

EDUCATION POLICY BRIEF IN REVIEW: Correcting Misconceptions and Fact-Checking Data in CEEP's "Cyber Charter Schools in Indiana"

Prepared by Connections Academy at the request of the
President of the Indiana Connections Academy (INCA) Governing Board



Education Policy Brief

Cyber Charter Schools in Indiana: Policy Implications of the Current Statutory Language

Kelly E. Rapp, Suzanne E. Eckes, & Jonathan A. Plucker

Volume 4, Number 3, Winter 2006

In the seven years since former U.S. Secretary of Education William Bennett helped develop "virtual charter schools" that provide educational programs to charter school students via the Internet (Kafer, 2003), the number of these schools has rapidly increased. At least 90 (or around 3%) of the almost 3,000 charter schools in operation in 2004 were virtual charter schools, also referred to as cyber charter schools (Hassel & Terrell, 2004), and 16 states had at least one cyber charter school in operation during the 2004-05 school year (U.S. Department of Education, n.d.). Cyber charter schools offer many benefits to the students they serve (Bogden, 2003; Cook, 2002), but without specific statutory language governing these schools, complications can arise (e.g., Pennsylvania School Boards Association v. Zogby, 2002).

Indiana currently has no cyber charter schools, but proposals for their creation have been submitted to potential sponsors. During the 2005 session of the Indiana General Assembly, a charter school bill passed that in part addressed the concept of cyber charter schools. However, Indiana charter school law remains vague regarding the establishment and funding of cyber charter schools. This Education Policy Brief examines possible implications of the current law regarding cyber charter schools.

Several sources cited throughout this brief – including these highlighted – are overall quite positive about the role that cyber or virtual charter schools can play in the public school choice mix. See annotated References for details.

This 2002 Pennsylvania lawsuit, cited several times in this Education Policy Brief, was rejected by the Commonwealth Court of Pennsylvania, which ruled that the state's cyber charter schools were legal.

The Indiana charter school law as amended in 2005 clearly allows new, technology-facilitated charter schools which are subject to all of the other requirements and procedures for charter schools in Indiana. See following pages for details.

I. OVERVIEW OF CYBER CHARTER SCHOOLS

Cyber charter schools, like traditional charter schools, are independent public schools created through formal agreements with a sponsoring entity. Additionally, these schools operate free from many regulations which govern traditional public schools. However, instruction in cyber charter schools is delivered through alternative, non-classroom-based strategies (i.e., usually via the computer and Internet), and cyber charters usually provide students with a computer, a curriculum, textbooks, and Internet access for no charge (Cook, 2002; Huerta & Gonzalez, 2004). Typically, cyber charter schools are able to cross district boundaries and enroll students from multiple districts, and they are composed predominantly of previously homeschooled students (Bogden, 2003; Cook, 2002; Huerta & Gonzalez, 2004). A study of Ohio's 23 cyber charter schools revealed that they serve mostly secondary level students and are composed of a much smaller percentage of minority students than traditional charter schools in Ohio (21% vs. 80%, respectively) (Legislative Office of Education Oversight [LOEO], 2004). Although smaller studies, such as the research in Ohio, have been conducted, there are no comprehensive studies that have analyzed a wide sample of cyber charters (Huerta & Gonzalez, 2004).

Among the benefits of cyber charter schools is the ability to serve a wide range of students, such as students who are homebound for medical reasons, who are employed, who are incarcerated, or who do not feel comfortable in traditional classrooms for various reasons. Cyber charter schools also offer homeschooling families the option of public financing for a program that relieves parents of much of the instructional burden but with little loss of autonomy. Additionally, cyber charters may offer innovative curriculum choices, individualized curriculum, and personalized pace of instruction (Bogden, 2003). Finally, school districts which sponsor cyber charters can expand educational opportunities and retain students who may otherwise drop out of school or leave the district for another charter school (LOEO, 2004).

This assertion is just that- a claim made but not documented in the sources cited (other than Bogden, which cites one unnamed 2002 Pennsylvania school). In fact, today's virtual public schools are composed predominantly of previously public-schooled students. For example, at Connections Academy virtual public schools across the country, just 21% of students in the most recent full-year count came from a homeschool background; 8% came from private/parochial school; 10% were starting school for the first time as kindergartners or first graders. The majority - 61% - came from another public school.

The two largest networks of virtual public charters schools (those using the Connections Academy program and those using the K12 program) served grades K-9 in 2005-06.

Virtual schools that serve entire states reflect the demographics of the state as a whole rather than specific communities, as brick-and-mortar charters must. At 21% minority, virtual schools in Ohio are slightly more diverse than the state as a whole, which was 16% minority according to the 2000 Census.

New research from North Central Regional Educational Laboratories/Learning Point Associates, among others, documents the effectiveness of virtual schools. See annotated References for details.

Virtual charter schools require a high degree of accountability by parents, who serve as their students' "learning coach" under the supervision of a certified professional teacher, following a prescribed curriculum, with defined attendance and assessment requirements. This difference in parental autonomy from homeschooling is one of the reasons national organizations like the Home School Legal Defense Association object to virtual charter schools and prohibit virtual public school families from being members of HSLDA (HSLDA, 2002).

II. POLICY IMPLICATIONS

A. Enrollment

The most significant policy issues that cyber charter schools raise is the question of funding cross-district enrollment and enrollment of formerly homeschooled students. Charter schools in some states can claim 75% or more of a state's per-pupil allocation for each student who enrolls in the school (Conn, 2002). However, allowing cyber charter schools to draw enrollments across district boundaries creates conflict when districts are charged based on a portion of their per-pupil expenditures for students who are no longer under their supervision (Bogden, 2003; Cook, 2002; Huerta & Gonzalez, 2004).

Additionally, many cyber charter students were formally homeschooled and therefore not previously covered by public dollars. Since the enrollment of these students into cyber charters causes unexpected new obligations to public school budgets, Colorado's charter school law, for example, specifically bans online schools from enrolling previously homeschooled students (Bogden, 2003). It is not clear how these national patterns apply to Indiana, where charter schools are able to enroll students from across district borders, but the state is the primary source of funding for charter schools.

The same funding issues arise wherever public school choice/open enrollment is permitted. See further discussion below.

Formerly homeschooled students are a minority in today's virtual schools, as discussed on the previous page and below.

This factually incorrect assertion is discussed on previous page. In most virtual schools across the country, former homeschoolers make up 25% or less of the student population. The specter of large numbers of homeschoolers enrolling in virtual schools simply is not reality. Indiana Connections Academy (INCA) anticipates that approximately 25% of its students will come from homeschooling backgrounds and those students could have just as easily entered traditional public schools or public charter schools.

Since accumulated national data has clearly demonstrated that virtual charter schools do NOT create a massive influx of previously homeschooled students, several states that originally placed restrictions on returning homeschoolers – including Minnesota and Arizona – have recently relaxed or stricken those restrictions. The questionable constitutionality of limiting public school access to certain classes of students has certainly also played a role in changing state policy on these issues.

B. Accountability

In addition to financial accountability, cyber charter schools must be held responsible for student performance and program quality (Bogden, 2003; Huerta & Gonzalez, 2004). Cyber charters often contract with educational management organizations (EMOs), and there have been complaints of corruption, conflicts of interest, and the withholding of computers and special education services (Cook, 2002; Huerta & Gonzalez, 2004). Bogden (2003) contends that measures need to be implemented to ensure that students, rather than their parents, are completing the work and that cyber charter schools are reporting accurate enrollment figures and using the best practices in instruction and assessment. In Ohio, local school districts are sponsoring their own cyber charter schools, making it easier to monitor accountability. Given the strong accountability systems used by most Indiana sponsors, these accountability issues should be given serious attention but should not be insurmountable.

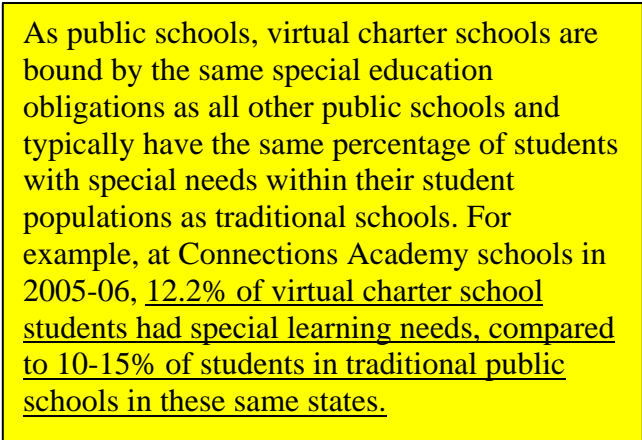
The sources cited reference one incidence each in California and Pennsylvania, in each case involving a single-site EMO that was shut down in 2002. Today's virtual schools work with a variety of service providers; INCA has selected Connections Academy based on its unblemished record of service in 11 states, including California and Pennsylvania.

Quality virtual schools integrate multiple measures for ensuring authenticity of student work, accurate enrollment reporting, and best-practice instruction and assessment. Authorizers should demand and carefully consider evidence of all of these measures before authorizing any charter school, virtual or otherwise.

C. Serving Special Education Students

Both charter schools and virtual schools are required to comply with all federal laws, including the Individuals with Disabilities Education Improvement Act (IDEIA), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA), and the Fourteenth Amendment of the U.S. Constitution, which guarantees equal protection of the law to all individuals. Although no litigation exists to date over students with disabilities having difficulty obtaining equal opportunities from individual charter schools, the absence of litigation is not necessarily conclusive. For example, the U.S. Office for Civil Rights (OCR) received 35 complaints in 2002 about charter schools relating to Section 504 violations, exceeding the total number of racial or gender discrimination complaints about charter schools received by OCR from 1998 to 2002 (Martin, 2004).

Müller and Ahearn (2004) conducted interviews with representatives from state education agencies and two prominent virtual schools regarding the provision of services to students with disabilities in virtual schools. Although this study dealt with non-charter virtual schools, the results are applicable as “charter schools are increasingly likely to adopt a virtual approach to education” (Müller & Ahearn, 2004, p. 9). The researchers found that although virtual schools are enrolling special education students at rates less than traditional schools, the virtual schools in the sample do enroll significant numbers of students with disabilities. However, these stu-



As public schools, virtual charter schools are bound by the same special education obligations as all other public schools and typically have the same percentage of students with special needs within their student populations as traditional schools. For example, at Connections Academy schools in 2005-06, 12.2% of virtual charter school students had special learning needs, compared to 10-15% of students in traditional public schools in these same states.

dents primarily have high incidence disabilities, such as attention deficit hyperactivity disorder (Müller & Ahearn, 2004).

The virtual schools in Müller and Ahearn's (2004) research handle individualized education program (IEP) meetings through conference calls, videoconferencing, and occasionally face-to-face meetings. However, many virtual schools rely heavily on parents to implement IEPs, and other virtual schools lacking the resources to establish special education networks contract with non-public agencies for these services (Müller & Ahearn, 2004). The states in this study (California and Pennsylvania) determine special education caseloads in their virtual schools through state guidelines for virtual and/or charter schools.

Although many interviewees in Müller and Ahearn's (2004) study agreed that virtual schooling is a viable educational option for students with disabilities, others expressed doubts that these schools could adequately meet the needs of this population of students. For example, the standardized curriculum and instruction methods used by the EMOs are not conducive to students with special needs (Zollers & Ramanathan, 1998). Specifically, the provision of occupational therapy, physical therapy, or speech and language therapy to the wide geographic range of enrolled students poses a challenge. Additionally, monitoring of the virtual schools is necessary to ensure proper compliance with special education provisions; however, the concept of state-level monitoring is problematic because these virtual schools have often been created to avoid state oversight and other bureaucratic constraints (Müller & Ahearn, 2004).

These disabilities are considered "high incidence" precisely because they are present in a higher proportion of special education students in ANY setting. Virtual school students also have this typical distribution of disabilities. At Connections Academy schools across the country, for example, the incidence of particular disabilities among students with IEPs is as follows:

Specific Learning Disability	43%
Other Health Impaired	14%
Speech/Language Impaired	13%
Emotional Impaired	11%
Mentally Retarded	8%
Autism	4%
Physical	2%
Vision, Hearing Impaired, TBI, DD, Multiple Disabilities	5%

Connections Academy has a national Director of Special Education as well as special education staff in each state-based school; IEPs are implemented by professional staff working in partnership with parents. In each state, Connections Academy works with a network of public providers (school districts and intermediate units) and licensed private providers to provide face-to-face related services conveniently located near students' homes.

The Connections Academy curriculum and instruction methods, based on Personalized Performance Learning for each student, is especially conducive to students with special needs. The source cited here pre-dates any virtual school.

In the source cited, this is the opinion of one interviewee and is not supported by any factual documentation. More importantly, it is not at all applicable to any Indiana virtual charter school, which would be subject to all of the same state reporting requirements as any other Indiana charter or traditional public school.

III. EVIDENCE FROM PENNSYLVANIA

Conflict over cyber charter school enrollment and funding has been the subject of litigation in Pennsylvania. Legal action resulted in 2001 when 70% of the districts with students attending the Western Pennsylvania Cyber (WPC) charter school (now the PA Cyber Charter School) refused to send the required payments to the cyber schools as required by state law. The state school board association and numerous districts claimed that WPC, TEACH-The Einstein Academy, and other cyber charters were violating state regulations and did not have a legal right to exist (Pennsylvania School Boards Association v. Zogby, 2002).

In response, the state education commissioner withheld funds from the districts to pay the cyber charter schools, and when the districts were not allowed to appeal this decision, fur-

ther litigation ensued (Boyertown Area School District v. Department of Education, 2002; see also Boyertown Area School District v. Department of Education, 2004). Although Pennsylvania's Commonwealth Court ruled that the state's cyber charter schools were legal (Pennsylvania School Boards Association v. Zogby, 2002), the charter law was changed to further define cyber charters and funding requirements and to make the state Department of Education the only sponsoring agency for cyber charter schools (Cook, 2002; Huerta & Gonzalez, 2004).

Furthermore, it appears that cyber charter schools in Pennsylvania are enrolling more white, non-minority students than their host districts and avoiding special education students (Miron, Nelson, Risley, & Sullins, 2002). This is an issue which merits further investigation: if this enrollment trend is seen elsewhere, stronger laws may need to be written and enforced to ensure equal education opportunities for all.

These assertions are not borne out by current data. For example, Commonwealth Connections Academy, the Connections Academy-affiliated virtual charter school authorized by the Pennsylvania Department of Education, is much more diverse than the state as a whole. 30% of CCA students are minorities (compared with 16% of PA as a whole, according to 2000 Census); 20% of CCA students are African American, compared with 10% of PA population as a whole. In terms of special education, 13% of CCA students have IEPs, compared to 11.8% of PA students in general according to the 2002 IDEA Report to Congress.

IV. THE CASE IN INDIANA

Senate Enrolled Act 598-2005 amended Indiana Code 20-5.5-8-2 pertaining to charter schools, but the resulting language is unclear regarding the establishment of cyber charter schools. Specifically, the law states that “(a) A charter school may not do the following: ... (5) Provide solely home based instruction” (Indiana Charter School Law, 2005). Furthermore, (b) A charter school is not prohibited from delivering instructional services: (1) through the Internet or another online arrangement; or (2) in any manner by computer; if the instructional services are provided to students enrolled in the charter school in a manner that complies with any procedures adopted by the department concerning online and computer instruction in public schools (Indiana Charter School Law, 2005).

The use of the word “solely” in the statute allows room for interpretation whereby home schools could become charter schools by providing primarily cyber instruction and using a bricks-and-mortar school strictly for testing or other purposes that require minimal time outside of the home. Additionally, Sec. 2(b) is problematic because the Indiana Department of Education has no procedures concerning online and computer instruction in public schools. The ambiguity of this section of the Code has already led to some debate about whether cyber charters can exist in Indiana. The issue of whether cyber charter schools are allowed needs to be resolved by the legislature before the situation escalates and litigation ensues at the expense of public tax dollars and students’ education.

According to sponsor Senator Teresa Lubbers, the legislative intent of SB598 was clearly to allow establishment of virtual charter schools that would otherwise be subject to all of the requirements of Indiana’s excellent charter school law.

Since any proposed virtual charter school in Indiana must still meet ALL other charter school requirements – including accountability, teacher credentialing, and attendance requirements – AND be authorized by a recognized sponsor, it is not really conceivable that “home schools could become charter schools” under the revised Indiana law.

Should Indiana seek national guidance regarding online and computer instruction in public schools, it need look no further than the National Education Technology Standards (<http://cnets.iste.org/>) or the National Education Technology Plan from the US Department of Education (www.nationaledtechplan.org), which issues a strong call for expanded online learning opportunities through both full-time virtual schools and supplementary online programs. See annotated References for details.

V. RECOMMENDATIONS

Indiana law is currently vague about the acceptability, governance, and operation of cyber charter schools. Although the current situation is understandable, avoiding specific enabling legislation is highly likely to lead to the legal and financial problems encountered in other states. The following provisions should be addressed in any legislation or regulations governing cyber charter schools:

- *Eligibility to Sponsor Cyber Charter Schools:* Is Indiana's sponsorship system for bricks-and-mortar charter schools sufficient for the authorization of cyber charters? Since the cyber charter schools have no physical location, should the Indiana State Board of Education or Department of Education authorize these schools?
- *Funding Levels:* Although cyber charter schools appear to incur lower operating costs, will the cyber charters receive the same amount of funding as traditional charter schools?

Indiana's sponsorship system already includes highly effectively statewide sponsors – e.g., the universities, and particularly Ball State University. High-quality sponsors will hold virtual charter school applicants to the same standards as any other prospective Indiana charter school, and will close down any virtual charter that does not fulfill all of its requirements.

In addition, the notion that “cyber charter schools have no physical location” is not universally true. Connections Academy virtual charter schools have professional office/teaching centers in each state they serve, where professional state-certified teachers work full-time under the direction of a principal; parents, students, authorizers, and representatives of the state department and board of education encouraged to visit these facilities at any time. The proposed Indiana Connections Academy would be located in Muncie.

As documented in the follow-up to the Ohio LOEO report cited by the authors above, virtual charters do not incur a significantly lower operating cost (LOEO, 2004 and 2005; see annotated Reference section for details); the LOEO recommended in 2005 that Ohio “provide eCommunity schools with the same amount of state funding as other community schools and school districts.”

In place of classroom facility and transportation costs, virtual schools have substantial technology, shipping and infrastructure costs. Even more important, in a quality virtual school program, more than 80% of the per pupil budget is devoted directly to instruction. These costs include:

- Teacher compensation, technology, and specialized training;
- Student hardware, software, curriculum materials and support;
- School technology infrastructure that provides assignment management, assessment, teacher-student-parent communication, and delivery of on-line curriculum.

- *Enrollment:* Should legislation mandate a minimum enrollment to discourage home schools operating as charter schools?

The existing IN charter law, with its strong accountability standards and effective sponsorship system, will be sufficient to prevent unqualified virtual charter schools from operating.

- *Accountability:* How can sponsors and the state ensure that cyber curricula are based on state standards? How will NCLB and PL221 accountability systems be applied to cyber charter schools? How will existing laws and regulations (e.g., length of the school day and year) be applied and monitored?

Every IN charter school should be required to demonstrate that its curriculum aligns with state standards; virtual charters should be no different.

- *Special Education:* How will special education services be delivered to students in virtual charter schools? How can discrimination against special education students be prevented?

Every IN charter school must comply with NCLB and PL221 accountability requirements, and virtual charter schools should be no different. Nationally, virtual charter school students participate in state standardized testing at proctored, face-to-face locations, and the same would be true in Indiana.

As documented in previous section, effective service to special education students is a leading feature of high-quality virtual charter schools. Furthermore, like any other IN charter school, a virtual charter school in IN would be subject to the IDEA requirements that apply to all public schools.

Any IN virtual charter school should also be required to demonstrate how it will document compliance with all other existing laws and regulations to which IN charter schools are subject, including hours and days of instruction. High-quality virtual schools can readily show through their robust data systems how many days or hours of instruction students have completed. Furthermore, virtual school principals can monitor teachers' contacts with families, teachers can monitor participation and performance of individual students; and parents have instant access to how their child is doing in school.

Of these issues, we believe that questions about funding are the most important to address (although all other issues mentioned above should also be addressed). Unless the cyber charter is a conversion school (which seems unlikely), the funding burden will fall on the state. If a large part of the 22,403 homeschooled students in Indiana (Kunzman, 2005) choose to enroll in cyber charter schools as has happened in other states, state resources may not be able to handle the sudden increase in the ADM count of public school students. Related questions about funding level (i.e., Should a virtual school receive the full per pupil funding of bricks-and-mortar charter schools?) are complex and, if not addressed adequately, have the potential to derail Indiana's progress in developing a strong state charter school environment. We acknowledge that the political combination of charter schools, virtual instruction, and homeschooling is essentially the "third rail" of Indiana education policy, but avoidance of these issues will likely lead to important policy decisions being settled through arguments in the legal arena and not debate in the legislature.

Not only is it well-documented that less than 25% of virtual charter school students come from homeschool backgrounds, but even in the states with the largest concentration of virtual charter schools, approximately 1-3% of all students in the state in general enroll in virtual charters. The proposed Indiana Connections Academy would have a total first-year enrollment of 500 students in, of which no more than 125 students statewide would be expected to come from homeschooling. This represents .056% of all homeschoolers in Indiana.

Funding requirements for high-quality virtual schools are discussed above. In addition, as the IN Dept of Education states in the *Charter Schools Frequently Asked Questions* section of the website, "State tuition support does not "follow" charter school students from their 'home' corporation. The state funding formula is based on a per-pupil allocation. Therefore, charter schools are offered tuition support from the state's funding pool based on the number of students that attend the charter school, in the same way that traditional public schools are offered per-pupil tuition support from the state's funding pool."

REFERENCES

Bodgen, J. (2003). Cyber charter schools: A new breed in the education corral. *The State Education Standard*, 4(3), 33-37.

Boyertown Area School District v. Department of Education, 797 A.2d 421 (Pa. Commw. Ct. 2002).

Boyertown Area School District v. Department of Education, 861 A.2d 418 (Pa. Commw. Ct. 2004).

Conn, K. (2002). When school management companies fail: Righting educational wrongs. *Journal of Law & Education*, 31(3), 245-269.

Cook, G. (2002). The cyber charter challenge. *American School Board Journal*, 189(9). Retrieved October 15, 2004, from <http://www.asbj.com/2002/09/0902ASBJS2.pdf>

Hassel, B.C., & Terrell, M.G. (2004, Summer). How can virtual schools be a vibrant part of meeting the choice provisions of the No Child Left Behind Act? (Virtual School Report). Baltimore, MD: Connections Academy. Retrieved March 30, 2005, from <http://www.connectionsacademy.com/PDFs/VirtualNews704.pdf>

Huerta, L.A., & Gonzalez, M. (2004). Cyber and home school charter schools: How states are defining new forms of public schooling. Retrieved October 15, 2004, from http://www.ncspe.org/publications_files/Paper87.pdf

Bodgen's article is quite positive about virtual charters, acknowledging that they "serve entire classes of students that ordinary public and charter schools do not" while "offering true innovation." In a sidebar entitled "How Does a Cyber School Work?" Bogden accurately notes that "teachers at the best virtual schools spend a great deal of time interacting one-on-one with students – as much as one third of their time – either by e-mail or phone." Bogden is also the lead author of the National Association of State Boards of Education's landmark 2001 e-learning report, *Any Time, Any Place, Any Path, Any Pace*.

This source declares its bias upfront with the subhead "A new trend could lure thousands of students and millions of dollars away from school districts" and quotes extensively from union and association representatives seeking to halt the charter movement in general.

This white paper was originally commissioned by the US Department of Education as a resource for the National Education Technology Plan (<http://www.nationaletechplan.org/documents/Hassel-Terrell-VirtualSchools.pdf>) and promotes virtual charters and other virtual schools as a valid NCLB resource for school districts.

This paper, published by the National Center for the Study of Privatization in Education, looks at only two states, one of which (California) has "home school support" charters that are unlike virtual schools in any other state; thus the findings are skewed by the sample chosen. In addition, this source asserts without documentation, and incorrectly, that cyber charters serve "primarily students who were previously privately home schooled."

Indiana Charter School Law, I.C. 20-5.5-8-2 (2005).

Kafer, K. (2003). School choice in 2003: An old concept gains new life. *New York University Annual Survey of American Law*, 59, 439-458.

Kunzman, R. (2005). Homeschooling in Indiana: A closer look (Education Policy Brief Vol. 3, No. 7). Bloomington: Indiana University, Center for Evaluation and Education Policy.

Legislative Office of Education Oversight. (2004, March). The start-up costs of Ohio's eCommunity schools. Columbus, OH: Author. Retrieved October 15, 2004, from <http://www.loeo.state.oh.us/reports/PreEleSecPDF/eCommunitySchoolsWeb.pdf>

Martin, R.J. (2004). Charter school accessibility for historically disadvantaged students: The experience in New Jersey. *St. John's Law Review*, 8(2), 327-395.

Miron, G., Nelson, C., Risley, J., & Sullins, C. (2002). Strengthening Pennsylvania's charter school reform: Findings from the statewide evaluation and discussion of relevant policy issues. Kalamazoo: Western Michigan University, The Evaluation Center. Retrieved April 21, 2005, from http://www.pde.state.pa.us/charter_schools/lib/charter_schools/fiveyear-reportfullreportpa_cs_eval4.pdf

This report is the first of two by LOEO on Ohio's "e-community" schools. The 2004 report focuses on the start-up costs of 11 of the state's 23 e-community schools; it found that statewide e-community schools had startup costs ranging from \$350,000 to \$3.1 million. The second report, issued in June 2005, focused on "The Operating Costs of Ohio's eCommunity Schools," and found that statewide e-community school costs averaged over \$5,300 per pupil, that this spending was "reasonable," and that the state ought to "provide eCommunity schools with the same amount of state funding as other community schools and school districts..."

The authors gathered their data in 1999-2001, when cyber charters were first emerging in Pennsylvania, and admit that their cyber-charter sample sizes were extremely small. Two of the today's largest PA cyber charters (Pennsylvania Virtual Academy and Commonwealth Connections Academy) were not included in study at all.

The WMU authors do take note of a comprehensive 2001 "Cyber Charter Schools Review" by KPMG for the Pennsylvania Department of Education, which studied the six existing cyber charters and concluded, in WMU's words, "cyber charters appeared to be in compliance with state requirements regarding teacher certification, hours of instruction, and having a method for authenticating student work."

Müller, E., & Ahearn, E. (2004, June). Virtual schools and student with disabilities. Alexandria, VA: National Association of State Directors of Special Education, Project Forum.

Pennsylvania School Boards Association v. Zogby, 802 A.2d 6 (Pa. Commw. Ct. 2002).

U.S. Department of Education. (n.d.). Educational technology fact sheet. Washington, DC: Office of the Secretary. Retrieved March 30, 2005, from <http://www.ed.gov/about/offices/list/os/technology/facts.html>

Zollers, N.J., & Ramanathan, A.K. (1998). For-profit charter schools and students with disabilities: The sordid side of the business of schooling. *Phi Delta Kappan*, 80(4), 297-304.

This source is based entirely on interviews with representatives from two state education agencies (California and Pennsylvania), from the Florida Virtual School (which is not a charter school and does not provide full-time programming), and from Ohio Virtual Academy. The report's conclusions must be viewed within the context of this very limited sample.

The most prominent publication of the USDOE's Office of Education Technology is the **National Education Technology Plan** (www.nationaledtechplan.org), published in January 2005. Action Step #4 of this Plan is "Support E-Learning and Virtual Schools," and provides a series of white papers and other resources to encourage development of virtual charters and other virtual schools.

ADDITIONAL REFERENCES

Smith, R., Clark, T., & Blomeyer, R. (2005). *A synthesis of new research on K-12 online learning*. Learning Point Associates. Retrieved March 20, 2006 from www.ncrel.org/tech/synthesis. This report synthesizes eight new original studies of online learning and concludes that it is as effective as traditional learning environments.

Baker, L., Sonnenschein, S., & Beall, L. (2006). *An analysis of stakeholders' perceptions and student achievement at Ohio Connections Academy, 2004-2005*. University of Maryland, Baltimore County (pending publication).

Home School Legal Defense Association (2002). *The problem with home-based charter schools: HSLDA's position in the charter school debate*. Retrieved March 20, 2006 from www.hsllda.org/docs/nche/000010/200206260.asp. HSLDA points out that virtual charter schools are very different from homeschooling and warns that this type of charter "creates a little public school in your home." HSLDA opposed SB598.

International Society for Technology in Education (2000-2005). *National education technology standards*. <http://cnets.iste.org/index>. Provides standards for students and for teachers.