

Title: Policy impediments to expanding access to online courses

Date: June 2009

Question: What are the policy impediments to expanding access for K-12 students to online courses in California?

Response:

To answer your question, we conducted a literature search¹ and found several publications. This memo includes a summary of one California-specific report, a description of related California legislation, and a list of relevant resources.

Online courses have the ability to fill curriculum gaps in schools' course offerings (e.g., in small schools, rural schools, alternative schools, and independent study), provide highly qualified teachers in subjects where qualified teachers are lacking, increase the sophistication of current course offerings, and offer state-of-the-art teaching methods and tools to a generation of students used to technology. But despite the rapid increase in the availability and breadth of online courses, there is very little literature to inform educators about the emerging field of online learning and the policies that are in place to ensure that courses meet parameters established in state education codes. We were able to find one report (summarized below) that describes policy barriers and other challenges to online learning in California.

The State of Online Learning in California: A Look at Current K-12 Policies and Practices (<http://www.uccp.org/images/pdf/solc.pdf>), was published in September 2006 by the University of California College Prep (UCCP) program in coordination with several other organizations.² It provides an overview of online learning in California, including issues related to teaching and learning, evaluating academic success, professional development, technology, California attendance guidelines for online education, lessons from other states, and topics for future discussion. With a goal

¹ We searched the Institute of Education Sciences' What Works Clearinghouse (<http://ies.ed.gov/ncee/wwc/>), ERIC (<http://www.eric.ed.gov/>), and Google. We also identified additional reports mentioned in their bibliographies.

² The UCCP program commissioned this report along with the eScholar Academy, Institute for Computer Technology, Rainbow Advanced Institute for Learning Digital Charter High School, and the California Virtual Academies. Individuals from these organizations participated in a wider, informal ad-hoc e-learning group, loosely composed of government education segments and e-learning practitioners, including representatives from the University of California College Prep Online, California Department of Education, county offices of education, school districts, the Charter School Association, the University of California's Office of the President, and various online schools. Their purpose was to exchange information about online education in California between government and practitioners.

of identifying ways to expand learning opportunities for students, the report discusses K-12 online learning in the context of California's public education system.³

Specifically, according to the report authors, policy barriers include:

- Lack of systematic tracking of online programs in most states, including California, or at the federal level. There are no solid and comprehensive figures for the number of online programs and students taking or completing them. The California Department of Education did track the number of students in the AB 294 Online Classroom Pilot Program (described in the Related Legislation section below), but it does not comprehensively track all online student participants.
- Policies related to students with disabilities. By law, a public education must be made available to all students, including students with learning disabilities and physical disabilities. Most schools have been diligent about ensuring that online programs are available to students with disabilities. As policymakers seek to expand the availability of online courses, they should consider issues of access for this student population.
- No way to verify alignment between online courses and state standards. Online programs develop courses based on these learning standards in the same way that physical schools do. But without a formal approval process, online courses may not be aligned with or based on California state standards.
- Alignment between online courses and a-g requirements. According to the UC/CSU a-g designation process, schools must add courses (including online courses) to their a-g lists individually. If schools do not do this in a timely manner, students can be UC/CSU ineligible. For science courses, the wet lab requirement for a-g courses also is a barrier.
- Lack of high quality online course standards. There is no universally accepted set of quality standards for online courses (unless they are a-g approved). Several organizations have published recommendations for quality online courses (see p. 26 of report).
- There is no state requirement that online teachers receive any training in teaching online, even though the skills needed to teach online are not exactly the same as the skills needed to be a successful teacher in the classroom.
- Funding mechanisms for online programs and students are controversial.
 - In many respects the hardware and software are the “facilities” of an online school, much as physical buildings are the facilities of a traditional school. However, unlike traditional school facilities funding, there is no comparable funding mechanism for online “facilities.”
 - Funding of online students, and in particular online charter school students, has been controversial in several states, including California. This controversy is due in part to the fact that funding often follows the student, and in some states online schools have marketed across the state in an effort

³ It follows another UCCP-commissioned report from 2002, California Virtual School Report: National Survey of Virtual Education Practice and Policy with Recommendations for the State of California. http://www.wiche.edu/telecom/projects/vhs/VHS_Report_lowres.pdf

to increase their student numbers. The result is students leaving their 'home' school district for the online school, resulting in a drop in funding for that school district. In California many online students are funded via independent study, while others receive ADA funding via the AB 294 Online Classroom Pilot Program.

- Participation in state tests. Online programs, with students scattered across many counties, typically set up one or more locations where their students can participate in state assessments with proctors. Because getting to the location is a burden for students and their families, participation rates are lower than for physical schools.
- Policies sometimes limit the extent to which online programs can expand. In California, for example, charter schools chartered by a district may only serve students in that county and contiguous counties. There are also limitations on the number of students that can be served by online schools in adjacent counties when using resource centers; a charter school must operate with at least 50 percent of its students from the county in which the school is chartered if the online school operates regional centers in adjacent counties.

Other challenges and concerns related to online courses include:

- Ancillary student supports are needed. This support varies by type of program, and in most cases must include both technical support (including course access and problems with computers or software) and academic support (issues related to the course content). In addition to the online courses themselves, these supports must also be available.
- Cost. While programs may have some cost savings due to less need for physical classrooms and other facilities, these savings are offset by the need for hardware and software for classes, ongoing technical support, comprehensive student support, course development or licensing, and other costs, especially at start-up.
- Equal access. There is concern that online education may exacerbate the digital divide and existing student achievement gaps, due to unequal access to technology across income levels, geographic regions, and ethnic groups.
- Lack of a common understanding of online education among parents, educators, administrators, and legislators. Online learning remains new enough that many people in both administrative decisionmaking positions the general public do not understand it. There also is a lack of common definitions across online programs, such as what constitutes/counts as successful course completion, enrollment, and attendance, and how "at-risk" is defined.

Additionally, the report authors offer some recommendations to expand the availability of online learning opportunities. For example, they suggest that California may want to: "[A]ctivate access to online courses for all high school students in the state by using a designated educational agency to approve online courses that meet state standards and a-g requirements. The agency could create an Internet system and infrastructure for schools and students to access and take web-based courses leading to a high school diploma. It could also serve as a clearinghouse to link public entities that offer approved courses with students who need the courses (p. 9)."

Related Legislation

The Online Classroom Pilot Program (Assembly Bill 294)

The Online Classroom Pilot Program was established in 2003 to utilize technology in selected high schools to help address issues of equitable access (e.g., providing courses in hard-to-staff subject areas, meeting the needs of diverse learners, and providing student access to advanced placement courses). No funding was attached to this legislation. The California Department of Education (CDE) accepted 40 school sites from 11 districts for the Online Classroom Pilot Program. In a status report⁴, CDE noted that 63 teachers and over 1,700 students participated in the program, and made the following three recommendations:

- Expand the program to allow more interested districts to participate;
- Remove the limitation of allowing only 15 percent of the school's student population to enroll in online courses; and
- Allocate appropriate funding to relieve the cost burden associated with start-up costs for an online program that meets diverse student needs.

Despite these recommendations, this legislation was not extended past 2007. The Governor's Career Technical Education Initiative (Senate Bills 70 and 1130) In 2005, SB 70, the Governor's Initiative on Improving and Strengthening Career Technical Education (CTE), allocated \$20,000,000 from the Community College reversion account to be specifically used for the improving of CTE at both the community college and secondary level. In 2008, SB 1130 was signed by the Governor to continue this work with additional funding (\$500,000) through the 2013-14 fiscal years. Local Education Agencies (LEAs), California community colleges, state universities, and state agencies were invited to apply for funds. On May 18, 2009, State Superintendent of Public Instruction Jack O'Connell announced that CDE and the California Community Colleges Chancellor's Office approved a list of 10 grantees that will share the \$500,000 to develop and offer career technical education courses to students in rural areas of California. Specifically, the grantees will develop career technical education distance learning opportunities for rural students, sharing courses with these students via the Internet and other technologies to deliver high-quality career technical curriculum and career exploration to students who previously have not had access to these classes. The grants are provided through and will be monitored by CDE.

Related Resources

Below are some additional publications and organizations (with summaries or descriptions provided by the author or URL), with links where available. Although these resources do not specifically highlight California K-12 policy barriers, they can shed light on the progress and challenges of online learning in the United States. Topics include:

⁴ 4 Report to the Legislature: AB 294 Online Classroom Pilot Program (Authorized by Chapter 429, Statutes of 2003): <http://www.cde.ca.gov/ls/et/st/documents/ab294legisrpt.doc>

- California legislation related to online courses
- Federal policy barriers to online learning and the roles the federal government can play in overcoming these barriers
- Reviews of state-level policy, trends and practice
- Key issues for schools, and examples of ways to provide students greater access to advanced course work
- Research on the effects of online learning on student outcomes
- Policy issues for online/distance education in higher education

Publications

1. Report to the Legislature: AB 294 Online Classroom Pilot Program (Authorized by Chapter 429, Statutes of 2003). Existing law repealed on January 1, 2007.

<http://www.cde.ca.gov/ls/et/st/documents/ab294legisrpt.doc>

The purpose of this report was to summarize the status of the AB 294 Online Classroom Pilot Program implementation for each participating school district in California, based on reporting documents and feedback submitted to the California Department of Education (CDE).

2. Virtual Schools Forum Report (2002). Denver, Colorado.

http://www.inacol.org/resources/docs/DenverVSF_FINAL.pdf

The U.S. Department of Education in partnership with Converge Magazine hosted a “Virtual Schools Forum” in 2002. The purpose of the forum was to begin shaping a national virtual school agenda by bringing together key stakeholders to identify specific challenges, policy issues and regulatory obstacles facing virtual education. Workgroups identified and then discussed four specific sets of issues: accountability, equity, funding, and quality. The work group discussions focused on: 1) what are the barriers to virtual learning and 2) what roles can and should the federal government play in overcoming these barriers?

3. Innovations in Education: Connecting Students to Advanced Courses Online (2007).

<http://www.ed.gov/admins/lead/academic/advanced/coursesonline.pdf>

Connecting Students to Advanced Courses Online highlights six providers of academic coursework by delivering advanced online courses to students through technology. The primary audience is for district and school decision-makers who are looking for ways to give their students greater access to advanced course work and see online courses as an enticing option.

4. Online Learning Policy Issues (2008). Washington State Board of Education.

<http://www.sbe.wa.gov/documents/OnlineLearningMemo051408.pdf>

This brief provides background information about the status of online learning in Washington State and related policy issues. Online learning is a viable option for many school districts working to meet the needs of some of their students who have learning styles compatible with online delivery methods and desire learning opportunities that would not otherwise be available to them in their schools or communities. Currently, local school districts determine whether to provide online learning, how to deliver it, and monitor the quality of that learning to ensure the courses meet the districts’ requirements. Online learning is provided on a course-by-course basis in some districts, while in other

districts there are full-fledged online schools with extracurricular activities. The State Board of Education role does not provide direct oversight of these programs. This brief gives information about policy issues in Washington State online learning first, then later sections provide more information about the status of online learning in the United States, online learning programs in Washington State, current Washington State laws and rules associated with online learning, and what the future may hold for this type of learning.

5. Keeping Pace with K-12 Online Learning: A Review of State-Level Policy and Practice (2007). North American Council for Online Learning (NACOL).

<http://www.inacol.org/resources/docs/KeepingPace07-color.pdf>

Online programs continue to grow and provide new educational opportunities for students, and state policymakers continue to be challenged to find the most appropriate ways to oversee these new programs. While most programs appear to be offering a high-quality educational option for students and parents, the lack of transparency and data in many states, and questionable practices from a few programs, may threaten the sustainability of online learning for all. In light of this threat, many online programs believe that some regulation of online learning is appropriate, as long as it relies on transparency, primarily measures outcomes data instead of mandating inputs, and is flexible enough to allow for innovation and developing practices. Processes and outcomes of online programs that should be reviewed include:

- Student achievement outcomes, including participation in state assessments
- Student demographics
- Curriculum development procedures
- Teacher training, supervision, and evaluation, including communication requirements
- Tracking of attendance and activity in the course
- Special education services

Oversight of online programs should be flexible and allow for innovation. State agencies overseeing online programs, for example, might provide guidelines for each category and then build reporting requirements for online programs that are tied to those standards. With the many approaches to online learning that are in place, it would not make sense to be overly prescriptive.

6. Promises and Pitfalls of Virtual Education in the United States and Indiana (2008).

Center for Evaluation and Education Policy. Indiana University, Bloomington.

http://www.eric.ed.gov/ERICDocs/data/ericdocs2sql/content_storage_01/0000019b/80/43/00/d3.pdf

The Internet has become a powerful force in transforming organizations in both private and public sectors, including public education. Some educational reformers now view virtual schools, in which the majority of course content is delivered online, as a viable alternative and innovative means of educating K-12 students. As of September 2007, 42 states, including Indiana, had some form of public online learning program, and many of the remaining states had plans for online learning in development. However, virtual education remains a controversial subject with many obstacles slowing its development and success. Finding acceptable accountability measures for virtual programs that are often

different from the traditional measures of physical classrooms has created questions from the student to the state. The variety of benefits and obstacles, both present and future, compounded by increasing program and student enrollment numbers, has thrust virtual education to the foreground of the educational debate. This policy brief examines the main aspects of virtual education to provide a summary of the current status of virtual education in the United States, focusing on primary issues of funding, program and teacher quality, and administrative oversight and accountability. Policy recommendations are offered for education leaders and policymakers to consider as a means to moving virtual education forward in the state of Indiana. Four Policy Perspectives are included: (1) Expanding Educational Opportunity and Innovation through Online Learning (Susan Patrick); (2) Virtual Education and the Future (Ron Brumbarger); (3) Indiana's Coming of Virtual Age (Bruce Colston); and (4) Key Considerations for Moving Forward with Virtual Learning (Tom Pagan.)

7. Electronic Delivery of High School Courses: Status, Trends and Issues (2001).

Southern Regional Education Board. Atlanta, GA.

http://www.eric.ed.gov/ERICDocs/data/ericdocs2sql/content_storage_01/0000019b/80/19/8f/8a.pdf

By 2001, all 16 Southern Regional Education Board (SREB) states had high school students receiving courses electronically, according to a SREB survey of state departments of education. Courses are delivered electronically to high school students in the SREB region primarily through three methods: satellite, compressed video, and the Web. Although only a small number of high school students take Web-based courses, the Web shows great promise for instructional use and the number of students is increasing. The SREB Educational Technology Cooperative worked closely with SREB states to determine how states can share resources to provide Web-based courses for high school students. These efforts were designed to: coordinate and assist states in this new, rapidly evolving method of delivering instruction; meet students' academic needs through Web-based courses, especially in core academic subjects; minimize policy-related, instructional, financial and managerial barriers to student access to quality academic courses; and help districts and schools within a state avoid the initial costs and time associated with developing Web-based courses by enabling them immediately to offer online courses that are already available to students. As Web-based technology matures in the next several years, policy-makers and decision-makers will need to focus on several key areas: policy, regulation and legal issues related to developing, offering and receiving courses delivered over the Web; financial issues surrounding this new method of delivering instruction; and management issues at the school level.

8. Net Choices, Net Gains: Supplementing the High School Curriculum with Online Courses (2003).

WestEd Knowledge Brief.

http://www.wested.org/online_pubs/KN-03-02.pdf
Online learning programs can help schools enrich their curriculum. But a school's decision to participate in such a program and its choice of program should be based on a solid understanding of what program characteristics contribute to successful online learning for students. Drawing from a review of the research literature, interviews with national experts in online learning, and the authors' evaluation of a statewide online learning program in California, this Knowledge Brief identifies key issues that schools should

investigate when considering the online learning option. *Net Choice, Net Gains* makes recommendations related to online curriculum and assessment, effective student support, technology, professional development for online instructors and student-support staff, policy and administration, funding, and outreach.

9. Asking the Really Tough Questions: Policy Issues for Distance Learning (1998).

Barbara Gellman-Danley and Marie J. Fetzner. *Online Journal of Distance Learning Administration*, Volume I, Number 1, Spring 1998. State University of West Georgia.

<http://www.westga.edu/~distance/danley11.html>

The authors organize issues related to distance education in higher education into seven areas, each with a list of key issues: 1) Academic Academic calendar, course integrity, transferability, transcripts, evaluation process, admission standards, curriculum approval process, accreditation; 2) Fiscal Tuition rate, technology fee, FTE's, consortia contracts, state fiscal regulations; 3) Geographic Service Area Regional limitations, local versus out-of-state tuition, consortia agreements; 4) Governance Single versus multiple board oversight, staffing, existing structure versus shadow colleges or enclaves; 5) Labor-Management Compensation and workload, development incentives, intellectual property, faculty training, congruence with existing union contracts; 6) Legal Fair use, copyright, faculty, student and institutional liability; and 7) Student Support Services Advisement, counseling, library access, materials delivery, student training, test proctoring

Organizations

1. International Association for Online Learning (iNACOL).

<http://www.inacol.org/about/>

Due to the rapid development in the field of K-12 online learning, the North American Council for Online Learning was launched as a formal corporate entity, in September 2003, as an international K-12 non-profit organization representing the interests of administrators, practitioners, and students involved in online learning in the United States, Canada, and Mexico. In October 2008, NACOL expanded its reach globally and became the International Association for K-12 Online Learning (iNACOL), facilitating collaboration, advocacy, and research to enhance quality K-12 online teaching and learning. What we do:

- Facilitate the sharing, collection, evaluation, and/or dissemination of information resources and materials
- Facilitate and disseminate research, and identify research needs
- Advocacy and public policy that supports activities and legislation that removes barriers and supports effective online teaching and learning without respect to space and time
- Develop and facilitate national K-12 online learning standards
- Create the voice of K-12 within the larger education community with effective marketing, communications, and public relations activities
- Assist and facilitate funding efforts for online K12 learning
- Facilitate professional development for teachers and administrators
- Identify and drive future directions in K-12 online education
- Network and identify collaborative opportunities with other professional K-12 organizations

- Drive educational initiatives that incorporate online learning and ways that transform positive learning outcomes for students

2. The Southern Regional Education Board's Distance Learning Policy Laboratory. Atlanta, Georgia.

<http://www.ecinitiatives.org/policylab/index.asp>

The SREB Distance Learning Policy Laboratory has focused on raising public education levels in the South by increasing both the access to and the quality of distance learning. The Policy Laboratory has worked to reduce barriers to electronic learning by collecting and analyzing relevant, regional data and developing innovative distance learning programs and interstate partnerships. Through active communication with several state, regional, and national agencies, the Laboratory outlined a number of major barriers to distance learning. In-depth interviews with higher education policy and distance learning experts replicated and expanded the initial findings, resulting in a set of nine broad policy areas which were then reviewed and sanctioned by the Policy Laboratory Leadership Group:

- Financial Issues, including traditional funding models and budget allocation practices
- Faculty Issues, including faculty assessment, skill development, reward structures, and intellectual property issues
- Student issues, including credit transfer, credit “banking,” and student services for the distance learner
- Tuition differentials between in- and out-of-state students
- Quality Assurance
- Financial Aid for distance learners
- Reaching Underserved Populations
- Coherence and Values in Distance Learning

Additionally, seven detailed reports on key policy issues were published, with more than 70 recommendations to colleges and universities, states and SREB. The Policy Laboratory focused on three overarching themes in distance learning: increase access; improve and ensure quality; and drive down costs. The relevant reports for K-12 may include:

- *Using Finance Policy to Reduce Barriers to Distance Learning.* Despite its pervasiveness, states, systems and most colleges and universities still treat technology as a “special” category and fund it accordingly through special “one-time” appropriations. Information technology, with few exceptions, has yet to be established as a core budget or central “utility” or embrace models that use technology to reduce costs and increase productivity in the same way the private businesses have, especially in instruction. The report examines the ways in which state and system financing policies can advance more effectively the use of distance learning technologies and the goals outlined in other committee reports prepared by the Distance Learning Policy Laboratory.

- *Anytime, Anywhere Services for the 21st Century Student* addresses the lack of support services that can be accessed independent of time and location and stresses the critical role of services to students' academic performance and success. The report recommends that a variety of traditional campus-based services be modified for learners whose work schedules or distance impede them from traveling to campus. Furthermore, because the distance learning environment places greater responsibility on the individual, students may require specialized services to support the learning process. In fact, the growing use of technology both on-and-off campus demands new student services (such as technology training) as well as new delivery formats (such as the Internet) for *all* students.
- *The Challenges of Quality Assurance in a Distance Learning Environment* addresses state regulatory practices in the new distance learning environment and suggests that traditional regulatory approaches to quality assurance are and will be severely tested in the distance learning environment. Historically, accountability structures have been tied to geographic boundaries and the "physical presence" of resources on a campus, branch campus, or learning center. Distance learning providers are finding it difficult to operate in the maze of federal, state, and accreditation oversight that currently exists. The report calls attention to such issues as evaluation of consortia and non-educational vendors, evaluation of courses and modules, and dealing with "blended programs." It recommends that states take advantage of statewide, regional, and national networks for sharing high quality offerings and best practices. State policies should be shaped with the understanding that "distance" is not a defining characteristic of learning processes; rather it is one among many factors to take into account in designing effective programs.

This memorandum is one in a series of quick-turnaround responses to specific questions posed by educators and policymakers in the Western region (Arizona, California, Nevada, Utah), which is served by the Regional Educational Laboratory West (REL West) at WestEd. This memorandum was prepared by REL West under a contract with the U.S. Department of Education's Institute of Education Sciences (IES), Contract ED-06-CO-0014, administered by WestEd. Its content does not necessarily reflect the views or policies of IES or the U.S. Department of Education nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.