also established through the federal NCLB Title II, Part D Vision 2020 RFA process. Vision 2020 grant awardees must use a minimum 25% of the funds toward professional development. They may also use funds to pay for courses their students take through the TxVSN.
- If an eligible student participates in the TxVSN, meets the legal requirements for enrollment in a Texas school district, and meets the normal attendance accounting rules, the student is eligible to generate ADA and thus FSP funding as an enrolled

student in that district. If the student does not meet the normal attendance accounting rules, the student is not eligible to generate ADA and thus FSP funding.

- If an eligible student who resides in this state but is not enrolled in a school district or open-enrollment charter school in this state as a full-time student participates in the TxVSN, the student is not eligible to generate ADA or FSP funding.

eCP Funding

- Funding for students in grades 3-8 course who participate in the eCP will generate funding from the Foundation School Program (FSP) per the rules of the program.

Governance, tracking, and accountability

- The Commissioner of Education is responsible for the TxVSN, with staff at the TEA serving as the administering authority. The commissioner will prepare a report to the governor and legislature for each fiscal year documenting the activities of the state virtual school network.
- The TxVSN is a supplemental rather than diploma-granting program. The home district will continue to award credits and diplomas and the TxVSN will work in partnership with the home district to meet student needs.
- The eCP has extensive review and reporting requirements for eCP courses and participants.
- All public school students participating in TxVSN courses or participating in the eCP must take the Texas Assessment of Knowledge and Skills (TAKS) and the AP exam (if applicable) at the regularly scheduled times. Schools are required to physically proctor administration of these exams.

Quality assurance, teaching, and curriculum

- Online courses must meet the same state curriculum standards as traditional courses.
- Online courses submitted to the TxVSN are reviewed to ensure that those courses meet the state's curriculum standards, the Texas Essential Knowledge and Skills (TEKS), as well as for alignment with the North American Council for Online Learning's *National Standards of Quality for Online Courses*.
- Each teacher instructing an online course through the TxVSN must successfully complete a TxVSN-approved professional development course. TxVSN-approved professional development courses prepare online teachers to meet NACOL's *National Standards for Quality Online Teaching*.
- All students participating in the eCP and all public school students taking courses through the TxVSN are required to take the state's student assessment, and all districts and open-enrollment charter schools are included in the state's accountability system.
- Additionally, the TxVSN will develop quality criteria for online programs to evaluate and compare different TxVSN Provider Districts, and the commissioner will report annually to the governor and legislature regarding activities of the network and fiscal operations.

Utah

Category	Yes/No	Comments
State-led program	Yes	Utah Electronic High School
Other statewide programs	Yes	Utah Virtual Academy
Other significant online programs	Yes	At least five district programs
State-level policy	No	

Utah has a state-led program, the Utah Electronic High School (EHS), and a statewide online charter school, the Utah Virtual Academy, with curriculum and services provided by K12 Inc. Four districts offer online elementary courses with curriculum provided by K12 Inc. or by the local district: Davis Online, Alpine Online, Washington Online, and Uintah. The Park City Independent High School also offers online courses.

Utah's EHS started in 1994 as a statewide virtual school located at the Utah State Office of Education (USOE) which funded it via USOE funds. Legislation was passed in 2001 that started line-item funding for the Electronic High School. This annual line item funding was $1.3 million for 2006, $2 million for 2007, and $2 million for 2008. All of the courses are open-entry/open-exit. Between July 1, 2007 and June 30 2008, EHS granted 14,993 quarter credits to 6,763 individual students. To put this into perspective with similar programs, this is roughly the equivalent of 7,500 individual semester course completions for the time-frame. These numbers represent about 6% more students over the previous year and 7% fewer credits. Utah's EHS implemented proctored final tests for every quarter credit granted beginning October 15, 2007.

Washington

Category	Yes/No	Comments
State-led initiative	Yes	Washington Digital Learning Commons is a state-funded provider of online learning courses and resources
Other statewide programs	Yes	At least seven online programs are run by school districts that also serve students from other school districts in the state as authorized by Washington's 'enrollment choice' law[195]
Other significant online programs	Yes	District-run programs
State-level policy	Yes	Alternative Learning Experience law

Online programs are governed by the state's "alternative learning experience" (ALE) policies,[197] clarified via program implementation guidelines issued in 2005 by the Office of the Superintendent of Public Instruction (OSPI). These guidelines build in part on Senate Bill 5828, passed in 2005 to specifically address online learning. The ALE rules provide a method for school districts to claim basic education funding for learning experiences that

[196] Learning By Choice legislation; retrieved August 1, 2008, http://eric.ed.gov/ERICDocs/data/ericdocs2sql/content_storage_01/0000019b/80/15/c9/f0.pdf

[197] Alternative Learning Experience policies; retrieved July 21, 2008, http://www.k12.wa.us/alternativeEd/ProgramImplementationGuidelines/default.aspx

are conducted in large measure away from school, including online courses. The moves to clarify ALE rules were partially based on concerns about academic and fiscal "credibility gaps" in ALE programs,[198] and also based on the recognition that the rules did not appropriately govern online courses. These concerns were identified in two reports issued in 2005 by the Washington Joint Legislative Audit and Review Committee (JLARC) on the ALE policies.[199] The passage of SB5828 was also in response to the concern about online program practice outpacing policy. The introduction to the law states, "rules used by school districts to support some digital learning courses were adopted before these types of courses were created, so the rules are not well-suited to the funding and delivery of digital instruction." The amendments to the rules were designed to better accommodate online learning programs, and to improve ALE program accountability.

Washington is placing greater emphasis on dual credit opportunities with the passage of HB3129 in 2008, which requires the Office of the Superintendent of Public Instruction, as well as high school teachers and counselors, to provide information to high school students and parents regarding online courses to earn college credit. "In 2006-07, more than 4,500 [high school] students were able to take an online college course through the Running Start Program, which the community and technical college system makes accessible statewide through its WashingtonOnline consortium."[200]

Online programs

There are at least seven online programs in Washington. Washington does not have a charter school law, and all of these programs are run by school districts while serving students statewide. Online programs in Washington include:

- Federal Way Internet Academy, run by the Federal Way school district, was the first online program in Washington and has been in operation for over ten years.[201]
- Washington Virtual Academies provide online K-12 curriculum through a program of Steilacoom Historical District No. 1 (K-8), and Monroe Public Schools (9-12), with curriculum and academic services provided by K12 Inc.[202]
- Insight School of Washington,[203] provides online curriculum for grades 9-12 through the Quillayute Valley School District.
- Everett Online High School,[204] iQ Academy Washington (formerly Evergreen Internet Academy)[205] and Spokane Virtual Learning[206] are all online programs governed by the local school district.
- The Valley School District provides online learning options through its Columbia Valley Virtual Academy.[207]

[198] Retrieved July 18, 2008, http://www.k12.wa.us/AlternativeEd/ProgramImplementationGuidelines/ALETrainingPPTII.ppt

[199] Retrieved July 18, 2008, http://www.k12.wa.us/AlternativeEd/pubdocs/JLARCFinalReportALE.pdf

[200] Washington House Bill 3129; retrieved July 18, 2008, http://apps.leg.wa.gov/documents/billdocs/2007-08/Pdf/Bills/Session%20Law%202008/3129-S2.SL.pdf

[201] Retrieved July 18, 2008, www.iacademy.org/

[202] Retrieved July 18, 2008, http://www.k12.com/wava/who_we_are/index/

[203] Retrieved July 18, 2008, http://insightschools.net/

[204] Retrieved July 18, 2008, http://online.everett.k12.wa.us/webapps/portal/frameset.jsp

[205] Retrieved July 18, 2008, http://iqacademywa.net/

[206] Retrieved July 18, 2008, www.spokaneschools.org/onlinelearning/

[207] Retrieved July 18, 2008, www.columbiavirtualacademy.org

- Achieve Online, aligned with Advanced Academics and operated by the Kittitas and Marysville School Districts, provides online learning for grades K-12.

In 2007-2008, there were 14,266 K-12 students enrolled in online courses for credit, which represented about 1.4% of the state's students.[208]

Along with these programs, Washington has two more online resources. The Digital Learning Commons (DLC), is a state-subsidized nonprofit that bundles together online resources and ongoing support to help schools, but does not have its own courses and students. The DLC makes annual "Course Credit Funds" of $1,000 available to schools on a first-come, first-served basis, along with discounts ($75 per course) for courses purchased through DLC. Spokane Virtual Learning and Federal Way Internet Academy are among the providers of courses that are brokered through the DLC. In addition to the DLC, the Washington Learning Source (WLS) also brokers online courses and resources for districts in WA. The WLS is a statewide program developed by Washington's nine regional Educational Service Districts which provides a place for districts to choose quality products and services that meet their needs.[209]

In addition to the Digital Learning Commons, the Washington Digital Learning Coalition is a work group consisting of educational providers and participants involved in digital learning programs in grades K-12 across the state of Washington. The Digital Learning Coalition fosters conversation and communication on issues of common concern as well as methods of promoting improved understanding of virtual education in Washington.[210]

State policies

The following policies come from the Alternative Learning Experience law and subsequent clarifications and guidelines.[211]

Funding

- FTE funding is generated by students in ALE programs, based on the student making satisfactory progress towards the goals in the student's learning plan.

Governance, tracking, and accountability

- Local school boards must adopt policy governing implementation of ALE programs, including online learning programs. There are additional local board policy requirements for districts contracting out for online learning programs.
- "Certificated instructional staff" must provide "supervision, monitoring, assessment, and evaluation" of the program.
- Programs must use "reliable methods to verify a student is doing his or her own work."

[208] Washington State Board of Education, Online Learning Policy Issues, May 2008

[209] WLS online offerings are listed at: www.walearningsource.org/SearchResults.asp?Cat=72; retrieved July 18, 2008

[210] Washington Digital Coalition; retrieved July 18, 2008, http://groups.yahoo.com/group/WA_Digital_Coalition/?v=1&t=directory&ch=web&pub=groups&sec=dir&slk=7

[211] Alternative Learning Experience policies; retrieved July 21, 2008, http://www.k12.wa.us/alternativeEd/ProgramImplementationGuidelines/default.aspx

- Each online student must have "a learning plan that includes a description of course objectives and information on the requirements a student must meet to successfully complete the program or courses."
- Students must have "direct personal contact" with an instructor weekly; direct personal contact in an online program may include "telephone, e-mail, instant messaging, interactive video communication, or other means of digital communication," if explicitly authorized by local school district policy.

Quality assurance, teaching, and curriculum

- Programs that are primarily online must be accredited through "the state accreditation program or through the regional accreditation program."
- ALE programs must provide an annual report that gives FTE enrollment, how students are evaluated, and how the program supports state and district learning objectives.

Wyoming

Category	Yes/No	Comments
State-led initiative	Yes	The Wyoming Switchboard Network (WSN) coordinates distance learning among districts
Other statewide programs	No	Although statewide broadcast of courses through videoconferencing has been available since 2001, there are no other statewide online programs
Other significant online programs	Yes	Several small programs
State-level policy	Yes	Senate Bill 0070 implemented many of the recommendations of the Wyoming Distance Education Task Force

In summer 2007 the Wyoming Distance Education Task Force was convened in order to provide guidance to the state Department of Education and the Joint Education Committee of the state legislature. The state legislature subsequently passed Senate Bill 0070[212] in 2008, implementing many of the Task Force recommendations and creating the Wyoming Switchboard Network. With the new law, online learning in Wyoming will be supported and overseen at the state level for the first time. The Wyoming Department of Education has written the distance education rules and regulations in accordance with the new Wyoming statutes.[213]

Online programs

The WY Department of Education is implementing the Wyoming Switchboard Network (WSN), which "will act as the central collection of distance education resources available to Wyoming students, parents, instructors, school districts, and DE program providers." The Switchboard will provide access to:

- "Current distance education courses available to K12 students

[212] Enrolled Act 45, Senate File 0070; retrieved July 21, 2008, http://legisweb.state.wy.us/2008/Bills/SF0070.pdf

[213] Wyoming statutes: W.S. 21-2-202(a)(xxxi) and W.S. 21-13-330, http://legisweb.state.wy.us/statutes/compress/title21.doc; retrieved, July 21, 2008

- Information about the various DE program providers
- Distance education resources, research, and best practices"[214]

Only a few school districts operate online programs. The Fremont County School District #21's Wyoming E Academy of Virtual Education (WeAVE) and Campbell County School District #1's Wyoming Virtual School (WYVS), for example, serve a small number of full-time students.

State policies

SB0070 charges the Department of Education to:

- Establish a state network of distance education courses that meet state standards for course content and delivery by Wyoming certified teachers;
- Provide training and technical assistance to school districts for the delivery of distance education;
- Monitor the design, content, delivery and the accreditation of distance education programs provided by school districts;
- Establish criteria and necessary components of individual student distance learning plans; and
- Implement a reporting process to meet federal and state funding requirements and establishing necessary data collection instruments and systems to monitor and improve distance education programs statewide.

Local districts where the students reside will:

- Complete a distance learning plan for each student and ensure the plan is in compliance with criteria established by the Department of Education;
- Assign each student to a school within the district offering appropriate grade level instruction if the student is not physically attending a school within the resident district and the district has not entered into an agreement with a nonresident district of this section for that student;
- Monitor each student's progress as measured by his distance learning plan and in accordance with the district's assessment policies, administer or ensure participation in required student performance evaluations and assessments at the same intervals required of other students at the participating student's grade level;
- Facilitate necessary instructional support for the student and notify and assist any student not performing satisfactorily or failing to achieve performance benchmarks established within his distance learning plan;
- Maintain the student's records within the district's permanent student data system including his district learning plan, equivalent attendance as specified by his plan, assessment and other performance evaluation data, immunization and other information required by the district;

[214] Wyoming Department of Education, The Wyoming Switchboard Network; retrieved July 21, 2008, http://www.k12.wy.us/TCD/WSN/index.asp

- Verify the distance education program received by the participating student complies with and fulfills the state education program and that the program otherwise meets district program standards;
- Restrict the student's distance education to programs approved by the Department of Education.

As of August 2008, the Department of Education is promulgating Emergency Rules and Regulations that will govern the processes and procedures of the WSN. The following information and quotes are from either the Wyoming Senate Bill 0070 or the Distance Education Program Emergency Rules and Regulations for Wyoming's K-12 Students.

Funding

SB0070 and Emergency Rules and Regulations for Wyoming's K-12 Students establish rules for funding WSN course enrollments:

- The ADM for a distance learning student remains in the district in which that student is enrolled (the student's home district).
- A MOU (Memorandum of Understanding) between the resident district and nonresident district (provider of online learning courses through the WSN) will be used to establish a funding agreement between the districts. The state does not split the funding between the districts, nor is there any established percentage provided. It is up to the districts, acting as equals, to agree in advance on how funding is to be applied. The responsibilities of each district must be outlined in the MOU, as well as a conflict resolution agreement.
- The MOU is initiated by the nonresident district and covers "a period not to exceed one year."
- The original MOU shall be on file at the nonresident district, with a digital copy submitted to both the Department and resident district.

An additional $250,000 in annual funding to assist distance education providers with the development and maintenance of courses is included in the WSN. This funding is available through the Wyoming Distance Education Grant (DEG) Program, which is open to all Wyoming school districts, community colleges and the University of Wyoming.

The legislation states, "Each student participating in distance education offered by the school district of residence shall be included within the average daily membership (ADM) of the resident district as computed under the education resource block grant model regardless of the origination of the district providing the distance education program for the student. The membership for a distance education student shall be prorated at less than one (1.0) ADM if the number of distance education courses in which enrolled is less than the regularly scheduled courses for that school, but the distance education program membership may be combined with any non-distance education membership to result in a larger fractional ADM not to exceed one (1.0) ADM. A resident district may through agreement provide for a student to participate full-time in distance education offered by a nonresident school district whereby the student is counted among the membership of the nonresident district… and the resident district removes the participating student from its membership for the period of time the student participates full time in the distance education program of the nonresident district."

Governance and tracking

- The nonresident district shall collect and report to the Department:[215]
  - Course completion rates and information for each course offered on the WSN;
  - Internal survey results if available; and
  - Reports required by the Distance Education Grant (DEG).
- The Department of Education shall:
  - Monitor student distance education enrollment information;
  - Annually survey district superintendents concerning their distance learning needs and instructional availability;
  - Annually survey the nonresident distance education providers administrators, instructors, and students concerning the quality and effectiveness of programming available through the WSN;
  - Compile Department survey results and present a summary reporting to the State Superintendent of Public Instruction and the Wyoming Legislature;
  - Provide a summary of distance education course(s) available on the WSN; and
  - Present a compilation report on the information collected from WSN distance education providers utilizing the DEG program.
- Students enrolled in distance education courses must satisfy Wyoming compulsory attendance requirements by "completing the milestones outlined in the student's distance learning plan," and are not be exempt from state, local or district assessments.
- The Draft Rules and Regulations assigns the responsibility of student performance, accountability, state and local assessment results, and adequate yearly process (AYP) to the resident district.
- The Department of Education will establish a multi-step approval process, including "a course application that includes course taxonomy, course scope, standards alignment, and/or course quality verification" for each course submitted for approval.
- Teachers must be employed by the school district supplying distance learning courses to WSN, or by a Wyoming community college or university.

[215] Wyoming Department of Education, The Wyoming Switchboard Network; retrieved July 21, 2008, http://www.k12.wy.us/TCD/WSN/index.asp

Appendix A: Methodology

The information found in Keeping Pace 2008 came from two primary data-gathering efforts: the first a web-based program survey, and the second a combination of Internet research and phone interviews with state education agency personnel.

The survey was designed to gather information from as many K-12 online programs as possible, including state-led programs, full-time and supplemental programs, charter schools, and district-level programs. The survey was distributed through posting on a discussion board of the North American Council for Online Learning (NACOL), by email from NACOL to many of its members, and by email directly to many programs known by Keeping Pace researchers. The survey contained extensive questions about the type of program, number of students, teachers and teaching practices, and student demographics. While many of the questions were similar to the questions asked of state-led programs in previous Keeping Pace reports, others were specific to full-time programs. The survey also included numerous questions to determine whether programs were tracking student demographics.[216]

Survey results were used in two ways: first, to provide part of the data underlying the issues analysis discussion, and second to create the program category profiles in section 2. A total of 114 surveys were completed. Because very few formal reporting requirements for online programs exist, the self-reported program survey data were not independently verified against other information sources.

For state policies, Internet research and reviews of state laws were combined with interviews of education agency personnel. For states with little new activity in 2008, in many cases personnel reviewed and made minor changes to program profiles presented in Keeping Pace 2007. For the states that had passed new laws, or for which Keeping Pace had incomplete information in 2007, the profile was created for the first time. In most cases, the state education agency reviewed the final version of the profile for accuracy.

In a field that is growing and changing as rapidly as online education, timeliness of information is imperative, and indeed timeliness has been one of the drivers of interest in Keeping Pace. Research for this year's report was conducted from May through August of 2008, and every effort has been made to ensure currency of information as of September 1, 2008.

In addition to the methods discussed above, the sponsoring organizations for Keeping Pace provided extensive expertise and knowledge of the state of online learning across the country.

[216] The survey questions on student demographics were based the survey questions from 2007, which in turn were developed based on personal communication with Robert Blomeyer and from Blomeyer and Dawson (2005), Virtual Schools: Policy and Practice Consideration. In Berge and Clark (eds.) Virtual Schools: Planning for Success. New York: TC Press.