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# Virtual Charter School Accountability: A Primer for Better Informed and More Effective Oversight Now

# INTRODUCTION



Virtual charter schools educate approximately 180,000 students in 23 states<sup>1</sup>. They account for about seven percent of total public charter school enrollment across the country, but make up a larger share of students in many states. Recent reports from research institutions, such as Stanford-based CREDO and the Thomas B. Fordham Institute, as well as five state education agencies (SEAs) highlight the discouraging academic outcomes for students in virtual charter schools.<sup>2</sup> These findings come in tandem with several distressing cases of fraud, including the settlement announced by the California attorney general related to claims against the California Virtual Academies and K12.<sup>3</sup>

Authorizers have collected performance data on their own schools, and many are struggling with the question of how to hold virtual charter schools accountable for their outcomes. Should virtual charter schools be treated the same as other public schools for accountability purposes? How are virtual charter schools different, and do those differences matter for accountability purposes?

While a 2016 statement by leading education reform organizations calls on states to adopt far-reaching policy changes to tackle this chronic underperformance, this primer is intended to provide authorizers and SEAs with practical guidance that they can use right now to provide better informed and more effective oversight of virtual charter schools, and to ensure that these schools fulfill their promise.<sup>4</sup> One important caveat: this primer is only about full-time virtual charter schools. It is not about all schools that use extensive technology, charters that use computers to encourage self-directed learning, or the so-called “hybrid” charter model that combines online experiences with brick and mortar education.

# What Authorizers Can Do Now to Provide Better Informed and More Effective Oversight

Authorizers and virtual charter schools need to have clear communication before a charter is granted, and, at each renewal, about how performance will be documented and measured. Retrospective argument about what should have been taken into account must stop. The conversation must not be about how to excuse failure, but rather about additional ways to demonstrate success against high expectations for all students. This is an opportune time for states and authorizers to revisit and strengthen these systems. The federal Every Student Succeeds Act (ESSA), taking effect in the 2017-18 school year, allows states greater latitude to incorporate non-traditional measures, which may be needed in the virtual context, in state accountability systems. Authorizers should participate in framing those measures and are free to incorporate additional measures that directly address the goals and circumstances of virtual charter schools.

In overseeing virtual charters, authorizers should keep the following in mind:

- **High Standards**. Virtual charter schools should be held to the same high standards as other public schools. Being a virtual school does not excuse a school from these high standards.
- **Memorialize in Contract**. A charter contract should include or incorporate by reference what level of academic, financial, and organizational performance will be required for renewal of the charter. Virtual charter school contracts should be no different. Agreement about these performance metrics must be made within the context of charter approval and development of a performance framework. Changes to performance metrics should occur at renewal, and not when the charter is already called into question because of failure to perform on the original metrics.
- **Start with Standard Accountability Metrics**. Authorizers and virtual charter schools must agree upon a set of metrics, both conventional and non-standard, that authorizers can use to evaluate performance. Standard accountability metrics used for other charter schools should apply to virtual charter schools, but the authorizer should also consider adding or adjusting the following metrics based on the virtual school model:
  - *Extended Graduation Cohort* (Understanding and acknowledging that many students do not enter and exit high school on a four-year timetable.)
  - *Addressing Mobility*
    - Use data over time to set year-over-year goals for retention.
    - Track, analyze, and act on reasons why students enter and exit the school.
    - Flag highly mobile students and report their performance in context.
    - Require short-term metrics (interim assessments; NWEA MAP tests) that can demonstrate progress for mobile students.
- **Role of School in Non-Standard Accountability Metrics**. The burden should be on the charter school to propose non-standard measures, explain why these non-standard measures are warranted, and outline evidence the school can provide to show that these measures are related to the achievement of the school's overall performance goals.

- **Attendance**. In some cases, virtual charter schools simply report attendance according to their own methods with no direction or standardization by public authorities. Given that attendance numbers often determine the amount of public funds received by a school, virtual charter schools and authorizers in each state should follow a common approach for calculating attendance. While this is more complicated in the virtual context, authorizers should work with their SEA to establish a uniform method that includes multiple measures such as login time, parent confirmation of work, evidence of participation and engagement with the materials, record of student contact with the teacher, and evidence of unit completion or mastery.
- **Qualitative Measures**. Just as with brick and mortar charters, authorizers should use qualitative evidence to supplement hard data. Schools may not have physical classrooms, but authorizers can conduct virtual site visits by obtaining permission to log-in and see student work and teacher interaction in real time. Many authorizers do routine visits to charter school board meetings to assess the quality of oversight; this is no less important when the school is operated by a virtual contractor.

## What SEAs Can Do Now to Support Authorizers and Virtual Charter School Accountability

While most SEAs are not direct authorizers, there are many ways that SEAs can support authorizers whose portfolios include virtual charter schools. This is especially relevant for SEAs where a single virtual charter school may be able to enroll students from around the state.

SEAs should consider supporting authorizers in the following areas:

- **Help Ensure Equitable Marketing**. In some states, the SEA may be well-positioned to provide guidance that clarifies authorizers' responsibility for ensuring fair and equitable marketing of virtual schooling, in the same way that authorizers review comparable marketing plans for brick and mortar schools. Virtual charters are subject to the same requirement for open admissions as all other charters. Authorizers must ensure that a school's marketing strategy balances the obligations of broad outreach with the responsibility to give parents the information they need to make a well-informed choice. This is especially important in the virtual sector, where such self-paced programs require a high level of student self-direction and parental engagement. Since many virtual charters recruit statewide, local districts or universities may need to develop individual or collective means of monitoring marketing efforts in areas outside their direct jurisdictions. SEAs may be well-positioned to broker such cooperation.
- **Facilitate Data Sharing**. Authorizers report having trouble obtaining data from virtual charter schools, and virtual charter schools report having trouble obtaining student data from students' previous schools. Ensuring that every student arrives with a "data backpack" (i.e., the timely transfer of student records between virtual charter schools and sending or receiving schools) is vitally important for both schools and authorizers. Such data should include credit deficiency, bullying, high mobility, and mental health issues, which are of particular relevance for virtual charter school student populations. To the extent the

availability or transferability of such data would require policy changes, SEAs are well-positioned to address and resolve these issues.

- **Encourage Common Attendance Metrics**. While there is growing support for basing funding and accountability on “mastery” or “competency” rather than seat-time, most states still require confirmation that students are actually “in school.” SEAs should work with authorizers and virtual operators in their state to establish a uniform method for calculating attendance that includes multiple measures such as login time, parent confirmation of work, evidence of participation and engagement with the materials, a record of student contact with the teacher, and evidence of unit completion or mastery.
- **Ease Burdens of Assessment Administration**. Some virtual charter schools contend that the desk-bound nature of state tests, and the travel often involved, may affect student performance. Virtual charter schools also contend that their own internal metrics show better results than state tests, perhaps owing to the fact that state assessments may take place months after students have finished curriculum units. While virtual charters bear the primary obligation for addressing test formats and timing, SEAs and authorizers can cooperatively work with them on these issues by helping to arrange test sites closer to students’ homes—for example, in district or state facilities—and seeking better alignment between testing and self-directed learning.
- **Enable Fair Comparisons in State Accountability Systems**. SEAs should ensure that state accountability systems allow schools and authorizers not only to see standard summaries of student achievement and growth, but also to make comparisons to schools with similar populations and to those from which students have transferred.
- **Uphold Authorizer Accountability**. SEAs should create effective authorizer accountability systems that take into account: portfolio outcomes, including those of virtual charters; quality and effectiveness of compliance oversight; and whether the authorizer has adapted its oversight system, as needed, to hold virtual charter schools, like brick and mortar charter schools, accountable for their outcomes.

*This primer is based on the findings from a working group comprised of SEA and authorizer representatives from six states. For a more in-depth look at this topic, see [Virtual Charter School Accountability: What We Can Do Now](#), available through the [National Charter School Resource Center’s website](#).*



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The National Charter School Resource Center (NCSRC) is dedicated to supporting the development of high-quality charter schools. The NCSRC provides technical assistance to sector stakeholders and has a comprehensive collection of online resources addressing the challenges charter schools face. The website hosts reports, webinars, and newsletters focusing on facilities, funding opportunities, authorizing, English learners, special education, military families, board governance, and other topics. The NCSRC is funded by the U.S. Department of Education and led by education consulting firm Safal Partners.

[National Charter School Resource Center](http://www.charterschoolcenter.ed.gov/) (<http://www.charterschoolcenter.ed.gov/>)



Safal Partners is a mission-driven strategy consulting firm that supports education reform efforts at the federal, state, district and school levels.

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The National Association of Charter School Authorizers (NACSA, <http://www.qualitycharters.org/>) is an independent voice for effective charter school policy and thoughtful charter authorizing practices that lead to greater public schools.

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## ENDNOTES

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<sup>1</sup> National Alliance for Public Charter Schools, National Association of Charter School Authorizers, and 50CAN. *A Call to Action to Improve the Quality of Full-Time Virtual Charter Public Schools*. June 2016. pg. 2.

<sup>2</sup> Woodworth, James, Margaret Raymond, Kurt Chirbas, Maribel Gonzalez, Yohannes Negassi, Will Snow, and Christine Van Donge. *Online Charter School Study*. Stanford University, Center for Research on Education Outcomes. October 2015.

Ahn, June. *Enrollment and Achievement in Ohio's Virtual Charter Schools*. Thomas B. Fordham Institute. August 2016.

<sup>3</sup> State of California, Department of Justice, Press Release, *Attorney General Kamala D. Harris Announces \$168.5 Million Settlement with K12 Inc., a For-Profit Online Charter School Operator*. July 8, 2016.

<sup>4</sup> National Alliance for Public Charter Schools, National Association of Charter School Authorizers, and 50CAN. *A Call to Action to Improve the Quality of Full-Time Virtual Charter Public Schools*. June 2016.

<sup>5</sup> Members of the virtual charter school oversight working group included: Kimberly Carrubba, Nevada Department of Education (formerly with); Adam Emerson, Florida Department of Education; Patrick Gavin, Nevada State Public Charter School Authority, Peter Hiltz, Colorado District 49; Jenna Hodgins, Hillsborough County Public Schools; Bonnie Holliday, Georgia State Charter School Commission; Renee Martinez, Colorado Department of Education; Todd Miller, Santiam Canyon School District; Kate Pattison, Oregon Department of Education; Jennifer Robison, Buckeye Community Hope Foundation; and Aarti Sharma, Georgia Department of Education (formerly with).