

The Evolution of K–12 Online Learning Policy from a Void to a Patchwork

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We cannot contort the character of the Internet to suit our familiar notions of regulation; do not dumb down the genius of the Net to match the limited vision of the regulator.

- Michael Powell, Former Chairman, Federal Communications Commission (Powell, 2004)

The Internet was developed to help the country survive a nuclear holocaust. Schools are not going to be able to keep it out.

- Tim Magner, Director of Education Technology, U.S. Department of Education (Magner, 2007)

INTRODUCTION AND BACKGROUND

The Internet and its applications have challenged policy makers in seemingly all areas of public life, and as one of the applications of the Internet, online learning is no exception. Online learning policy has tentacles throughout education policy, from union politics to technology infrastructure. This complexity contributed to the lack of action that led the National Association of State Boards of Education to warn, in 2001, in its now oft-quoted statement:

In the absence of firm policy guidance, the nation is rushing pell-mell toward an ad hoc system of education that exacerbates existing disparities and cannot assure a high standard of education across new modes of instruction. By allowing this policy vacuum to continue, educational leaders are failing to meet their obligation to assure that all students are provided a quality education. (National Association of State Boards of Education, 2001 p. 4)

Since that time, states have continued to struggle, but most have created some level of policy or structure that governs virtual schooling. The North American

Council for Online Learning (NACOL), for 3-years running, has published “Keeping Pace with K-12 Online Learning: A Review of State-Level Policy and Practice.” The most recent review, from October 2006, reports that 26 states now have significant policies governing online learning, and 38 states have either policies or statewide programs. Only 12 have neither. (Watson & Ryan, 2006). Unsurprisingly, there is little consistency among states, and where a void previously existed, the nation now has a patchwork of inconsistent policies that reflect each state’s educational culture, perceived needs, or political climate.

As online learning emerges from the shadows of the larger context of school reform, policymakers are recognizing just how much existing policies are steeped in the bricks and mortar environment. Because of this unsurprising history, radical changes in policy are necessary to fully embrace virtual schooling or allow its full impact and potential to be realized. Changes in school finance models, governance models, and even instructional models often require policy changes at the state or local levels that have far-reaching consequences, and in some states, that has slowed or paralyzed progress. In other states, policy discussions are evolving from merely trying to describe these programs in ways that make sense in existing policy structures to thinking about accountability for such programs. Funding, teacher licensure, and student performance, often in that order, are driving the discussions throughout the country. In many cases, policymakers shoehorn online learning into the same old boxes of traditional educational structures, thus reducing its power to reform.

MAIN FOCUS: ORGANIZING THE ISSUES

Several authors have categorized the important policy issues for easier analysis. King’s policy analysis framework organizes online learning policy issues into seven

categories: academic, governance/administration/fiscal, faculty, legal, support services, technical, and cultural (King, Nugent, Russell, Eich, & Lacy, 2000). Although this framework was created primarily for the higher education audience, it overlaps significantly with K-12 issues (Blomeyer, 2002).

However, the challenge of creating policies for learners, who range in age from 5 to 21, and the need for full-time supervision, raises additional concerns, and mandates layers of national, state, and local policies to address them. I previously adapted King's framework for K-12 by categorizing the policy issues into 10 areas, outlined in Table 1 (Glick, 2002).

Local policy development by school districts necessarily depends on the approach taken by each state, and the federal government has not tried to control or

create virtual schooling policies. The state-level policy, therefore, becomes the nexus and the leverage point for online learning policy.

Statewide K-12 distance education approaches, where they exist, fall into two main categories: either state legislatures have created a centralized online learning program or virtual school, or they have created statewide policies that aim to control programs created by local school districts (See Table 2). The first approach aims to create a statewide virtual school or network of schools to allow school districts and students to participate in centralized online course offerings. The second approach often allows school districts, management companies, or other organizations to create virtual schools, including cyber-charter schools, that cross traditional school district boundaries.

Table 1. Policy issues for distance learning in K-12 schools

Funding formulas and ADM/ADA payments	Public vs. nonpublic schools Residents and nonresidents of states or districts School district and other geopolitical boundaries
Online learning and learner options	Post-secondary Enrollment Options Open Enrollment Independent study Homebound/hospital bound students Flexible calendar options
Equity of access	Digital divide issues, including the possible need to supply computers and internet access to students.
Special needs populations	Compliance with Section 508 of the Rehabilitation Act, (Americans with Disabilities Act) Delivery of special education services to online students Differentiation of instruction
Quality criteria and course review/creation	Accreditation Performance evaluation
Teacher licensure & contracts	Class size and course load limits Class day, calendar and scheduling Intellectual property
Statewide coordination	Program evaluation Support for research and development Statewide coordination/virtual school models Return on investment (ROI)
District policy issues	Student support services Student selection, self-selection, and drop-out rates Interactivity requirements Transcripts, transferability and awarding of credit.
Cyber-charter schools	Home vs. cyber charter schools Funding levels Teacher licensure & contact time
Technical issues	Infrastructure Internet filtering Hardware & software Technical support

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