VIRGINIA BOARD OF EDUCATION

Briefing Materials – Issues for Consideration in Developing Regulations Governing Virtual Schools

Board Action

HB 1215, passed by the 2012 General Assembly, requires the Board to establish standards for the accreditation of stand-alone virtual schools. The intent of this legislation is to address situations where local school boards could establish a public school, with all students taking coursework virtually, rather than in a traditional 'brick and mortar' setting.

The Board's *Regulations Establishing the Standards for Accrediting Public Schools in Virginia* (SOA) are designed to ensure that an effective educational program is established and maintained in Virginia's public schools. These regulations are applicable to all public schools in Virginia and are geared to the traditional 'brick and mortar' public school. The regulations do not specifically address differences in service delivery that exist between a 'brick and mortar' public school and a virtual public school that enrolls students full-time. Regulatory amendments must be considered to accomplish this purpose.

Information for Board Consideration

Review of Standards – A number of organizations were reviewed for information regarding virtual programs and standards. Two organizations issue reports regarding policies and practices for virtual education in states. One organization designs standards for quality online programs and one organization identifies elements and actions critical for ensuring online learning. Two organizations accredit schools offering virtual instruction.

Organization	Description of Information Reviewed
Evergreen Education Group	• Publishes a review of policies and practices for all states. • Reports that all states provide some form of online instruction and blended learning and that there are opportunities for students but not at all grade levels. • Reports that states should address "data tracking, transparency, and accountability measures" to ensure student achievement.
Southern Regional Education Board (SREB)	• Surveys its member states to determine the status of virtual education and current trends. • Reports that most of the states surveyed indicated that funding is the biggest challenge.
International Association for K-12 Online Learning (*iNACOL*)	• Provides guidelines related to program leadership, instruction, content, support services and evaluation. • Addresses the need for guidance services for student support and provides standards for teaching quality. • Supports the availability of technology infrastructure and connectivity for all students.
Digital Learning Now (Foundation for Excellence in Education)	• Identifies ten elements for high-quality digital learning, including access for all students and student progress based on demonstrated competency with no seat-time requirement. • Recommends that states not restrict student "access to high quality digital content and online courses with policies such as class size ratios and caps on enrollment or budget."
AdvanceEd® AND **Northwest Accreditation Commission (NWAC)**	• Approved by the Board to accredit virtual learning programs operated by multidivision online providers. • Uses standards that address technology infrastructure and equipment, counseling, assessment, and referral services for all students. • Addresses technology needs, student counseling, and library access in NWAC standards.

*AdvanceEd® accreditation divisions are: The North Central Association Commission on Accreditation and School Improvement (NCA CASI), Northwest Accreditation Commission (NWAC), and the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI).

Key Practices of Other States – The following states' policies for virtual education were reviewed:

- Arkansas
- Colorado
- Florida
- Georgia

- Maryland
- Massachusetts
- Minnesota
- Missouri

- Pennsylvania
- Utah
- Wyoming

Key state practices related to the Board's issues for consideration are noted:

School Attendance/Truancy Issues

Attendance Monitoring and Scheduling

- All states reviewed require students to comply with compulsory school attendance regardless of delivery of instruction and all states reported that attendance is monitored.
- Several states reported issues with truancy and plagiarism. Two states noted that these problems also exist in 'brick and mortar' schools.
- Two states reported that online scheduling must reasonably align to 'brick and mortar' schools.
- One state reported that it monitors for cyberbullying and requires notification to a division of residence when a student has three or more unexcused absences.
- One state noted that virtual teachers and administrators monitor login and course completion and another state noted that local school divisions determine course completion and login time.
- One state has a requirement for a certain number of minutes of Internet time each day.
- One state noted that full-time virtual students do coursework outside of the standard 'brick and mortar' school day. Funding for the virtual program is based upon successful completions rather than enrollment.
- One state reported that virtual students take coursework according to the same schedule as 'brick and mortar' students. The online curriculum is tailored to individual needs. For instance, accelerated students may receive enriched content.

Curriculum Completion

- Five states reported that coursework completion is competency-based rather than seat-time based.
- Four states use a flexible enrollment process, geared to different types of learners. Another state is considering flexibility options regarding the completion of coursework.
- One state specifically noted that full-time virtual students can move on to the next grade level at any time if the previous grade level has been successfully completed.
- One state reported that competency-based completion rather than seat-time completion will be examined in the context of proposed legislation to regulate virtual schools.
- One state reported that the competency-based approach has presented challenges with the National Collegiate Athletic Association (NCAA).

Technology

Equipment and Connectivity Needs

- Five states reported that students have access to all necessary technology.
- Three states indicated that online vendors, partnering with school divisions, provide students with the necessary technology.
- One state permits students to use their own desktop or laptop provided that the appropriate programs and applications are installed.

Access to Technology

- One state reported that an online school must provide technology assistance to students whose families qualify for an education tax credit.
- One state indicated that schools reimburse parents for Internet services.
- One state has vendors that provide low cost Internet access in urban areas.

Standards of Learning Test Administration

- Nine states with stand-alone virtual schools or programs operating in school divisions indicated that students were required to take the same state assessments as students in 'brick and mortar' schools.
- The same nine states indicated that students must take the assessments at a location such as a school or testing center.
- One state specifically indicated that test proctors are trained by the state Department of Education.
- One state permits students to be tested at home under special circumstances.

Staffing

- Four states reported that staffing ratios vary and one state reported that there are no class size requirements or maximums.
- Two states reported that staffing ratios depend upon the design of the curriculum or whether mentors or coaches are used in the virtual classroom.
- One state reported that staffing ratios would be examined in the context of pending legislation to regulate virtual schools.
- One state limits teachers to teaching no more than 40 students.
- One state sets pupil-teacher ratios at 25:1 for grades four through twelve and 16:1 for grades kindergarten through three.
- One state has a student to counselor ratio of 250:1.

Special Services

- Four states reported that special services are provided through the local school division.
- Three states specifically mentioned that special education services are delivered in accordance with a student's Individualized Education Program (IEP) and assistive technology is addressed.
- Two states have stand-alone virtual schools which are responsible for providing special services. One of these states reported that its virtual schools are designated as local education agencies.
- One state requires virtual teachers to be certified to teach English Language Learners.
- Three states reported that gifted services are provided.
- Two states reported that, while they did not provide gifted services, they did provide for an accelerated curriculum to meet the needs of the student.

Instruction and Related Issues

Coursework

- Eight states reported that virtual school students are subject to the same course and testing requirements as students in 'brick and mortar' schools, which can include physical education and career and technical education.
- One state's stand-alone virtual school, which is also a local education agency, has a partnership with a four-year institution for dual enrollment.

Library Services

- Seven states reported the virtual programs or schools provide access to library services.
- Six states reported that virtual libraries are available to students.

Counseling Services

- All states reported that counseling/guidance services are provided to students.

Extracurricular Activities

- Five states allow full-time virtual school students facilities access for specific reasons (i.e., testing or tutoring).
- Four states permit virtual students to participate in activities in their division of residence.
- Two states reported that participation is handled at the local level.
- One state allows participation if students meet athletic association criteria.
- One state allows stand-alone virtual schools to provide extracurricular activities and state law does permit the student to participate in the school division of residence.
- One state requires each stand-alone virtual school to have an administrative office located in the state.
- One state permits stand-alone virtual schools to offer learning centers where students can go for assistance. If such centers are established, they must be accessible to students in all areas of the state.
- One state indicated that all services are handled online for the state-run virtual high school.