



AUGENBLICK,
PALAICH AND
ASSOCIATES

Final Report of the Online Task Force: Recommendations for improving the quality of online K-12 education

Prepared for

Colorado Department of Education

By

Augenblick, Palaich and Associates

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Executive Summary

The Online Task Force was created and convened in 2014 in response to Colorado HB 14-1382. The Online Task Force was charged with providing recommendations for: standards for authorizers of multi-district online schools; regulatory and statutory changes necessary to certify and to discontinue certification of those authorizers; establishing the frequency of and timeline for certification and recertification; the effect(s) on a multi-district online school if its authorizer loses its certification; establishing parameters, duration, and methods for evaluating pilot programs; and to provide additional recommendations as needed.

This document represents these recommendations.

A task force of 15 (13 of which were voting members) was convened by the Colorado Department of Education from August through December of 2014. Members reviewed and received information from a breadth of sources, critically debated the issues and language associated with their charges, and created a set of recommendations for authorizer standards, pilot programs, and other recommendations.

It was the intent of the task force members to improve the quality of online education for all students, as measured by outcomes, through adoption and implementation of the recommendations within this report.

NEED MORE HERE, ONCE EVERYTHING IS FINALIZED WILL HAVE MORE CONTENT

Introduction

This report is the result of work by the Colorado Department of Education's Online Task Force (OTF), formed by the State legislature through HB 14-1382 and convened by the Colorado Department of Education (CDE) in August, 2014.

This report is comprised of three sections. The first section discusses the prior online education consortiums, commissions, and task forces which led to the convening of this OTF. The second section describes this OTF, including its legislative charge. The third section details the recommendations of this OTF, including authorizer standards and associated rules and regulations, pilot programs, and other recommendations.

Background

When the Colorado General Assembly enacted House Bill 14-1382, concerning the delivery of online education within the public elementary and secondary education system, it continued nearly two decades of online education policymaking.

In 1998, the first multi-district online effort in Colorado was a collaborative effort of several Colorado school districts. This collaborative resulted in the Colorado Online School Consortium (COSC). The intent of the COSC was to create an affiliation of online school providers to share best practices and resources for online education. The COSC ultimately received a Technology Learning Challenge Fund grant and provided online advanced placement (AP), enrichment and remedial courses to Colorado students.

In 2001, the Colorado Department of Education (CDE) formed the E-Learning Task Force (ELTF). The ELTF assisted the COSC in its transition to Colorado Online Learning (COL). This transition allowed COL to receive a federal grant, and to provide supplemental online courses. Additionally, the ELTF made recommendations that resulted in the 2002 legislative action regarding online education.

The 2002 session of the Colorado General Assembly defined and authorized on-line programs, and created a funding mechanism for online students, through HB 02-1349, section 22-33-104.6, III(4).

In November, 2006, the Office of the State Auditor published a Performance Audit on Online Education. That report found accreditation processes and oversight practices of online programs lacking in rigor and quality.

In response to this, the Donnell-Kay Foundation (DLK), a private family foundation whose mission is to improve public education through school reform in Colorado, convened the Trujillo Commission. The Trujillo Commission sought to provide policy recommendations as response to the 2006 Performance Audit findings. The Trujillo Commission published a report with eight recommendations that was used by the CDE and the Colorado General Assembly to make online education policy changes. Those recommendations ranged from the creation of the CDE Online Division, to funding COL to support their

provision of supplemental online courses. The legislature adopted the Trujillo Commission's recommendations, including for CDE to adopt standards and certify multi-district online programs.

On January 30, 2014, the General Assembly formed the K-12 Online Education Commission. That commission was supported by DLK to provide recommendations for improving the quality of online K-12 education. Several recommendations from that commission were adopted in statute through HB 14-1382. Those adopted recommendations were:

1. Amend the definition of "on-line program" and "on-line school"
2. Reduce the timeframe for the transfer of student records from 30 days to 14 days
3. Change the focus of the State Board of Education (SBE) certification process from multi-district online schools to multi-district online authorizers, the latter of which would be charged with certifying multi-district online schools
4. Convene a stakeholder group to develop recommendations for quality practices and standards for multi-district online authorizers
5. Convene a stakeholder group to assist in the establishment and implementation of pilot programs.

The Online Task Force was created to specifically address numbers four and five above.

Online Task Force

The OTF was convened by the CDE in August, 2014. The OTF is comprised of 15 members, 13 of which are voting. Parents, teachers, administrators, authorizers, and CDE staff are represented on the OTF (Appendix A).

Legislative Charge

The legislative charges of the OTF, per HB-14-1382, are:

- To review best practices and authorizing standards for overseeing and administering multi-district online schools in Colorado, across the nation, and internationally
- To recommend quality standards and practices for authorizers of multi-district online schools
- To recommend regulatory and statutory changes necessary to certify and to discontinue certification of authorizers of multi-district on-line schools
- To recommend the frequency of and timeline for certification and recertification of authorizers of multi-district on-line schools
- To make recommendations regarding the effect on a multi-district online school if its authorizer loses its certification
- To make other recommendations concerning multi-district online schools and authorizers of multi-district online schools
- To establish parameters for selecting, duration of programs, and methods for evaluating pilot programs
- To solicit input from stakeholders

- To provide written recommendations to the State Board

OTF Meetings

The OTF members held eight meetings between August and December, 2014. The meetings were facilitated by John L Myers and Melanie Sloan, with APA Consulting (APA). Sunny Deyé, with the National State Conference of Legislatures (NCSL), provided research assistance.

Members were able to participate in the meetings in person or through internet and/or phone connections. To guide meeting and member work and dialogue, OTF members established and adhered to ground rules. The OTF used modified consensus for substantive decision making.

OTF members and meetings were subject to Sunshine Laws. These laws require that all meetings, communications, and information were open and available to the public. In addition, CDE catalogued OTF meeting recordings, materials, and resources to a public webpage:

(<http://www.cde.state.co.us/onlinelearning>).

Per open meeting guidelines, guests were welcome to attend OTF meetings, either in person or through internet or phone connections.

Work of the Task Force and Its Members

OTF members periodically completed homework to facilitate in meeting work. These tasks included soliciting feedback on rules and regulations for CDE statute revision; reviewing example authorizer standards (charter and/or online); identifying problems authorizer standards could address; and writing and/or editing authorizer standards, pilot programs, and/or other recommendations language.

To more fully understand the current state of online education, OTF members also submitted data requests. These requests were fulfilled by NCSL, CDE, and APA. Data requests included reports and analyses of online school performances and their practices; examples of authorizer standards policies; and rankings of all Colorado schools, by SPF. These data were shared with OTF members, discussed in OTF meetings (when appropriate), and made available to the public via the CDE OTF webpage.

The OTF solicited expert presenters to broaden their knowledge of current practice and to anticipate the impacts of their recommendations (Appendix B). The CDE presented on existing statutes and associated rules and regulations pertaining to online education, with specific focus on funding. The National Conference of State Legislatures presented the results of their national policy scan of authorizer standards (and charter authorizer standards when online authorizer standards were found to be lacking: i.e.: MN, and OH). DLK presented on the prior work and recommendations of the K-12 Online Education Commission. Exemplary on-line school administrators shared their challenges, successes, and responses to the authorizer standards work of the OTF. The National Association of Charter School Authorizers presented a scan of national and state policy and practice, and made recommendations for consideration for and implementation of authorizer standards.

The CDE facilitated a survey of the four top and four bottom ranked (by performance rating) multi-district online schools. The CDE emailed those schools survey questions seeking to identify successes;

challenges; useful changes that could improve their work; how their current authorizer supports them, and if that is different than their support of brick and mortar schools; and how a change in authorizer (if applicable) impacted their work.

The OTF also solicited public input and provided for public comment at selected meetings. Thirty to 45 minutes (in three to five minute increments) was allocated for public comment in each of meetings five through seven. Comments were received through in person presentations, electronic (email or chat board posting) submissions, and by phone. A summary of these comments is provided in Appendix C.

Recommendations

OTF members prioritized their work to focus on authorizer standards first, followed by rules and regulations, pilot programs, and other recommendations. The resulting recommendations are listed in that order below.

Authorizer Standards

The OTF referenced charter authorizer standards from Minnesota and Ohio, and the NACSA Principles & Standards for Quality Charter School Authorizing; solicited expert testimony; received public comment; and engaged in lengthy debate to develop recommendations for authorizer standards. The result of that work is a set of standards that are clear, concise, and coordinated (with existing regulatory assessment and reporting requirements, when possible).

These standards are intended to ensure approved authorizers are competent and efficient with oversight duties, such as the assessment and interpretation of data (including, but not limited to, achievement and growth outcome and other data included in the CDE's School Performance Framework report). These approved authorizers should be able to identify a multi-district online school's capacity, performance, growth, successes, and failures—across the scale of performance rated schools—and to competently provide necessary authorization activities.

Under these standards, an authorizer of multi-district online schools would have to demonstrate their commitment and capacity; clear and transparent application and decision making processes; clear parameters for use of Education Management Providers (EMP); transparent and timely oversight and evaluation practices; and defined review and accountability protocols.

INSERT STANDARDS HERE

Rules and Regulations

Need language here.

Pilot Programs

The OTF was charged with establishing the parameters for, duration of, and methods for evaluating pilot programs.

NEED TO INSERT THE WORK OF THE OTF ON PARAMETERS/DURATION/METHODS FOR EVALUATING

The OTF also provided recommendations for pilot programs, using a modified version of the pilot program objectives identified by the K-12 Online Education Commission and included, by reference, in HB 14-1382.

The recommended pilot programs include, but are not limited to (listed in no particular order): course-level, proportional & competency-based funding; expanded student accountability measures; improved student count measures; tiered interventions; and requirements and responsibilities of student success.

Pilot programs did not receive funding during the prior fiscal year legislative session. However, future prioritization for funding should be given to pilot programs that best fit the above recommended parameters.

Other Recommendations

Despite the significant charges the OTF had to accomplish in a short time, the OTF members decided to take advantage of the opportunity provided by section 22-30.7-112 (4)(a)(IV) of HB 14-1382 and make additional recommendations concerning multi-district online schools and authorizers of multi-district online schools.

To that end, the other recommendations of the OTF are, but not limited to, (in no particular order): drop in/learning centers, transfer rates, and school count processes (including identifying and addressing overlaps between online and brick and mortar schools, the use of compulsory attendance and hours in schools, and daily membership tracking).

NEED TO INSERT THE WORK OF THE OTF ON OTHER RECOMMENDATIONS HERE

Conclusion

Appendix A

Task Force Members

Judy Bauernschmidt (Parent), Jefferson County's 21st Century Virtual Academy

Brian Bissell (Parent), Colorado Virtual Academy

Scott Campbell (Superintendent), Widefield School District #3

Joe Dinnetz (Teacher), LPS Voyager

Leanne Emm¹ (Associate Commissioner, Public School Finance), Colorado Department of Education

Diana Gamboa (Director of Online Learning), Boulder Valley School District & Head of School

Ethan Hemming (Executive Director), Colorado Charter Institute; **CHAIR**

Chaille Hymes (Principal), Colorado Connections Academy

Renee Martinez (Online & Blended Learning Specialist), Colorado Department of Education

Dale McCall (Executive Director), Colorado BOCES Association

Kim McClelland (Executive Director/Zone Superintendent), Colorado Digital BOCES/Falcon School District 49

Gretchen Morgan¹ (Executive Director, Choice and Innovation Unit), Colorado Department of Education

Dan Morris (Executive Director), eNet Colorado

Amy Valentine (Executive Director), Insight School of Colorado, and Colorado Preparatory Academy

Linda Van Matre (President, Board of Education), Academy School District 20

¹ Non-voting member

Appendix B

Presenters

NCSL: Josh Cunningham and SunnyDeyé

DLK: Matt Samelson

Calvert: Elizabeth Davis

NACSA: Alex Medler

PSD Global Academy: Heather Hiebsch

DRAFT

Appendix C

Public Comment

Kris Enright (10/27/14)

Good morning.

Thank you for allowing me to address you today. My name is Dr. Kris Enright. I am the assistant state director for GOAL Academy. I am also the Vice President of the Colorado Cyberschool Association. I am the Colorado League of Charter schools Membership Council online representative, the online consulting expert for the Association of American Educators, and serve as board president of Calvert Academy, one of Colorado's highest performing online schools.

Over the last 25 years, I have taught in brick and mortar and online settings. I have served as an elementary, middle, and high school brick and mortar and online principal. I have taught at the community college and graduate school level. For more than 15 years, I have studied, led, taught, and consulted in online schools. I have participated in numerous online panels and research studies. I helped create one of Colorado's first online principal licensure programs. I have evaluated online charter applications for the Colorado Charter School Institute, have served on online school evaluation teams, and have served as an online consultant in more than twenty five districts, schools, and organizations across the country and here in Colorado.

I appreciate this commission's efforts towards developing district online authorization standards and pilot programs. I support your work to ensure that every Colorado student has the opportunity to attend a high quality online school. However, I take exception to two comments which have been oft repeated during your prior meetings, without counter. Today, I am here to challenge these statements and offer two reminders to this commission.

Reminder Number One:

Colorado's children are not the property of the district in which they and their families live. Twenty four years ago, The Public Schools of Choice Act of 1990 afforded families the right to enroll their children in any Colorado school, including schools outside their district of residence. 1993's Charter Schools Act and 1998's online education bill both provided families with additional innovative school choices, further promoting Colorado parents' rights to select a school which best meets the needs of their children, not limited to the district in which they live.

My wife and I share this belief. We have chosen to enroll eight of our ten children in online education programs offered outside the district in which we live. Because we have been able to enroll our children in schools of choice, our children have been able to volunteer at food banks, animal rescues, and homeless shelters. Our children have been able to devote time to church and community activities, scouting, athletics, and college through concurrent enrollment. As a result of our ability to choose programs not offered by the district in which we live, our two older sons earned their eagle scouts, high school diplomas, and associate degrees at eighteen and are now serving two year missions in Chile and Argentina. Our daughter earned her Bachelor's degree from CSU at age 20 with a 4.0 and is now serving a mission in Texas. All are paying for missions or college themselves with money they earned while working part-time and attending an online school. Our other children are all on track to do the same thing.

Thus, I as well as many others are troubled by members of this commission who have at every commission meeting repeatedly accused online schools of enrolling THEIR students. These children of which you speak are not your property, nor that of any district in which they live. Students who attend online schools, like tens of thousands of other students and their parents have examined their school options and have chosen to enroll their children in a school that best meets their needs.

My online colleagues and I are not alone in placing the interests of families and children ahead of those of districts of residence. This belief is evidently shared by the Colorado Charter School Institute. For, according to CSI's 2013 strategic plan, in outlining its strategies "to remove or reduce the statutory barrier that restricts CSI from authorizing and supporting charter schools in the vast majority of districts in Colorado...

Exclusive chartering authority serves to ensure that the geographic district has first right of refusal to authorize new charter schools in its boundaries. While it is understandable and clearly serves the district's interests, it does not consistently ensure that charter schools have a choice in authorization providers. This limitation on choice is not believed to be in the interest of the schools and families they serve."

I, like many others agree with CSI. Parents, not districts should be able to choose what is best for their children. And, the school in which those children are enrolled, whether they are online or traditional within or outside a district, are bound to do whatever it takes to meet those needs and provide the student with the best possible chance for success.

I therefore encourage commission members to be mindful when referring to students. They are not property. Instead, as educators we all share in the responsibility to work together with families to serve all students, providing a variety of options, either online, blended or traditional, which meet the full spectrum of student needs and are not limited to the options their local district chooses to provide.

Reminder Number Two:

Colorado's students, their teachers, and schools should not be snubbed, maligned, or treated as inferiors simply because they learn, teach, and operate online. Whether it's because online schools are different, a threat to the status quo, or for whatever reason, over the last 15 years, Colorado online students, online educators, and online schools have been treated differently, of lesser worth, often with complete disdain and an utter lack of respect. Online schools have been the focus of witchhuntlike accusations, often designed to misdirect public opinion, foster panic, often using inaccurate information which serves to justify unequal treatment.

For many years, different from traditional schools, Colorado families couldn't enroll their children into online schools without first attending a semester in a brick and mortar setting. At one point, different from traditional schools, CDE staff determined that students couldn't enroll in online schools if they had earned D's or F's in their prior school. A short time later, again different from traditional schools, online schools were told that only wet signatures would be allowed on certain enrollment documents.

Again different from traditional schools, for more than a decade, online schools have been required to provide ever changing and ever increasing data for October count, now a massive sixty day effort, in some cases submitting thousands of data points over an 11 day window, only to be overruled by a traditional school which claimed a student who spent 10 minutes in the school office to pay a library or lost book fee. This fall, if a family elects to enroll their child in an online school, regardless of the funding level of their neighborhood school, their child's online school will receive different funding, the lower online rate.

For many online students once referred to by a state authority as, pasty whiteskinned students who spend their days on computers in basements, the last 15 years have been especially challenging. Across the state, some local districts have refused to forward student records to online schools, have forbidden online students to attend dances or other public events, have sought to prevent online students from participating on school or community sports teams, or have even told online students when they come to their local school to pick up a sibling that they are trespassing and must leave immediately or the police will be contacted. These students were "theirs" up until they enrolled in an online school. Then they became outsiders.

For more than a decade, my online peers and I have attended meetings like this, treated as second class educators, accused of "stealing kids," even as we continue to serve thousands of students who have not been served by or who have been asked to leave their local district, sometimes actually driven to our offices by local school district staff and told to enroll in our online school.

At the last meeting of this commission, one commission member referred to my online school, stating "they are eager to enroll students on October first but quick to send them back [to the local district] on November first."

With all due respect, I submit to this group that this is inaccurate. In response, please consider one of GOAL's education zones located in that same Colorado Springs district, opened in fall 2013 to serve the needs of nearby students. At this Education Zone, different students drop in daily for 30 to 90 minutes to meet with counselors, obtain tech support, receive tutoring, or participate in proctored testing.

Since opening the site, 44 students from the local district have chosen to enroll in GOAL:

- 33 are still with GOAL
- 5 have graduated.
- 1 has moved out of state
- 1 has transferred to a different district in State
- 1 has transferred to job corp.
- 2 dropped out of school
- 1 returned to the local district

And who are these students, of the 44 students who came from the local district:

- 2 had been committed to Department of Human services following adjudication
- 33 came with truancy issues
- 6 have drug/alcohol issues

- 5 have parents with drug/alcohol issues
- 5 have parents in prison, on parole/probation
- 6 are parents
- 5 have experienced domestic violence
- 5 have histories of repeated school suspensions
- 3 have a documented history of serious psychiatric or behavioral disorders
- 6 were expelled or instructed by their local district to “not come back”

These students came to GOAL from their local district an averaged of 3.72 credits behind where they should have been and ranged from 2 to 5 grade levels behind in math and reading.

When asked why they came to GOAL, reasons included: bullying, drama, a lack of individual attention, the need to work full time, the death of a baby, anger issues, or were told by their district not to come back. These students and their families chose GOAL Academy in response to their unmet needs. We at GOAL are working desperately to serve these students and, like we do across the state in many other districts, we are very willing to work with the local district to find innovative ways to help these students.

Online schools, online teachers, and online students may be different, but those differences shouldn't lead to animosity, false accusations, and continuing second class treatment accompanied by higher expectations than those placed on traditional counterparts. Online schools are largely run by passionate educators who, like those in traditional schools, want all students to succeed. Most of us in online came from traditional schools, but saw too many students failing, leaving the system, and wanted to do something about it.

Like traditional schools, online schools are not perfect but are working hard towards perfection. Online schools share common goals and accountability requirements with traditional schools and are more similar than different. Originally ignored, then laughed at, then hated, now emulated, online education will be a part of all our futures. We have much to share and learn from one another if we can simply stop pointing fingers, stop obsessing about our differences, outgrow our compulsion to discriminate, and collaborate to serve all students.

So, as you consider how to empower districts to authorize online schools, as you imagine potential online pilot programs, I encourage this commission to be mindful of our shared responsibility to work towards serving all of our students regardless of how or where they go to school.

Thank you.

Heather O'Mara, Hope Online

Heather represents Hope Online, a nonprofit charter school serving 3,000 elementary, middle, and high school students. Hope is the only multi-district online school in Colorado with learning centers (Hope has MOUs with each district in which they work). Hope also switched authorizers, changing from providing no support to one providing full support.

Heather read a statement and will share a copy of her complete statement to CDE.

Heather encouraged the OTF to treat all schools similarly, regardless of modality.

Heather urged the OTF to make the authorizer standards:

- Guidelines and not statutory requirements
- Include a process for CDE to follow
- Recognize CDE's role of supporting innovation
- Not be prescriptive
- Allow for local school district autonomy
- Address the fact that some districts haven't taken accountability seriously
- Does not adopt a timeline that will force a shutdown of schools mid-year if the process is not completed in time
- Does not make additional recommendations

Shane and Margaret Chavez (email)

Dear Online Task Force Members,

Our family is involved in online schools in Colorado. We are concerned that the outcome of this task force will negatively affect our family's choice in education. We ask that you do not make decisions that will harm choice. We ask that you do not create a certification for authorizers, just guidelines. Furthermore, we ask that our authorizer and our school be grandfathered into these new guidelines. Finally, we believe that we do not need to ask permission from our home district to send our children to the school of our choice. Please consider the needs of parents before you make your recommendations.

Thank you for your time in listening to our concerns,

Shane and Margaret Chavez

Gary Potts (email)

Dear Online Task Force Members:

My family is involved with online schools in Colorado. I am concerned that the outcome of this task force will negatively affect my family's choice in education.

My Son, Patrick Potts, attended Branson School Online for all four years of High School.

Our reasons for Home Schooling and using an Online School were many:

We were tired of the violence in the school system, the bullying of certain students who didn't look or act "Right"

We had a student commit suicide in the parking lot, in his parent's car, at lunch time, from Bulling and not "fitting in"

The drugs that was available to anyone near the schools

The run-away sex that was going after the Gym class

The music that was forced on students with many sexual, demonic and “hate the authorities” themes are just a few.....

Patrick is now a rounded, courteous, respectful Junior College student with a 4.0 grade point avg. as a Science / Mathematics Major
With most all his classes Online!

I ask that you do not make decisions that will harm choice.

I ask that you do not create a certification process for authorizers, just guidelines.

Furthermore, I ask that my authorizer and my school (Branson School Online) be grandfathered into these new guidelines.

Finally, I believe that I do not need to ask for permission from my home district to send my child to the school of my choice.

Please consider the needs of parents before you present your recommendations.

Thank you for taking the time to hear my concerns.

Gary Potts

Emerald Zeitz (email)

Dear Online Task Force Members,

My family is involved with online schools in Colorado. I am concerned that the outcome of this task force will negatively affect my family’s choice in education. My daughter did not thrive as she is at the regular brick and mortar school she attended for 7 years. She is now thriving doing online public school at Colorado Public Academy.

I ask that you do not make decisions that will harm choice. I ask that you do not create a certification process for authorizers, just guidelines. Furthermore, I ask that my authorizer and my school be grandfathered into these new guidelines. Finally, I believe that I do not need to ask for permission from my home district to send my child to the school of my choice.

Please consider the needs of parents before you present your recommendations.

Thank you for taking the time to hear my concerns.

Sincerely,

Emerald Zeitz

Appendix D

Materials

Trujillo Commission, K-12 Online Education Commission

MDE

NACSA

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