

# Policy Brief

## Charter Schools



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### Cyber Charter Schools

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#### What Is a Cyber Charter School?

Cyber charter schools deliver the majority of their instruction over the Internet instead of in a school building. Similar to "building-bound" or "brick-and-mortar" charter schools, though, cyber charter schools are public schools governed by independent boards of directors. In exchange for freedom from various rules, which most public schools must adhere (e.g., rules regarding staffing, curriculum, allocation of resources, class size, school calendar), cyber charter schools, like regular charter schools, are held accountable by their authorizer<sup>[1]</sup> for meeting certain outcomes. The terms of the charter or contract describe specific fiscal, operational and academic outcomes. If a cyber charter school, or a regular charter school, fails to meet these outcomes, it may lose its charter and be forced to close.

The main differences between a cyber charter school and a regular charter school are location and accessibility. Students attending a cyber charter school primarily meet with their fellow students and teachers online, although cyber charter schools sometimes offer opportunities for their students to meet in person through field trips or extracurricular activities. These students enroll in the school from various locations throughout a state and complete their coursework from home at any time of the day or night, typically with a computer and modem provided by the cyber charter school. A regular charter school, on the other hand, attracts its students from the surrounding communities, usually from one or several districts in the county in which it is located. It holds classes in a school building, with teachers onsite, during regular school hours.

Typically, cyber charter schools attract students who want an independent, self-directed education. Often, a cyber charter school offers multiple curricula to engage students with different interests, learning styles or needs. Many students attending cyber charter schools were previously homeschooled, live in remote areas or have health problems, which make it difficult to make the trek into a school building for classes each day.

#### In Which States Are Cyber Charter Schools Operating?

As of the 2002-03 school year, nearly 60 cyber charter schools are operating in 13 states. Table 1 identifies the states and the number of cyber charter schools per state.

TABLE 1  
NUMBER OF CYBER CHARTER SCHOOLS PER STATE

Alaska	1
Arizona	8
California	18
Colorado	1
Florida	1
Idaho	2
Kansas	2
Minnesota	3
Nevada	2

New Mexico	2
Ohio	6
Pennsylvania	9
Wisconsin	2
<b>TOTAL</b>	<b>57</b>

Most of the nearly 60 cyber charter schools listed in Table 1 are operating within the parameters of existing charter school legislation. Four states, however, have passed legislation specifically referencing charter schools that primarily serve students online (some refer to such schools as cyber charter schools, while others use different terminology): California, Colorado, Ohio and Pennsylvania. And, at least one state's charter school law -- Tennessee's -- has prohibited the creation of cyber charter schools.

Table 2 provides information on the cyber charter school laws in the aforementioned states. California has several cyber charter schools that had been operating within the existing charter school law. Since the passage of its cyber charter school law, though, it now requires these schools, as well as new cyber charter applicants, to be reviewed by the state board of education prior to receiving funding. A state law in Colorado now permits the creation of online programs as part of a regular, brick-and-mortar school, including, but not limited, to charter schools. It also provides some additional state money to pay for the education of students served in such online programs.

For the most part, cyber charter schools in Ohio operate within the parameters of the existing charter school law. New legislation, however, requires such schools to establish certain systems or structures as part of their school operations, as discussed in more detail in Table 2. And finally, Pennsylvania's legislation describes in detail the rules and regulations regarding the creation, operation and funding of cyber charter schools.

**TABLE 2  
CYBER CHARTER SCHOOL LAWS**

State	Bill Number	Year Passed	General Description	More Specific Requirements
CA	SB 740	2001	SB 740 makes changes to the funding process for charter schools that offer "non-classroom based instruction." Such schools are prohibited from receiving funding for nonclassroom-based instruction unless the state board of education (SBE) determines that the school is eligible for it. Beginning with the 2002-03 school year, funding reductions are 20% of qualifying charter schools' non-classroom based average daily attendance, unless the SBE determines that a greater or lesser percentage is more appropriate. The SBE may make one-year or multi-year funding determinations up to a maximum of five years in length.	<p>The state's regulations define non-classroom based instruction as occurring when all of the following four conditions are met:</p> <ol style="list-style-type: none"> <li>1. The charter school's pupils are engaged in education activities required of those pupils, and the pupils are under the immediate supervision and control of an employee of the charter school authorized to provide instruction to the pupils.</li> <li>2. At least 80% of instruction time offered at the charter school is at the school site.</li> <li>3. The charter school's site is used principally for classroom instruction.</li> <li>4. The charter school requires its students to attend the school site at least 80% of the minimum time required pursuant to the California Education Code.</li> </ol> <p>Any school not meeting all four conditions must go through the process of submitting a determination of funding request to</p>

				the SBE.
CO	HB 1349	2002	<p>HB 1349 defines eligibility for students participating in online programs and includes charter schools in such definitions. It also allocates some additional state funds for the purpose of funding students participating in online school programs (up to 135 students statewide for the 2002-03 school year). It permits districts and charter schools to count online students when determining average daily attendance, but requires them to separate online from regular pupils. It also requires districts to pass on 100% of the funding they have received from the state for online pupils to the charter schools educating online students, and prohibits districts from counting online students as part of enrollment caps imposed on the charter school by the district.</p>	<p>While the state prohibits the creation of a school serving online students exclusively, it allows for existing or new schools (including charter schools) to create online programs serving students physically attending the school. It also allows students from other parts of the state to take online courses offered by the school and students need not reside in the district in which the school offering the online program is located. Each child participating in an online program must be evaluated, tested and monitored in the same fashion as all students attending the school. A district (or site coordinator in the case of a charter school) must meet regularly with online students to ensure students are performing satisfactorily and must maintain student records for all online students. To receive state funding for online students, the district or charter school must submit information to the state about the program being provided, who and how many it will serve (the state is especially interested in serving those who have not been receiving public education services for various reasons to date), qualified staff and technological support.</p>
OH	HB 364	2003	<p>HB 364 establishes provisions for Internet community schools (charter schools in Ohio are called community schools).</p>	<p>For the most part, cyber charter schools in Ohio operate within the parameters of the existing charter school law. In addition to these parameters, though, HB 364 requires Internet community schools to:</p> <ul style="list-style-type: none"> <li>• Establish a central base of operation at a physical location</li> <li>• Use a filtering device to block inappropriate information from students</li> <li>• Develop a plan for ensuring teachers conduct face-to-face visits with their online students.</li> </ul> <p>HB 364 permits Internet community schools to provide less than one computer per enrolled household. It also requires the state to conduct a study of the cost of educating students in Internet community</p>

				schools and to report the study's findings by December 2003.
PA	HB 4	2001	HB 4 permits the formation of and defines parameters for operating and receiving funding for cyber charter schools.	A cyber charter school is defined as "an independent public school established and operated under a charter from the Department of Education (ED) and in which the school uses technology ... to provide a significant part of its curriculum and to deliver a significant part of its instruction to its students through the Internet or other electronic means." Therefore, the ED is responsible for granting and providing oversight to the cyber charter schools, including renewal and revocation. Districts are required to forward funding to a cyber charter school for students attending the cyber charter school from their district. Like a regular charter school applicant, a cyber charter school applicant is required to demonstrate that it can meet its enrollment, provide a quality education program and meet the same rules and regulations governing all charter schools in the state (e.g., student testing, records, safety, civil rights, special education, truancy, student withdrawal). In addition, a cyber charter school must explain how much on-line time will be required, how teachers will deliver instruction and interact with their students via on-line methods, what equipment will be provided and/or required, how the school day will be defined, what technical support will be provided, how privacy will be maintained and what methods will be used to ensure authenticity of student work.

## What Are the Advantages and Disadvantages of Cyber Charter Schools?

### Advantages

#### Students and Teachers Served

Cyber charter schools often serve a variety of students who were previously unserved or underserved by the public education system. This includes students who previously had been homeschooled, students who live in remote areas and had previously faced long commutes to and from school each day, children who had been unable to attend school regularly in the past due to health or emotional problems (including incarceration in some cases) and students opting for a more flexible schedule (e.g., due to work commitments).

Interestingly, it is not just students who have been pulled back into the system by cyber charter schools, but also

teachers. For various reasons, teachers who had left the regular public schools have discovered that working as a cyber charter school teacher is desirable. For example, teachers who have health problems that did not allow them to work on their feet in a regular school setting or who had left when they had children now find it possible to teach from home via cyber charter schools.

### **Flexibility and Choice**

While many cyber charter schools have specific times when students must log-on and participate in interactive lessons or chat with their online instructors, for the most part, students can work at their own pace at any time of the day or night. This differs from students attending a regular, building-bound charter school. These students need to be in school at specific times for a specified number of days to graduate or move on to the next grade. Additionally, cyber charter schools often offer a variety of curricula and instructional options, including online and offline experiences and traditional and unique programs from a variety of third-party providers. They also may offer options geared toward students' individual interests, needs and abilities, such as allowing students to move to the next grade or graduate more quickly (or slowly) than average.

### **Access to Technology**

Cyber charter schools often supply their students with computers and other items required to connect the student with the online school community and to complete their work. In some cases, this may be the first computer in a student's home or a much better system than the family can afford, thereby providing resources that may result in increased efficiency, as well as increased quality, in the work completed at home.

### **Disadvantages**

#### **Funding**

A variety of concerns related to funding have surfaced since the introduction of cyber charter schools. First, discussions about the cost of a cyber charter school student compared with that of a student attending a regular public school have occurred in various places, including Pennsylvania and California. In fact, such talks influenced the legislation in California previously discussed. In that state, the level of funding for a cyber charter school student is determined by the state board of education on a school-by-school basis depending on the services provided by the school. The primary issue is that while both cyber charter schools and regular charter schools have expenses related to staffing, curriculum development, supplies and materials and so forth, other costs vary, such as for maintenance and operation of facilities, food services, transportation and technology.

Second, with the influx of new students to cyber charter schools (e.g., previously homeschooled students), districts are being asked to pay for students who they did not have to serve before and for whom they have not received appropriate state and local funding (due to the students being previously homeschooled and not being counted in traditional ways, such as average daily membership). Related to this second concern is the uncertainty about where students actually reside. Some districts, such as those in Pennsylvania, have argued they are being asked to pay for students who do not live within their district boundaries, and for whom they have insufficient data concerning how much time (full or part time) such students are actually spending "in school."

#### **Quality and Accountability**

Questions also have emerged about the quality of the curriculum and instruction in cyber charter schools. According to the Center for Education Reform, "many state lawmakers are wrestling with laws so wide open, or even nonexistent, that they fear anyone could throw up a Web page, hire a couple of teacher aides and start recruiting home schoolers."<sup>[2]</sup> Like all charter schools, cyber charter schools are freed from various state rules and regulations and are held accountable to specific outcomes by their authorizing entities. Some argue that in the case of cyber charter schools, however, the level of oversight by authorizers is weak and, as a result, the quality of the teachers and the education program is uncertain. Additionally, since most of the work a cyber charter school student does is from home typically under the supervision of a parent, it is uncertain how much time that student is actually spending on schoolwork and who is actually doing the work.

#### **Infrastructure**

As is typically the case with technology in most settings, technology in cyber charter schools can be unreliable and fickle. As a result, maintenance, server upgrades and power outages are common occurrences and disrupt the education programs in cyber charter schools, sometimes shutting them down completely for days, causing some cyber charter schools to consider "cyber snow days."<sup>[3]</sup>

## Key Questions for Policymakers

1. *What is an adequate level of funding for a cyber charter school student?* The actual cost of creating, operating and maintaining a cyber charter school should be examined to determine whether the cost of educating a student in such a manner varies from that of a student attending a brick-and-mortar charter school. Typically, cyber charter schools do not have the same costs as brick-and-mortar charter schools in such areas as transportation and facilities; however, they do have extensive costs, maybe extending beyond those of a traditional school on a per-pupil basis, in the area of technology. Furthermore, suitable measures are needed to ensure all students are accurately counted in cyber charter schools, and the means of doing this may be different than traditional means of verifying enrollment in schools, such as average daily attendance or "seat time."
2. *What is the responsibility of the state, versus the local school district, in the funding of cyber charter schools, particularly when students who were not served previously by the public education system attend such schools?* This issue has been the source of considerable debate in a couple of states, where school districts are arguing it is unfair for them to have to send money away from the district to cyber charter schools. They claim cyber charter schools are serving a large percentage of students who were previously homeschooled, and for whom the district has not counted previously as students nor received state or local money to educate. Therefore, in cases where cyber charter schools are bringing students back into the system, the state needs to recognize and fund these instances in an appropriate way.
3. *What are the accountability requirements of cyber charter schools?* Charter schools, in general, are freed from various rules and regulations, which other district schools must adhere; however, they do have a contract with their authorizing entity to meet specific education, operational and fiscal outcomes. It is the authorizer's responsibility to ensure the charter school (cyber and other types) adheres to the terms of its contract. Via statewide evaluations of charter schools or other methods, states can examine the accountability agreements and ongoing efforts in place between authorizers and cyber charter schools to ensure cyber charter schools are being held to the same level of scrutiny as all charter schools. Furthermore, authorizers can take on a supportive role by bringing together cyber charter schools for training and networking from time to time to address issues and concerns that these schools are facing in the implementation of their programs (e.g., how do schools ensure parents are not the ones completing the work, what are some effective strategies of motivating students to succeed in a very independent type of education program).
4. *What role, if any, does state policy play in the allocation of technology resources to students attending cyber charter schools, including factors associated with the implementation of such resources?* Students attending cyber charter schools should have access to the same technology funding as all other public school students. How these schools use these resources, however, may differ from that of a typical school and state policy should allow for cyber charter schools to use a higher-than-average percentage of their budget on technology than other schools to fulfill their mission and operate their program most effectively.

## Conclusion

Within the last year, the number of cyber charter schools operating nationwide has nearly doubled. While cyber charter schools are not the solution for all students, they do provide a learning environment that is appealing to many, especially those who have been previously unserved or underserved by the public schools. And, given the growth in the number of schools, it appears they are here to stay.

Despite this, a struggle, not dissimilar to that faced by all charter schools, is mounting between those creating cyber charter schools and those authorized to fund and oversee these schools, mainly districts. It appears that states have an opportunity to step in and implement policies and programs to alleviate the tension between cyber charter operators and authorizers by addressing the issues discussed within this brief. It will be critical, however, to ensure state policies do not interfere with the intent of charter schools (cyber and otherwise). Specifically, such schools need to be free to implement their mission and vision, while also working closely with their authorizers to

ensure specific accountability outcomes are being met. In the end, as is the case with all schools, what is most important is that students are learning, satisfied with their school and having their needs met.

#### ENDNOTES

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[1] Depending on a particular state's policy, local school boards, state boards of education, universities, nonprofit organizations, specially created independent charter-granting entities or municipalities may authorize charter schools.

[2] Neal McCluskey, *Beyond Brick and Mortar: Cyber Charters Revolutionizing Education* (Washington, D.C.: Center for Education Reform, 2002).

[3] Mary Lord, "O E-Pioneers," *U.S. News and World Report*, December 9, 2002.

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