To: State Board of Education Committee on Virtual Charter Schools
From: Paul Garrison
Date: September 20, 2018
Re: Indiana Virtual Charter Schools Rules and Laws Recommendations

During my August 1, 2018, appearance before the State Board of Education Committee on Virtual Charter Schools, I was asked for my suggestions for state regulations concerning virtual charter schools. At that time, I was ill prepared to offer much and suggested that I would get back with the committee on suggestions that I believe could improve the effectiveness of this educational venue for Indiana's students.

The following pages contain suggestions for regulations based on our experiences at Daleville in serving as a virtual charter school authorizer since June, 2011. The recommendations reflect the input of the administrative team members of Daleville Community Schools who have a role in our authorization duties. Our experience convinces us that these recommendations are most likely to positively influence the educational success of students who turn to virtual education in order to better meet their unique needs that have not been met adequately in traditional brick and mortar classrooms.

We fully recognize that these broad outlines require further detail and may not be popular among all public school patrons and administrations (including those of charter schools). We do believe that a much more robust virtual school system and traditional school system would result. We also recognize many of these suggestions require legislative action beyond that of the State Board of Education.

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Daleville Community Schools Administrative Team Virtual School Recommendations

1. **Statewide Definitions for Virtual Attendance, Instructional Day, and School Year**
    a. This is the number one "trouble spot" for states regarding the accountability and funding of virtual education. Schools are required to have 180 days of instruction of 6 hours per day. In traditional (brick & mortar) schools, the physical presence of a student for a set period of time is easy to determine and verify. Waivers are provided for certain situations as well as for "alternative schools" in order to help engage at risk students, but the underlying definitions remain. Virtual education introduces a fluid school year which complicates not only the methodology for counting attendance but also the concept of the current definition of a school "day."
        - IC 20-33-2-3.2 defines attendance as being at a "location where the school's educational program in which a person is enrolled is being conducted."
            1. Students in virtual programs/schools meet the current attendance definition regardless whether or not the student has logged on to the computer or engaged with the coursework in any way.
            2. Each virtual program/school currently creates its own definition of attendance. Some follow the spirit of the law and use daily or hourly logins. Others simply use enrollment as the basis and presume attendance for each student regardless of daily engagement.
        - IC 20-33-2-5 uses the same problematic definition for attendance when determining the number of days required for virtual students.
            1. 180 days of attendance is required; however, virtual students may proceed through lessons at a faster (or slower) pace than in a standard classroom.
                a. Question: How should we treat a student who completes 10 credits (a full year) in less than 180 days? What if it is accomplished in 100 days?
        - IC 20-30-2-2 defines the instructional day for grades 1 through 6 as at least five (5) hours of instructional time and at least six (6) hours for grades 7 through 12.
            1. Virtual students may access course materials anytime 24/7. Course material may be worked on online or offline.
                a. Question: How should we treat a student who completes the required lessons for the day in less than the required hours?
    b. **Recommendation:** Create a panel to recommend statewide definitions for attendance, instructional day, and school year for virtual schools/programs. This should be a standard regulation that would be used for virtual charter schools, virtual schools run by traditional school districts, and "e-learning days" also used by traditional school districts. The definition should be the same in ALL such cases.

2. **Enrollment/Onboarding Policy**
    a. Research indicates that virtual programs/schools have relatively high dropout and failure rates when compared to traditional (brick & mortar) schools. A major contributor to this lack of success is the students/guardians lack of understanding of the requisite skills and conditions necessary for success. The two areas most cited in the research as contributors are: (1) technical competencies; and (2) a structured or supportive environment.

    b. **Recommendation:** Require virtual programs/schools to establish a board adopted "Enrollment/Onboarding Policy" that outlines enrollment and orientation procedures to ensure students and guardians receive counseling regarding the skills and conditions necessary to succeed in a virtual setting.

        - **Proposed components:**
            1. The establishment of minimum technical competencies and a signed affirmation that the student possesses such by student and guardian.
            2. The establishment of the level of engagement expected for lesson completion. This would include expectations for the amount of time the student is typically expected to commit each day to the lessons.
            3. The establishment of responsibilities and guidelines for a structured and supportive environment. This would include an "adult educational mentor," whether parent, guardian, or another responsible adult (non-school employee) who would agree to:
                a. Monitor the student's progress;
                b. Provide daily, ongoing, and frequent encouragement to the student to stay engaged and to complete assignments to the student's best ability;
                c. Provide assurances that the student will participate in all mandatory state assessments; and,
                d. Act as an additional point of contact for the teacher.
            4. Graduation Plan
                a. Most students enrolling in a virtual school arrive credit deficient. It is imperative to place them on a path to graduation in as timely a manner as possible.
                b. **Recommendation:** Require virtual schools to create a graduation pathway (specific courses needed for graduation) and timeline for each student during the onboarding process.
            5. Require this process be completed annually with the associated signed assurances before any student can be eligible to be included on the Fall ME report for a virtual school/program (whether traditional school corporation or charter).

3. **Minimum Number of Courses**
    a. Indiana requires a minimum of 40 credits for graduation. On average, students would need to take 5 courses per semester to obtain their 40 credits in 4 years.
    b. **Recommendation:** Require virtual charter schools to enroll each student in at least 5 courses per semester. Exceptions can be made for those who are less than 5 credits from graduating.

4. **Timeline for Coursework**
    a. Research indicates that virtual schools have relatively high dropout and failure rates when compared to traditional (brick & mortar) schools. Students who enroll in a virtual school/program must engage with the curriculum soon after enrollment or the risk of disengagement dramatically increases.
    b. **Recommendation:** Require virtual schools to provide access to the student's full course load within five (5) days of enrolling.

5. **Student-to-Teacher Ratio**
    a. The duties of teachers utilizing an asynchronous virtual curriculum platform are different than those in the traditional face-to-face classroom. Virtual teachers do not spend time on lesson design or delivery since the entire virtual platform is provided by the virtual school. This additional time is used for engaging and encouraging students, grading assignments, answering questions, and administering individual help. Research indicates that sustained, meaningful student engagement is the greatest predictor of student success in the virtual educational arena. Setting a student-to-teacher ratio at an appropriate limit will result in greater teacher attention and contact with each student.
    b. **Recommendation:** The student-to-teacher ratio should be set at a maximum of 40:1 and be determined through the simple calculation of the school's total number of students divided by the total number of Full-Time Equivalent ("FTE") teachers in the school.
        - Because students typically take five (5) courses per semester, a ratio of 40:1 would result in teacher loads of 200 students. Teachers with 200 students would have 11.25 minutes to spend on each student per week.
        - Care should be given in defining that which constitutes an FTE for virtual schools. Many virtual schools employ teachers on a part-time basis. These part-time teachers should not be counted as a full FTE. Perhaps an FTE limit, as well as a student cap, should be considered for all part-time teachers who are already teaching full-time in traditional public schools. For example: part-time virtual teachers who are also full-time teachers in traditional schools could be limited to ¼ FTE and a cap of 50 students.
        - Care should be given in defining the teacher-to-student ratio in order to avoid any conflation between full and part-time teachers.
        - Care should also be taken to make sure that the part-time virtual teachers who are also teaching full-time in a traditional district are able to be included in the virtual school's FTE report. This may require an adjustment in error codes for current IDOE-CE/CP reports.

- Monitoring of the required ratio should be done through a combination of state reporting and authorizer oversight. We suggest some type of financial penalty for violation of this rule.

6. **Authorizer Access to Data**
   a. Consideration should be given to regulations requiring complete educational and financial transparency of the charter school and charter school entity to its Authorizer. Student and financial data is only as accurate as the competency of the financial and data managers. Bad data results in bad decisions.
   b. **Recommendation:** Require charter schools to grant full access of its SIS and financial software program to its authorizer so that student progress and academic success can be continuously monitored.

7. **Student Engagement/Success Coaches**
   a. As previously stated, sustained, meaningful student engagement is the greatest predictor of student success in the virtual educational environment. In addition, state requirements for a diploma now require engagement in various other pathways. This is outside the scope of the teacher's duties.
   b. **Recommendation:** Virtual schools should employ student engagement/success coaches. These staff members should be trained in motivational techniques to engage students in their coursework for the purpose of course completion. Ideally these staff members will be located close enough to their assigned students that they could arrange and attend meetings with the students, guardians, and educational mentors on a regional basis. These coaches could work on a part-time basis but would be assigned to communicate in a diligent manner with the students and their support system when a referral is made by a teacher, counselor, or administrator. These staff members would also be expected to assist in creating local vocational internships and experiences for students. The engagement of such staff members should be defined in each virtual school's state required engagement policy with a ratio no greater than 500:1.

8. **State Charter School Organization**
   a. Charter schools are created to be incubators for innovative educational practices. Unfortunately, most are islands unto themselves. A structured organization with the purpose of disseminating best practices would be of great benefit to the students of Indiana. Additional benefits could be realized from cooperative training, purchasing, and the exchange of research and ideas.
   b. **Recommendation:** Creation of a State Charter School Organization and/or a State Virtual School Organization. The latter would include all virtual program/schools regardless of whether they are operated by charter organizations or traditional school corporations.

9. **School Counselors**
    a. Licensed school counselors are best equipped to focus on college and career readiness, evaluating transcripts, and plotting out pathways to graduation. Inherent with the pathways is their assistance in creating local vocational internships and experiences for students.
    b. **Recommendation:** Require or suggest a licensed school counselor-to-student ratio of no greater than 500:1.

10. **Annual Audit**
    a. Millions of public dollars placed into the hands of non-public officials can create untoward scenarios.
    b. **Recommendation:** Require an annual audit for each virtual school and incorporate a funding penalty for each month beyond deadline.

11. **Funding Calculation for Virtual Schools**
    a. **Recommendation:** Consider granting 100% funding to virtual schools but add the following conditions:
        - Cap enrollment for a virtual school to include only those students that were reported on the Fall ADM. This would allow the IDOE to "set aside" the funding for the year for these students.
        - Calculate the state funding grant for virtual school students as a base amount (perhaps half) to be distributed across the funding period. Then add funding each month based on that school's student engagement/attendance data. This would encourage virtual schools to make greater effort to keep students actively engaged.
        - Any funding not distributed because of this engagement factor could then be left in the state budget to be used in the next school funding year or could be distributed to the virtual schools on a prorated basis, based on the school's overall engagement calculation for the year.

12. **Annual Evaluation**
    a. Virtual education is in its infancy, not just in Indiana but across the globe. Researchers are just beginning to delve into uncovering that which constitutes good practice within the virtual setting.
    b. **Recommendation:** Indiana would be well served to require an annual evaluation of all virtual programs/schools regardless of whether the entity exists as a school, a charter, or a program. This evaluation report would be required to drive the entity's annual School Improvement Plan ("SIP"). Require charter schools to submit SIP's to the IDOE or SBOE just as traditional public schools are required to do.

13. **Authorizer Representation**
    a. Current rules and regulations pertaining to virtual schools in Indiana have been problematic in their translation and implementation. Legislators, and by extension the State of Indiana, would be well served to seek advice from local experts as to the

practical implications of proposed rules and whether the rule would accomplish the legislative intent.

    b. **Recommendation:** Place a representative from a K-12 public school authorizer (Daleville Community Schools) on an advisory board for any committee considering new rules, regulations, or laws pertaining to virtual schools. In contrast to university, mayoral, or the State Charter School Board, K-12 public school authorizers understand how proposed rules translate into daily operations, whether loop holes exist, if unintended consequences could arise, and whether the rule would accomplish the stated intent.

14. **A-F Accountability System**

    a. The nature of the A-F accountability system is stacked against virtual schools. Since schools across the state are counseling credit deficient students to take the virtual option, virtual schools will always have a deplorable graduation rate.

    b. **Recommendation:**

- Calculate an "average credits earned per student per semester," for each public school in Indiana containing any of the grades 9-12. Use this calculation for the primary weight factor in the state school accountability system rather than the 4-year cohort graduation rate.

- Adopt the same graduation rate calculation as ESSA defines it for Indiana.

- Give the 4-year cohort graduation rate much less weight in the accountability grade. This will encourage schools to give their best efforts toward early intervention with unsuccessful students and take the "incentive" away from the students being removed from their schools' graduation cohort. Fewer students would then be likely to suddenly choose "home school" or "virtual school" their junior and/or senior year. The current freshman "progress toward graduation calculation" is a good first step. This would be a much truer reflection of school quality as it would take away the temptation to manipulate the graduation rate through removing students from a cohort via "homeschooling" or "transferring to a virtual school." Example: a school that educated a high school student for 3 years wherein the student only received 12 total credits would wear that responsibility in its accountability grade even if the student transferred to a virtual school for their senior year.

Recommendation for All Public High Schools

15. **High School Minimum Day/Year**

    a. The current structure to the time constraints for Indiana high schools (minutes/day; days/year) can be a barrier to local school districts when attempting to respond to the individual needs of high school students in affording them proper preparation for their career pathway. It also presents an additional barrier to a school's responsiveness to the needs of students with certain life circumstances. This lack of flexibility and responsiveness has been shown to be the most significant factor for these families choosing to leave their traditional public school and enter a virtual charter school.

b. **Recommendation:** Authorize traditional public school corporations in Indiana to modify high school schedules and calendars without regard to the minimum number of minutes or the minimum number of school days. Rather, hold high schools accountable through documentation of students' progress toward graduation in terms of credits earned per semester, meeting assessment requirements, and in documentation toward career and vocational preparation. The goal would be for high schools to be empowered with flexibility to modify schedules for career, vocational, and familial experiences during standard school day times, recognizing that technology has opened the door to educational experiences beyond the "normal" legislated school day.