Charter schools are publicly funded schools that are operated by nongovernmental boards or organizations, which can be nonprofit or for-profit, and are in a short-term contract with the state or state designated authorizer. The state or designated authorizer sets performance and operating standards, which must be periodically evaluated.

Currently, 44 states have authorized charter schools. Of those that have charter schools, 24 states have explicitly defined or permitted cybercharter schools. Cybercharter schools provide either all or the majority of their instruction online.

Cybercharter schools are subject to the laws that govern all charter schools; most states have additional regulations for them, as well. Some are also subject to the state’s general online education laws. There are five states that permit cybercharter schools that do not have additional regulations on them: Georgia, Hawaii, Indiana, Mississippi and New Hampshire.¹

It is important to note that general charter school laws vary across states, and each cybercharter law should be considered within the larger context of the charter school law for that state.

Cybercharters are authorized by various entities, including state boards of education, local school districts or special boards.

Online schools in Minnesota are operated by existing school districts, which can include charter schools. The authorizing district must continue to provide nonacademic services, such as extracurricular activities, to online learning students.²

Oklahoma established the Statewide Virtual Charter School Board [4], which is now the state’s sole authorizer of virtual charter schools. These schools are also subject to all laws and regulations relating to financial accountability and accreditation reporting requirements to the state department of education.

Performance standards for virtual charters are established in several ways.
States such as Oregon and Pennsylvania have prescriptive cybercharter school laws that outline exactly what the cyberschool’s charter should contain. Some state laws mandate the use of third-party performance standards. Ohio cyberschools must comply with standards developed by the International Association for K-12 Online Learning, or iNACOL [5]. These standards address topics such as course design and teacher quality.

State laws often implement additional requirements and regulations on cybercharter schools through their charter contract.
Maine cybercharter schools must provide information in their contract regarding how their governing boards will monitor student participation and achievement. The contract must also set requirements for regular instructional opportunities in real time, such as meetings with teachers or educational field trips.

Idaho cybercharter schools must include additional information in their charter proposal, including the role and
availability of online teachers, plans for teacher-student interaction and feedback, methods of technical assistance for online classes, and a plan for ensuring equal access for all students.

Cybercharter schools in California are governed by the state’s charter school laws as well as the laws regarding independent study. Under the independent study law, students must make satisfactory educational progress, which is defined by applicable statewide accountability measures along with the completion of assignments and exams to demonstrate that they are learning required concepts and progressing toward the successful completion of the course.

In Arizona, students can be disallowed to continue at an online school if their academic progress is not maintained. This can be due to failure to comply with testing requirements or if the student’s academic achievement declines while in the online school.

**For added accountability, some states are using the performance-based funding model to finance cybercharter schools.**

In Florida, cybercharter schools—like all online schools in the state—are funded by the Education Finance Program, which bases funding on “successful completions” rather than on seat time.\(^3\)

**States may specifically direct cybercharter schools on how they must report student participation.**

Students of online schools in Arizona are required to keep a daily log of the amount of time they spent working on their online school work. South Carolina law does not allow for fully online charter schools; at most, 75 percent of a student’s core academic instruction can be administered online. Michigan charter schools may adopt a blended learning model, in which 50 percent of instructional time is required to be delivered in person.\(^4\)

**Like general charter school laws across states, cybercharter laws vary in their requirements for teacher certification. They also may impose regulations on teachers meeting in real-time or face to face with students and parents.**

South Carolina cybercharter schools must comply with the charter requirement that no less than 75 percent of teachers be certified, and biweekly parent-teacher conferences are required in person, electronically or by phone.

All cybercharter school teachers in Michigan and Wisconsin are required to be certified through the state system.

Cybercharter school students in Oregon must meet with their teachers at least twice a week through various means—in person, via telephone or using other technology—and must meet with their teachers in person at least six times in the school year.

To make sure that students are on track toward “satisfactory educational progress,” California cybercharter school teachers and students are required to speak on the phone or over other live visual or audio connections at least twice a month.

**Additional regulations on cybercharter schools may also include:**

Some states—including Michigan, Oregon and Pennsylvania—require that online charter schools provide students with a computer and provide a subsidy to their families for the cost of adequate internet access.

Ohio limits the number of new internet- or computer-based community schools that may open each year with the approval of the state superintendent of public instruction.

Michigan refers to their cybercharter schools as “Schools of Excellence,” and they have enrollment limits based on the number of years the charter school has operated.\(^4\)

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