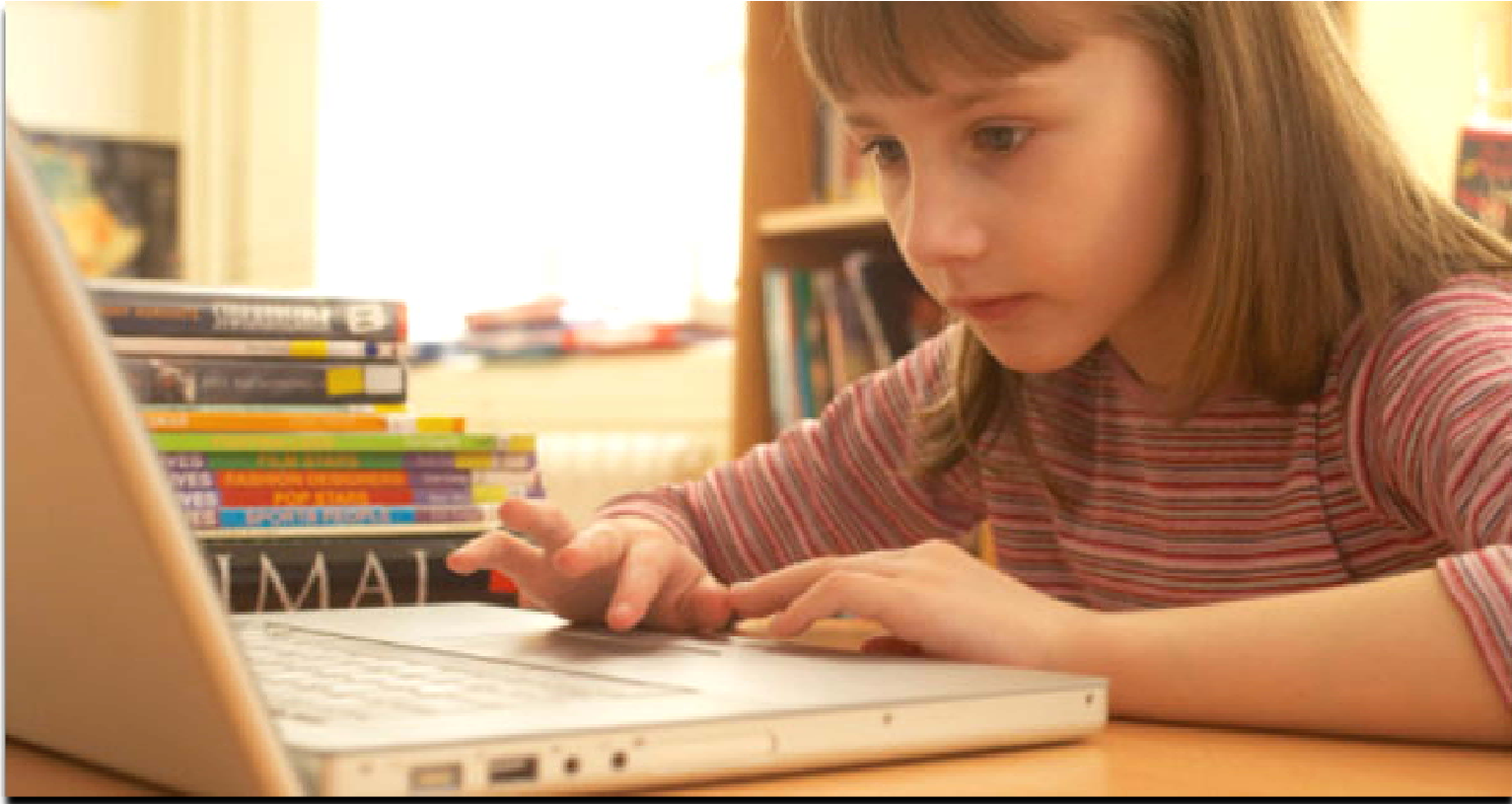


# VIRTUAL K-12 PUBLIC SCHOOL PROGRAMS



AND STUDENTS WITH DISABILITIES: ISSUES AND RECOMMENDATIONS

**A Policy Forum Proceedings Document**

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JULY 2010



Project Forum at National Association of State Directors of Special Education (NASDSE) is a cooperative agreement funded by the Office of Special Education Programs of the U.S. Department of Education. The project carries out a variety of activities that provide information needed for program improvement and promote the utilization of research data and other information for improving outcomes for students with disabilities. The project also provides technical assistance and information on emerging issues and convenes small work groups to gather expert input, obtain feedback and develop conceptual frameworks related to critical topics in special education.

This report was supported by the U.S. Department of Education (Cooperative Agreement No. H326F050001). However, the opinions expressed herein do not necessarily reflect the position of the U.S. Department of Education, and no official endorsement by the Department should be inferred.

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## ACKNOWLEDGEMENTS

Project Forum extends its sincere appreciation to the policy forum participants who developed the content and reviewed an earlier draft of this document. Their efforts have served to enrich the quality and accuracy of this document.



# VIRTUAL K-12 PUBLIC SCHOOL PROGRAMS AND STUDENTS WITH DISABILITIES: ISSUES AND RECOMMENDATIONS:

## **A Policy Forum Proceedings Document**

### **INTRODUCTION**

Virtual education is instruction in a learning environment where the teacher and the student are separated by time, space or both; and the teacher provides course content via course management applications, multimedia resources, Internet, video conferencing or other alternatives to traditional face-to-face education. Terms commonly used to describe particular types of virtual education include 'distance education,' 'online learning' or 'e-learning'; and 'blended,' 'hybrid' or 'brick-and-click' programs (which combine both building-based and out-of-school virtual programming).

### **Virtual Public School Programs**

The virtual kindergarten through grade 12 (K-12) public school landscape is rapidly expanding. From 2002 to 2007, the

National Center for Education and Statistics (NCES) reported a 60% increase in K-12 distance education enrollments (Zandberg & Lewis, 2008) and estimates of the total number of K-12 students enrolled in online courses ranges from 500,000 to one million (Picciano & Seaman, 2007; Watson, 2007). According to a recent national survey of local education agency (LEA) administrators, school districts anticipate that online enrollments will continue to grow (Picciano & Seaman, 2007).

The number of state-level virtual public schools has also increased significantly over the past five years, with 15 state-level virtual public school programs in 2004 (Hassel & Terrell, 2004) and 27 in 2009 (Watson et al., 2009). While state-level virtual public school programs are most likely to offer courses at the high school level, at least 12 states also offer K-8 virtual public school options (Revenaugh, 2005/2006).

## Virtual Public School Programs Serving Students with Disabilities

Although little is known about how virtual K-12 public school programs are serving students with disabilities, two recent National Association of State Directors of Special Education (NASDSE) studies (Müller, 2009; Rhim & Kowal 2008) found that students with disabilities are choosing to enroll in virtual public school programs and that the percentage of students with individualized education programs (IEPs) enrolled in these programs ranged anywhere from zero to 14%. While survey respondents identified a number of benefits to serving students with disabilities in virtual K-12 public school environments, findings highlighted the need for additional guidance pertaining to the policy and practice of providing special education and related services in a virtual context.

To address this need, Project Forum at NASDSE convened a policy forum in February 2010 to identify the challenges associated with serving students with disabilities in virtual K-12 public school programs and develop policy recommendations to address these challenges. Project Forum conducted this policy forum as part of its cooperative agreement with the U.S. Department of Education's Office of Special Education Programs (OSEP).

## PLANNING FOR THE POLICY FORUM

Project Forum, in conjunction with OSEP, outlined three expected outcomes for the policy forum:

- Identify issues/challenges related to serving students with disabilities in virtual K-12 public school programs.
- Identify what works related to providing special education and related services to students with disabilities in virtual K-12 public school programs.
- Develop policy recommendations to address the identified issues.

Project Forum, in conjunction with OSEP, identified and invited policy forum participants from a wide range of stakeholder groups. A total of 29 participants attended the policy forum, including representatives from federal and state education agencies (SEAs); virtual school representatives; a parent representative; organizations representing teachers and related service providers and others. See Appendix A for the complete participant list.

In early February 2010, Project Forum facilitated an online focus group in order to identify key issues in the provision of special education and related services in the context of virtual K-12 public schools. Project Forum used the IDEA Partnership's Sharedwork website<sup>1</sup> and participants were asked to comment daily about the issues raised by the participants. At the end of the week, the focus group

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<sup>1</sup> To visit the Sharedwork website go to <http://www.sharedwork.org/>.

facilitators summarized the discussion and grouped key issues into themes that were later used to guide the face-to-face portion of the policy forum.

In late February 2010, Project Forum held the face-to-face portion of the forum in Alexandria, Virginia. This included a state-of-the-nation report on virtual K-12 education and students with disabilities, a panel presentation and large group discussion of “What Works,” and small group discussions to generate recommendations for policy and practice as well as action plans for a few key recommendations. See Appendix B for a copy of the agenda.

## **STATE-OF-THE-NATION REPORT**

Dr. Lauren Rhim with LRM Consulting (see Appendix A for information on LRM Consulting) presented the following information about the current online learning landscape:

- During the 2008-2009 school year, state virtual K-12 public school programs operating in 27 states provided roughly 320,000 course enrollments (i.e., one student taking one semester-long course) in for-credit courses.
- The Florida Virtual School is by far the largest state virtual K-12 public school program, with more than 150,000 course enrollments in 2008-2009.
- Although most state virtual K-12 public school programs are supplementary as opposed to full-time, there are currently 175,000 full-time students attending online schools throughout the nation.

- Outcomes for students enrolled in virtual programs appear to be positive. According to the U.S. Department of Education (2009), students in online learning conditions are performing better on average than those receiving face-to-face instruction. The differences in achievement were greatest in conditions that blended online and face-to-face education, which frequently resulted in additional learning time.
- The number of K-12 public school students enrolling in a technology-based distance education course grew by 65% from 2002-2003 to 2004-2005.
- An estimated one million K-12 students took an online course during 2007-2008.
- Many online schools are affiliated with national educational management organizations (e.g., Advanced Academics, Connections Academy, Insight Schools and K12 Inc.).

As a result of this exponential growth in virtual schools and virtual school enrollments, there are numerous evolving online policy issues. State policies pertaining to access, funding and quality impact the growth of online learning opportunities. Dr. Rhim recommended using caution as this transition takes place and posed the following questions:

- What are the implications of this expansion in virtual learning for students with disabilities?
- How do virtual schools address the unique educational requirements of students with a diverse array of

disabilities in accordance with the requirements of IDEA?

- What, if any, challenges have virtual schools encountered related to educating students with disabilities and how have they addressed these challenges?

Dr. Rhim then summarized the finding from her recent study, *Demystifying Special Education in Virtual Charter Schools* (Rhim & Kowal, 2008). This NASDSE

study, funded by the U.S. Department of Education, examined the outgrowth of policy and practical questions about educating children with disabilities in the emerging virtual school sector. The authors reviewed literature, websites and state policy documents and conducted interviews with 18 representatives from virtual charter school providers and other key informants.

Key findings from the Rhim and Kowal study include the following:

*"Technology has enormous benefits for the learning process, and promises to change the nature of schooling and heighten its productivity. Curricula, teaching methods, and schedules can all be customized to meet the learning styles and life situations of individual students; education can be freed from the geographic constraints of districts and brick-and-mortar buildings; coursework from the most remedial to the most advanced can be made available to everyone; students can have more interaction with teachers and one another; parents can readily be included in the education process; sophisticated data systems can measure and guide performance..."* (Moe & Chubb, 2009).

- Virtual schools that cater to individual students' unique learning needs are aligned with the intent of IDEA and have the potential to open new educational opportunities to children with disabilities alongside their peers without disabilities.
- The virtual environment is appealing to parents of children with disabilities for the following reasons:
  - They provide an individualized program and pacing.
  - They provide extensive opportunities for parental involvement.
  - They allow for the use of technology as an extension of existing assistive technology (AT) for children with disabilities.
  - They provide frequent and immediate feedback.
  - There is a variety of presentation formats and personalized instruction.
  - There is more control over the learning environment (e.g., flexibility of time and space).

The authors noted, however, that there are challenges associated with both demystifying the idea of special education in a virtual environment and actually providing special education and related services. These include:

- navigating complex laws and regulations that were developed without anticipation of educating students in a virtual environment; and
- building capacity associated with
  - identification and evaluation;

- IEP meetings;
- individualized supports;
- specialized personnel;
- access to the general education curriculum; and
- accountability and assessments.

Dr. Rhim shared the following recommendations from her 2008 study for addressing these challenges:

- Know and follow IDEA and related state policies and procedures pertaining to the education of children with disabilities.
- Recognize that compliance with IDEA is a floor and not a ceiling when it comes to educating children with disabilities.
- Develop and revise IEPs based on students' needs as opposed to school programs.
- Allocate resources to train general and special education teachers about teaching students with disabilities in a virtual environment.
- Provide related services, including transportation to services if necessary.
- Track student performance and provide early intervening services.
- Determine the need for, and provide technology required to ensure access to the virtual program.
- Accommodate each child's unique testing requirements.
- Engage parents.

In conclusion, Dr. Rhim emphasized that educating children with disabilities in a virtual environment requires an understanding of the policies and procedures prescribed in the law and related regulations as well as an understanding of and commitment to the spirit that underlies the law. She asked participants to consider what policies must be retrofitted to accommodate delivery of special education and related services in a virtual or hybrid (brick-and-click) learning environment and to focus especially on those issues that are unique to a virtual context (e.g., teacher credentials across state lines; funding across district lines; the role of parents, technology and peers; and the definition of least restrictive environment [LRE]). Most importantly, Dr. Rhim stressed that it is critical that people who are thinking about disabilities are sitting at the virtual K-12 education table so that serving these students is not an afterthought.

## **WHAT WORKS - PANEL PRESENTATIONS**

A panel of forum participants helped to identify what works when providing special education and related services to students with disabilities in a virtual environment. The panel included: Karen Cator (Office of Education Technology, U.S. Department of Education) representing a federal perspective; Brian Setser (North Carolina Virtual School) and Mary Watson (North Carolina Department of Instruction) representing a state virtual school perspective; Harvey Rude (American Council on Rural Special Education [ACRES]) representing a rural special education and institution of higher

education (IHE) perspective; Judith Schoonover (American Occupational Therapy Association [AOTA]) representing a related service provider perspective; and Ladona Strouse (Heart 2 Heart Parent Support Network, Inc., Pennsylvania) representing a parent perspective.

## **A Federal Perspective**

Karen Cator stressed the importance of getting students to engage with their materials, peers and teachers and recommended that educators focus on online textbooks, classrooms and courses because the virtual environment will increasingly be the space where students are accessing content. Ms. Cator noted that a draft of the National Education Technology Plan has been released and that the first section is focused on learning (e.g., how we can personalize learning and what options technology provides), while the second section addresses assessment (e.g., how students take embedded assessments, virtual or face-to-face, and educators use results to inform their understanding of what types of instruction students need). Ms. Cator stressed that teachers, and especially special education teachers, need to be connected to appropriate data, peers and experts and that virtual resources can help with this. In terms of infrastructure, she emphasized the importance of equity and access (e.g., the importance of universally designed materials and ensuring that all students have access to broadband). She concluded by noting that enormous challenges remain and that incentives for developing innovative special educational technologies are not always available. Her recommendations included working

with the National Science Foundation (NSF) and IHEs to identify ways of making the marketplace more inviting for developers.

## **A State Virtual School Perspective**

Bryan Setser and Mary Watson described the various ways in which the North Carolina Virtual Public School (NCVPS) currently provides services to students with and without disabilities. Mr. Setser explained that NCVPS offers four service options: classic, modular, mobile and blended. The classic service option includes 21 advanced placement (AP) courses, 77 honors and general studies electives and 10 credit recovery courses, which include many special education students. Whereas the traditional model requires that if students fail a class, they have to take the class again, the virtual model allows NCVPS to pre-assess students so that they only need to repeat those sections where they experienced difficulty. According to Mr. Setser, this allows NCVPS to catch students up to grade-level within a semester. NCVPS also offers professional development modules for superintendents, principals and educators so that they learn to work and collaborate using the same virtual systems as students. Although NCVPS's virtual high school has been in existence for some time, its K-8 virtual school is a recent enterprise. Mr. Setser noted that the staff have given much thought to the kind of interfaces they use in a K-8 environment, modeling them after Webkins and Club Penguin (e.g., chat rooms in a center-based environment) in order to make them more "kid friendly."

In terms of the modular option, NCVPS offers a week-long module or even a single lesson as opposed to a semester-long course. For example, a special education student may be enrolled in a face-to-face course, but have problems with polynomials. An online module could address this problem. Mr. Setser noted that one of North Carolina's IHEs has been active in designing active or 3-D virtual worlds. Instead of using satellite campuses, NCVPS now uses active worlds as satellites. In other words, students are logging on and requesting answers/support from teacher avatars. This allows for highly individualized instruction while acknowledging the reality of economies of scale. For example, NCVPS can work with 75 students in the same classroom using two to three teachers to interface with students. Tutors are also serving students online. Special education students may also go into a brick-and-mortar resource room and receive online tutoring while other educators handle classroom management.

The mobile service option refers to portable and personal learning. For example, with WiFi, students can access mobile services on the school bus. In terms of special education, modifications can be archived and preloaded on a student's technology device. In order to avoid waste, Mr. Setser recommended that we think about repurposing technology purchases and access. He provided the example of Wimba.com, the "holy grail of instant messaging." According to Mr. Setser, by using Wimba.com, students and teachers can share their desktop as part of an instant message. Other examples of repurposed technologies include i-Phones, Desktop Widgets and Windows-based devices.

The blended option involves both a face-to-face and a virtual teacher. According to Mr. Setser, this enables homebound services of a different quality for students with disabilities. Existing tools enable students to create their own presentations (e.g., using Animoto), customize textbooks for students with disabilities and create learning portfolios to support IEPs. Furthermore, two-way communication options allow for live IEPs (e.g., the virtual teacher can display screen shots of how the student is doing in order to document progress).

### **A Rural Special Education Perspective**

Dr. Harvey Rude of ACRES identified a number of best practices relating to serving students with disabilities in a virtual environment.

In terms of enrollment, he recommended that the process include the following: Special education records should be requested from parents or the previous administrative unit to include the current IEP and the most current eligibility documentation. Upon enrollment, students transferring from an online school should have a transfer IEP meeting and the IEP should be revised as needed; or upon enrollment, students transferring from a brick and mortar school should have a reevaluation as required by some states' policies and procedures. To facilitate reevaluation, IEP meetings can be held via conference call and should include the special education team, parents, student, a general education teacher

and a representative from the student's previous school. Upon enrollment, written notice should be provided to the district of residence.

He identified the following questions for discussion by members of the IEP team:

- What is the level and intensity of service required on the IEP?
- Has the student had positive experiences with computers or technology?
- Does the student require alternative curriculum and intensive support for instruction in daily living skills?
- Does the student require 1:1 adult support for new instruction, on-task behavior or task completion?
- Is the student transitioning from a residential or day treatment setting? If so, is the after-care plan to support the student's mental health needs?

In terms of provision of special education services, Dr. Rude recommended that direct and indirect special education services be provided via telephone contact, synchronous classrooms, student email and/or contracted providers.

He further recommended that accommodations be provided to students with disabilities as needed. Examples he provided of accommodations include: additional time on assignments; advanced copies of syllabi and/or course materials; textbooks in electronic form located at the online learning website; verbal explanations of assignments; information on assistive

computer software/hardware (screen readers); and/or archived recordings of synchronous classes as needed.

Dr. Rude shared the following steps to successful virtual education/special education:

- Contact students before the class starts to establish rapport and get information about the student's learning needs.
- Be knowledgeable about the student's accommodations and assistive technology needs.
- Return student e-mails/text messages daily including questions during asynchronous class sessions.
- Divide large groups into smaller groups for better discussion.
- Go beyond asynchronous class sessions and use other technology to include students.
- Communicate with students for a check-in but also discuss the students' status with course assignments and projects.
- Be aware of, and sensitive to, the cultural context.

## **A Related Service Provider Perspective**

Judith Schoonover provided an overview of what related services (e.g., occupational therapy, speech therapy, physical therapy, vision and hearing services) are in the context of public schools, and what those services might look like in virtual schools. She pointed out that IEPs, which establish the educational goals and the supports needed to achieve them, might also look different in virtual schools. Ms. Schoonover

indicated that speech therapists address language difficulties and school-based occupational therapists address the “occupations” of students in school, which can range from handwriting to dressing out for gym and navigating the psychosocial mores of middle school. Due to the training related service providers receive in anatomy, neurology and psychology, they are often interpreters of the impact of certain disabilities in the educational environment. She stressed that regardless of the setting (virtual or brick-and-mortar), related services should have a direct relationship to goals and objectives established in a student’s IEP. She noted that both the American Speech-Language-Hearing Association (ASHA) and AOTA have specifically addressed tele-rehabilitation and tele-health and have established policy statements for each. In terms of related services in virtual public schools, she noted that they will include more reliance on instructional and assistive technologies and described how commonly found technology tools such as iTouches in the classroom, PowerPoint slides that imitate dynamic screen voice output devices, inexpensive voice output devices that can sit on an iPod, and audio files used in conjunction with an MP3 player can be used to support students with disabilities.

Ms. Schoonover pointed out that speech therapists and occupational therapists are typically regarded as the experts regarding assistive technology and asked the question: “How do we get AT to educators, parents and students?” According to her, one way of bridging the gap is by taking advantage of computers and understanding what accessibility features, free downloads and software applications are available. Although children with the most severe disabilities are often allowed to

play on the computer while the teacher prepares the next lesson, she noted that a computer should be seen as a learning tool as well as a recreational tool.

She also broached the topic of related service providers’ need for virtual environment-specific competencies related to the set-up of learning environments to ensure success for students, and referred to the U.S. Department of Education’s National Education Technology Plan. Some of the things related service providers need to address include access to computers and other educational materials (e.g., alternative keyboards and mice, specialized software, switches, screen magnifiers and close-captioning), ergonomics, and environmental modifications such as reduction of ambient noise and minimizing of screen glare. According to Ms. Schoonover, it is critical that educators and related service providers also ensure that the content they have created and that any AT determined necessary accommodate students’ language and lexicon disabilities as much of virtual education seems to be language-based.

She concluded by suggesting that within a virtual context, related service providers, specifically occupational therapists, may function more as consultants, “think tanking” as opposed to, for example, providing 30 minutes per week of direct services. The issue is different for speech therapy, which can be either a related or a stand-alone service. According to her, related service providers should work collaboratively as part of a team of many professionals and related services should be embedded, rather than separate, and be used “top down” more frequently than “bottom up.” She cautioned, however,

that related services cannot be provided entirely in a virtual format. For example, she suggested that related service providers not overlook the manipulative component of education following the tenets of universal design for learning (UDL) and build in time for social interaction, sensory breaks and squeeze balls. According to her, although online education offers new educational options for students with disabilities, it is important that educators not be completely swayed by virtual “bells and whistles,” remembering the individual nature of each student and what each might require to be successful.

## A Parent Perspective

Ladona Strouse described her son’s recent experience in attending a virtual school. Her son has mental health diagnoses as well as traumatic brain injury (TBI), and, according to her, educational issues were difficult at first. A virtual school was not the family’s first choice because one or the other parent would need to be home most of the time. However, she and her husband chose a virtual school because the LEA considered his academic problems a spinoff of his “behaviors.” According to her, the virtual school has been flexible. The staff has adjusted her son’s schedule so that he has only one to three mandatory classes each day. Furthermore, because her son sometimes has difficulty with morning sessions, they appreciate the fact that the school records all sessions and he can watch them at any time of day. In order to ensure that students watch the sessions, a phrase is embedded in each, and students are required to submit the phrase as proof that they “attended” the session. Ms. Strouse noted that the

school’s virtual teachers have been willing to work independently with her son when necessary and the school has been accommodating of her son’s unique learning needs. For example, if her son has questions about recorded sessions, he can use instant messenger throughout day. Because the Strouse family lives in a rural area where the Internet is often intermittent, the fact that her son can use a Smartphone has been helpful for notifying his teachers when there is a problem with Internet service. The school also provides software to read text aloud to her son because he has difficulty with comprehension and easily gets frustrated when he cannot understand what he is reading.

## Discussion Following the Panel

Following the panel presentation, participants identified features of a virtual learning environment that are particularly effective for serving students with disabilities. For example:

- individualized support and instruction, tutoring, ongoing feedback and self-pacing;
- greater opportunity for students to take control of their own learning;
- multimodal presentation of content, allowing students to choose how best to access information;
- alternative means of social interaction via “chat” options, Facebook and other new social networking media;
- leveling of the academic and social playing field via new technologies;
- lack of peer distractions and/or peer conflict;

- opportunities for archiving work samples, video clips of students completing assignments/tasks, and online portfolios for use as a part of formative assessment and progress monitoring;
- emphasis on differentiated instruction;
- greater generalizability of the virtual education environment to many post-school work environments;
- additional choices for students and parents, including students with disabilities who leave school;
- a way of addressing the shortage of related service providers, especially sub-specialists, in rural and remote areas;
- the lack of stigma associated with virtual special education and related services; and
- potential cost-cutting.

## **KEY ISSUES AND RECOMMENDATIONS**

Based on the discussions during the week-long online focus group, facilitators summarized key issues and grouped them into seven themes: (1) personnel quality and preparation; (2) accessibility for students with disabilities; (3) accountability; (4) IEP issues; (5) roles and responsibilities; (6) financial issues; and (7) attitudes and expectations regarding virtual special education. Participants were given the opportunity to elaborate on these themes prior to and during the face-to-face portion of the policy forum (see Appendix D for a complete list of issues identified). Participants then broke into small groups to generate recommendations and create action plans

based on the identified key issue areas relating to serving students with disabilities in a virtual context. Recommendations are provided below and action plans are located in Appendix E:

### **Personnel Quality and Preparation**

*Key Issue: Accommodating special education teachers working across state lines*

- Adopt the Department of Defense Education Activity (DoDEA) or a legal model for teacher hiring in multiple settings and for streamlined reciprocity.
- Establish a competency-based teacher/provider licensure model.

*Key Issue: Developing and assessing specialized skills/competencies/dispositions to work in virtual special education context*

- Establish competencies required to teach effectively in an online environment.
- Establish standards for online teaching.
- Build the same competencies into hiring of virtual special education teachers.
- Offer disability-related competencies for teachers or administrators working in a virtual environment.
- Encourage adoption of International Association for K-12 Online Learning (iNACOL) teacher standards for virtual schools.

*Key Issue: Accommodating licensure requirements for related service providers across state lines*

- Develop flexibility in state codes for related services providers, grant licensure in other states, and reciprocity.
- Work with appropriate organizations to create reciprocity agreements to allow members to practice across state lines.
- Modify state codes to accommodate related service providers working across state lines.
- Encourage SEAs or certification boards (responsible for licensure) to have some sort of “streamlined reciprocity.”

*Key Issue: Lack of higher education training programs for special education providers preparing to work in online environments*

- Examine various models of service delivery with licensure (e.g., special education licensed teacher/provider and a virtual teacher/provider, co-teaching/team teaching model including face-to-face staff and a virtual teacher.

*Key Issue: Ensuring that teacher training incorporates issues unique to offering special education and related services in the virtual environment (e.g., developing virtual IEPs, accommodating models of delivery)*

- Develop content for teacher preparation programs.

*Key Issue: Training parents to support online learning*

- Build parent training into online/virtual programs.

- Offer training to parents as part of enrolling students.
- Collect data to understand what parents need in order to access/support virtual learning.
- Engage parent training and information centers (PTICs) to conduct parent training and use IDEA language about supplementary aids and services to free up funds for parent training through LEAs.
- Consider AT training as a model.

*Key Issue: Evaluating special education teachers working in an online environment*

- Develop a rubric to assess online teaching, particularly special education teaching and related service provision based on competencies.
- Construct evaluation systems similar to those for brick and mortar teachers, but specific to virtual special education personnel.

## **Accessibility for Students with Disabilities**

*Key Issue: Establishing standards for accessibility of virtual curriculum to students with disabilities*

- Require uniformity of standards/criteria for online content, tools, supports, software and/or websites used as part of the curriculum to ensure accessibility to students with disabilities

*Key Issue: Ensuring flexibility of virtual curriculum (i.e., ability to be modified/adapted for students with disabilities)*

- Develop seal of approval (e.g., “BOBBY approved”) for curricular materials presented in virtual school or online courses.
- Develop FAQs for parents that explain how online curriculum and resources can be modified for children with disabilities, including a glossary of terms/options.

*Key Issue: Ensuring that the relationships among the SEA, LEAs and virtual schools do not result in students with disabilities being denied admission*

- Obtain guidance from U.S. Department of Education on best practices or guidelines for admitting students with disabilities to virtual schools.
- Develop a decision tree set of questions to direct states’ development of guidelines/policies/recommendations regarding admittance procedures that recognizes cross-state differences.
- Ensure that the funding model supports accessibility for all students in virtual schools.
- Conduct recruitment and outreach to all students without discrimination.
- Conduct a study of admission/enrollment or denial of admissions for students with disabilities to virtual schools.

*Key Issue: Ensuring that TA and other supports (e.g., paraprofessionals) are available to students with sensory, cognitive and/or physical impairments*

- Ensure that technical and academic support systems (e.g., “Help Desks”) are robust enough to accommodate students with disabilities.
- Include AT and related services providers in efforts to make virtual education accessible to students with disabilities.

*Key Issue: Ensuring equitable access for students who could be served in a virtual environment (not just for students who have an adult at home during the work day and who can be actively involved in the monitoring of student engagement)*

- Develop best practices and suggestions for accommodating students with disabilities who are working at home when parents may not be present.

*Key Issue: Ensuring that a reasonable case load size is set, with variability built in for teachers with high need students*

- Develop state-level recommendations regarding class size/case loads for teachers serving students with disabilities in virtual schools.

## **Accountability**

*Key Issue: Ensuring that virtual schools do not open before they are ready to handle students with IEPs*

- Provide virtual school operators with necessary TA during the application and implementation processes to ensure that special education issues are adequately addressed.

*Key Issue: Tracking attendance*

- Ensure that parents are advised of attendance expectations for their children with disabilities.

*Key Issue: Monitoring student progress within virtual special education programs*

- Adapt progress monitoring procedures to include special considerations for virtual settings.

*Key Issue: Establishing program standards for special education in virtual schools*

- Establish at the state-level a minimum level of standards for virtual schools.

*Key Issue: Monitoring of virtual public special education programs*

- Establish system for monitoring of services to students with disabilities in state- and local-level virtual public schools
- Add a section to OSEP's monitoring document to include virtual schools.

## **IEP Issues**

*Key Issue: Identifying roles and responsibilities in implementing the IEP (e.g., virtual school staff, LEA staff, contractors; as well as general educators, special educators, paraprofessionals, related service providers and/or parents as appropriate)*

- Develop a “Primer for Special Education in Virtual Schools” (see <http://www.uscharterschools.org/cs/spedp/query/q/2927>

for state-specific examples or

[http://www.inacol.org/research/docs/national\\_report.pdf](http://www.inacol.org/research/docs/national_report.pdf) for iNACOL's version)

- Involve parents on special education monitoring teams.
- Provide clear information for parents on expectations for their role in the education of their child with a disability.

*Key Issue: Creating procedures for determining placement of a child with a disability into a virtual school as opposed to another educational setting (e.g., determining whether a home-based virtual school is the “best” or “LRE” for a child with disabilities)*

- Create training programs for IEP teams (including parents) in the virtual setting to look at assessment data honestly and objectively to determine the appropriate types and availability of environments where the student's needs could be met.
- Ensure as part of the application review process that the school operators have a clear understating of their responsibility to make available a full “continuum of alternative placements” for students with IEPs (e.g., a child not succeeding in the virtual delivery of service might need service delivered face-to-face).

*Key Issue and Recommendation: Ensure that adequate time is allotted for case management of students with disabilities (i.e., because members are dispersed, reevaluation takes more time in a virtual environment)*

## Roles and Responsibilities

*Key Issue: Identifying who is responsible for what activities within various virtual school contexts (e.g., SEA, LEA where student resides, LEA where schools resides, virtual school, virtual charter school, home school, etc.)*

- Clarify roles and responsibilities for supporting students with disabilities in applications for virtual schools (e.g., identify who oversees case management; who provides related services; who is responsible for AT including set-up, repair, training and support for all involved; and who is responsible for the IEP when the student resides in one district [or state] and the virtual school is located in another district [or state]).
- Develop guidance document (perhaps in the form of a checklist) including all issues that need to be considered regarding roles and responsibilities vis-a-vis students with disabilities in virtual schools (e.g., Ohio Community Schools Administrative Primer).
- Create an OSEP-funded technical assistance center or website providing guidance to virtual public schools on roles and responsibilities relating to serving students with disabilities (e.g., links to state guidelines, checklists of all items which need to be considered, recommendations, etc.).

*Key Issue: Identifying the parents' roles in the virtual delivery of special education (e.g., can they function as paraprofessionals?)*

- Conduct a survey of roles played by parents within context of virtual schools (i.e., ad hoc paraprofessionals) in order to better inform policy.

## Financial Issues

*Key Issue: Understanding costs of delivering special education in a virtual environment*

- Conduct detailed financial audit of costs associated with delivering special education and related services in a virtual environment.
- Analyze value of economies of scale and diseconomies associated with geographic dispersion specific to provision of special education and related services.

*Key Issue: Determining how virtual schools are reimbursed for educating students with disabilities*

- Conduct national research to document how virtual schools are reimbursed for educating students with disabilities (include variables such as students with higher cost needs and lower cost needs).
- Allocate federal funds to virtual schools the same way as to brick-and-mortar schools.

*Key Issues: Addressing excess cost issues*

- Analyze practices in existing virtual schools.
- Define parameters of access accommodations needed for purposes of IDEA.

*Key Issues: Addressing high costs of research and development for virtual special education content*

- Build research and development into virtual school budgets/start-up costs.
- Allocate state and federal dollars for creation of virtual schools in all states, including dollars to accommodate providing access to the general education curriculum for students with disabilities.
- Develop partnerships with local IHEs or corporations for research and development.

*Key Issues: Mitigating financial risk associated with defining accommodations*

- Define home versus school environment within the context of virtual special education.

*Key Issue: Addressing costs of extra-curricular activities*

- Develop state policies to ensure that all children enrolled in virtual/online schools can access extra-curricular activities (e.g., athletics, music, etc.).

*Key Issue: Addressing cost of securing testing facilities for annual state assessment*

- Build cost of renting testing space into school budget, including potential additional costs associated with special education proctors for tests in testing centers or homes.
- Plan for logistics for all testing including protocols for any testing that needs to occur in the home.

*Key Issue: Addressing the cost differential based on different intensity of needs*

- Assess costs to determine if there is a difference in costs for different levels of intensity of need.

*Key Issue: Addressing costs associated with medical-related services*

- Ensure that states have established policies to reimburse virtual schools for services covered by Medicaid.

*Key Issue: Addressing future financial equity issues for brick-and-mortar and virtual schools*

- Anticipate the dollars following the child and any unintended issues associated with this.
- Develop funding mechanisms that accommodate per unit enrollment versus average daily attendance.

*Key Issue: Addressing shifting enrollment after Child Count dates*

- Ensure state and federal funding formulas accommodate fluid enrollment.

## **CONCLUDING REMARKS**

Participants at the forum stressed the need for TA, leadership and guidance at the state and federal levels regarding the provision of special education and related services in a virtual context. Participants also stressed the need for being proactive rather than reactive and for ensuring that special education representatives are part of the discussion as virtual education policies and practices are developed and as new technologies emerge.

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## **APPENDIX A**

### **Virtual K-12 Public Schools Serving Students with Disabilities A Policy Forum Feb 23-Feb 25, 2010**

#### **Tuesday, February 23**

5:00 p.m.	Arrival of Participants
5:30 p.m.	Welcome and Introductions
6:30 p.m.	Dinner
7:00	Presentation: State-of-the-Nation
7:45	Overview of the Forum
8:00	Adjourn

#### **Wednesday, February 24**

7:30	Breakfast
8:00 a.m.	Review Issues and Challenges
9:00 a.m.	“What Works in Virtual K-12 for Students with Disabilities” Panel Discussion
10:30 a.m.	Break
10:45 a.m.	“What Works” Large Group Discussion
12:00 p.m.	Lunch

1:00 p.m. Break Out Groups #1: Recommendations  
2:00 p.m. Report Back #1  
2:45 p.m. Break Out Groups #2: Recommendations  
3:45 p.m. Break  
4:00 p.m. Report Back #2  
5:00 p.m. Adjourn

**Thursday, February 25**

8:00 a.m. Greeting and Overview of Day's Work  
8:15 a.m. Break Out Groups #3: Action Plans  
9:15 a.m. Break  
9:30 a.m. Break Out Groups #3 continued  
10:30 a.m. Large Group Review of Action Plans  
11:45 a.m. Closing and Thanks

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## **APPENDIX B**

### **Key Issues Identified During the Policy Forum**

#### **Personnel Quality and Preparation**

- Need for appropriate and ongoing professional development (preservice and inservice), including addressing technology competencies and students with disabilities
- Need for institutions of higher education (IHEs) to meet program standards for preparing virtual educators of students with disabilities (including administration, teachers, related service providers)
- Need for IHEs to infuse virtual education model into curriculum for future administrators
- Need for teaching standards that specifically address the unique challenges of providing education within a virtual environment, and specifically special education and related services within this environment
- Need to ensure that providers serving students with disabilities across state lines are qualified in the area they are serving (e.g., speech language, special education, etc.)
- Need for determining whether states should provide online teacher endorsement or whether endorsement for online special educators should be incorporated into existing credentialing systems
- Need for training of appropriate personnel (and parents) in accessible technology and assistive technology (AT) (e.g., including how the device or software is programmed or set up, how to recognize and fix minor problems, how to incorporate AT into the student's educational program, information on maintenance)
- Need for training and support of parents in the virtual delivery of special education
- Need for cross-state reciprocity for special education personnel providing services in virtual environments

#### **Accessibility for Students with Disabilities**

- Ensuring that the relationships among the state education agency (SEA), local education agencies (LEAs) and virtual schools do not result in students with disabilities being denied admission to virtual schools
- Establishing standards for accessibility of virtual curriculum to students with disabilities
- Ensuring flexibility of virtual curriculum (i.e., ability to be modified/adapted for students with disabilities or universally designed curriculum)
- Ensuring that technical assistance and other supports (e.g., paraprofessionals) are available to students with sensory, cognitive and/or physical impairments
- Ensuring equitable access for students who could be served in a virtual environment (not just for students who have an adult at home during the work day and who can be actively involved in the monitoring of student engagement)

- Ensuring that a reasonable case-load size, with variability built in for teachers with high need students, is set
- Ensuring an adequate number of related services providers for service to rural areas
- Ensuring that software developers are creating software, digital content and e-learning accessible to students with various physical and learning disabilities
- Ensuring safety and security of students with disabilities working from home

### **Accountability**

- Ensuring quality of virtual special education instruction and related services and effectiveness/appropriateness of a virtual environment for serving students with disabilities
- Monitoring student progress (e.g., challenge of determining the level of help offered the student/ensuring that parents are not doing their children's work for them)
- Monitoring of virtual public special education programs
- Establishing program standards for online schools and special education
- Establishing different state certification requirements for virtual and/or charter schools
- Ensuring that virtual schools do not open before they are ready to handle students with IEPs
- Determining process for removing a student with a disability from a virtual placement in the event that the student is not progressing adequately in this context
- Tracking attendance (e.g., for average daily attendance for schools)
- Tracking parent satisfaction

### **IEP Issues**

- Identifying roles and responsibilities in implementing the IEP (e.g., virtual school staff, LEA staff, contractors; as well as general educators, special educators, paraprofessionals, related service providers, and/or parents when appropriate)
- Determining what response to intervention (RTI) looks like within a virtual context
- Determining how the referral/eligibility process is handled
- Defining appropriately the intensity of services (not necessarily less than in a brick-and-mortar school)
- Ensuring flexibility within state/local policy to provide special education and related services differently within virtual schools
- Ensuring that virtual schools are providing "specially designed instruction" for students with disabilities
- Creating procedures for determining placement of a child with a disability into a virtual school, as opposed to another educational setting (e.g., is a home-based virtual school the "best" or "least restrictive environment [LRE]" for a child with disabilities)

- Providing inclusive services within a virtual classroom environment (e.g., how to recreate interactive social settings for the purpose of inclusive, as opposed to pull-out, services)
- Defining LRE in a school in which all students select an individualized program
- Providing virtual therapies to students with disabilities
- Translating asynchronous speech therapy minutes into minutes on an IEP
- Ensuring flexibility in the modalities and materials that are being used to deliver services (e.g., in the case of providing speech services virtually, one approach or set prepackaged therapy materials might not be optimal for all)

### **Roles and Responsibilities**

- Identifying who is responsible for what within various virtual school contexts (e.g., SEA, LEA where student resides, LEA where school resides, virtual school, virtual charter school, home school, etc.)
- Identifying who will oversee the case management and service delivery details for each student with an IEP in a virtual school (e.g., special education director, special education teacher, other)
- Parsing out responsibility for a student with an IEP when the student resides in one district or state and the virtual school is located in another district or state (e.g., who reports adequate yearly progress [AYP], who provides related services)
- Determining role of teachers' unions in redefining roles and responsibility of special and general education teachers in virtual schools
- Identifying who is responsible for AT set up, repair, and training and support of everyone involved or working with the student, including the family
- Identifying the parents' roles in the virtual delivery of special education (e.g., can they function as paraprofessionals?)
- Creating mechanisms for communication between those who set up the IEP and the virtual school
- Identifying roles and responsibilities in implementing the IEP (e.g., virtual school staff, LEA staff, contractors; as well as general educators, special educators, paraprofessionals, related service providers, and/or parents when appropriate)
- Working with third-party providers to develop accessible courses and coursework and provide necessary technical and academic support

### **Financial Issues**

- Understanding the cost of delivering special education in a virtual environment
- Determining how virtual schools are reimbursed for educating students with disabilities
- Addressing excess cost issues
- Addressing high costs of research and development for virtual special education content
- Mitigating financial risk associated with defining accommodations

- Addressing costs of extra-curricular activities
- Addressing logistics and costs involved in transporting children to obtain related services (e.g., who drives and who is responsible for the cost?)
- Addressing cost of securing testing facilities for annual state assessment (e.g., how to manage 1:1 and small group testing required for students with those accommodations in their IEPs)
- Addressing costs associated with medical-related services
- Addressing future financial equity issues relating to the provision of special education services within brick-and-mortar and virtual schools
- Addressing shifting enrollment after Child Count dates

### **Attitudes and Expectations Regarding Virtual Special Education**

- Misconceptions about delivery of special education and related services
- Reasons why parents/families choose virtual schools for their children with disabilities and parent/family expectations regarding how virtual schools will serve their children
- Skepticism about quality of virtual instruction in general, and concerns that a virtual model is not responsive to special education students' needs in particular
- Lack of a basic understanding of the organizational structures within which virtual schools exist
- Need for clarification of terminology relating to virtual education and students with disabilities

## APPENDIX C

### Action Plans

<b>Key Issue or Challenge:</b> Roles and Responsibilities		
<b>Recommendation:</b> Develop a TA center that establishes a website and provides guidance and support to improve opportunities for students with disabilities in K-12 virtual public schools.		
<b>Who needs to be involved (e.g., local, state and/or national levels)?</b>	<b>What are action steps?</b>	<b>What is timeframe (e.g., short term, long term)?</b>
<ol style="list-style-type: none"> <li>1. Federal (U.S. Department of Education, NASDSE, OSEP, CAST and iNACOL)</li> <li>2. Regional Education Services</li> <li>3. State (SEA, state virtual schools, IHEs and virtual charter schools)</li> <li>4. LEAs</li> <li>5. Providers (software developers)</li> <li>6. Parents/students/persons with disabilities</li> </ol>	<ol style="list-style-type: none"> <li>1. Clarify roles.</li> <li>2. Establish guidance documents.</li> <li>3. Develop related processes.</li> </ol>	<ol style="list-style-type: none"> <li>I. Immediate and ongoing</li> </ol>

<b>Key Issue:</b> Accessibility for Students with Disabilities		
<b>Recommendation:</b> Develop seal of approval (e.g., “BOBBY approved”) for curricular materials presents in virtual school or online courses.		
<b>Who needs to be involved (e.g., local, state and/or national levels)?</b>	<b>What are action steps?</b>	<b>What is timeframe (e.g., short term, long term)?</b>
<ol style="list-style-type: none"> <li>1. Federal (U.S. Department of Education, NASDSE, OSEP, CAST, and iNACOL)</li> <li>2. Regional Education Services</li> <li>3. State (SEA, state virtual schools, IHEs and virtual charter schools)</li> <li>4. LEAs</li> <li>5. Providers (software developers)</li> <li>6. Parents/students/persons with disabilities</li> <li>7. Review and/or rater teams at each level</li> </ol>	<ol style="list-style-type: none"> <li>1. Clear directive from OSEP to commit to the work and develop a charge for the process. Secure funding and infrastructure for the effort.</li> <li>2. Form one national level review team and process to develop the work.</li> <li>3. Establish or utilize existing national technical assistance center to support students with disabilities in a virtual setting.</li> <li>4. Develop and/or integrate with existing accountability measures.</li> </ol>	<ol style="list-style-type: none"> <li>1. Summer 2010; Immediate and/or by October 2010</li> <li>2. By January 1, 2011</li> <li>3. No later than January 1, 2012</li> <li>4. No later than January 1, 2012</li> </ol>

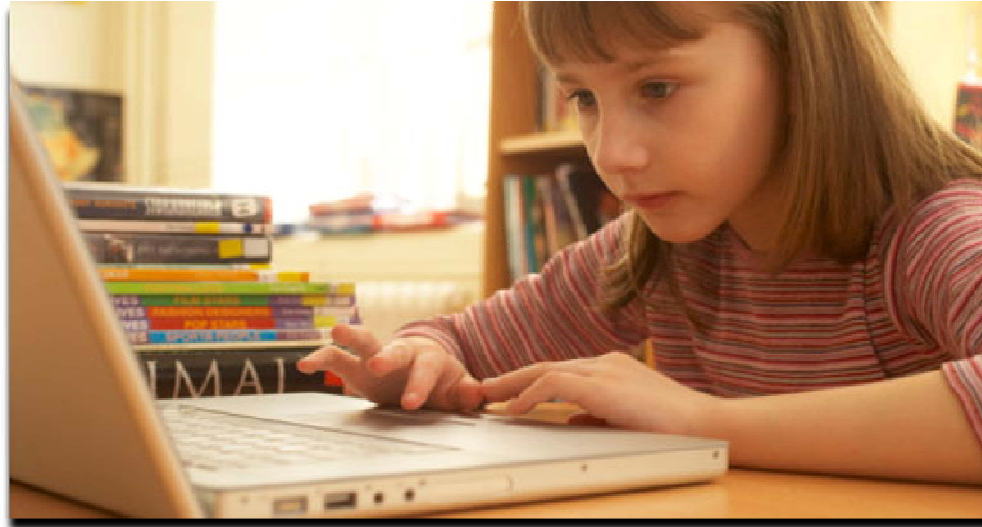
<b>Key Issue or Challenge:</b> Accessibility for Students with Disabilities		
<b>Recommendation:</b> Develop a decision tree of questions to guide states' development of guidelines/policies/recommendations regarding admittance procedures that recognize cross-state differences and ensures accessibility and equitable enrollments for students with disabilities.		
<b>Who needs to be involved (e.g., local, state and/or national levels)?</b>	<b>What are action steps?</b>	<b>What is timeframe (e.g., short term, long term)?</b>
1. Members of technical assistance center described in previous recommendation	<ol style="list-style-type: none"> <li>1. Review existing models from states, vendors and charter schools (e.g., surveys of focus groups).</li> <li>2. Decide with stakeholder groups what is going to be tight nationally and loose at the state level with various regulatory agencies.</li> <li>3. Develop examples and review timeline of solutions tree for guidance and dissemination to customers (iNACOL, states, special education stakeholders, IHEs, SEAs, LEAs, etc.)</li> </ol>	<ol style="list-style-type: none"> <li>1. Short term</li> <li>2. Long term</li> <li>3. Ongoing</li> </ol>

<b>Key Issue:</b> Accountability		
<b>Recommendation:</b> Virtual school operators should receive technical assistance during the application and implementation process to ensure that special education issues are adequately addressed.		
<b>Who needs to be involved (e.g., local, state and/or national levels)?</b>	<b>What are action steps?</b>	<b>What is timeframe (e.g., short term, long term)?</b>
<ol style="list-style-type: none"> <li>I. State needs to be the one to set expectations and provide guidance.</li> </ol>	<ol style="list-style-type: none"> <li>1. States need to ensure that any contractor providing virtual coursework in a public school system designs the courses or the program to be universally designed. For a charter school, additional documentation should be required. Additional considerations for a charter school application must cover the list below.</li> <li>2. Develop an application plan that covers, at a minimum, staffing, budgeting, resources (including detailed plan for computers, related service personnel contracts, policies and procedures, continuum of alternative placements, staff and parent training, assistive technology at the IEP level, transportation as related service, provision for state wide assessments).</li> <li>3. Some models exist that can be built upon.</li> </ol>	<ol style="list-style-type: none"> <li>I. Short term</li> </ol>

<b>Key Issue or Challenge:</b> Personnel Quality and Preparation		
<b>Recommendation:</b> Develop strategies to address challenges associate with special education and related service personnel crossing state lines.		
<b>Who needs to be involved (e.g., local, state and/or national levels)?</b>	<b>What are action steps?</b>	<b>What is timeframe (e.g., short term, long term)?</b>
<p><b>Primary Stakeholders:</b> Office of Education Technology, OSERS/OESE, NASDSE, iNACOL, Council for Exceptional Children (CEC)</p> <p><b>Secondary Stakeholders:</b> Students/consumers, parents, SEA-Occupational Board, Interstate New Teacher Assessment and Support Consortium (INTASC), American Association of Colleges for Teacher Education (AACTE), National Council for Accreditation of Teacher Education (NCATE), National Council of State Boards of Examiners (NCSB), American Occupational Therapy Association (AOTA), National Board for Certification of Occupational Therapists (NBCOT), National Education Association (NEA), American Federation of Teachers (AFT), ASCD, in-service organizations/providers</p>	<ol style="list-style-type: none"> <li>1. Streamline reciprocity for highly qualified teachers (HQT) and related service personnel</li> <li>2. Waive state reciprocity requirements (e.g., accept another state’s HQT designation).</li> <li>3. Leverage action from the national level (funding/policy guidance)</li> <li>4. Identify barriers to reciprocity across state lines and incentivize adoption of reciprocity.</li> <li>5. Develop recommendations for ESEA reauthorization</li> <li>6. Develop standards for national teacher certification (National Board Certification model lessons learned)</li> </ol>	<ol style="list-style-type: none"> <li>1. Short-term: Memo to stakeholders about waivers—Spring 2010</li> <li>2. Long-term: Bring key players to the table to discuss more coherent strategy to address the reciprocity challenges—Initiate Fall 2010</li> <li>3. Engage IHE national meeting in Nashville in April 2010 to start the conversation</li> <li>4. April 2010—NASDE forum document</li> <li>5. January 2010—Reach goal of having 10 states create waivers to address reciprocity issues</li> <li>6. September 2010—Federal government devotes resources to incentivizing streamlining special education and related service personnel working across state lines</li> </ol>

<b>Key Issue or Challenge:</b> Personnel Quality and Preparation		
<b>Recommendation:</b> Establish standards for special education teachers and other specialized personnel working in the online/virtual context.		
<b>Who needs to be involved (e.g., local, state and/or national levels)?</b>	<b>What are action steps?</b>	<b>What is timeframe (e.g., short term, long term)?</b>
<ol style="list-style-type: none"> <li>CEC, iNACOL, parent groups, (including those with children with disabilities enrolled in virtual schools), SEAs, Council for Chief State School Officers (CCSSO)</li> </ol>	<ol style="list-style-type: none"> <li>Combine CEC standards, iNACOL standards and related services standards.</li> <li>Engage higher education teacher training programs to modify their program to reflect teachers working in the virtual context.</li> <li>Ensure content in teacher training technology classes includes virtual training</li> <li>Distribute standards to use for professional development, hiring, and evaluation.</li> <li>Identify knowledge, skills, dispositions for special education in the virtual context</li> </ol>	<ol style="list-style-type: none"> <li>First priority, convene group short term</li> <li>Long-term</li> <li>Long-term</li> <li>Long-term</li> <li>Short-term</li> </ol>

<b>Key Issue or Challenge:</b> Financial Issues		
<b>Recommendation:</b> Understand the cost of delivering special education and related services in the online/virtual context.		
<b>Who needs to be involved (e.g., local, state and/or national levels)?</b>	<b>What are action steps?</b>	<b>What is timeframe (e.g., short term, long term)?</b>
I. iNACOL, NASDSE, AIR, U.S. Department of Education	<ol style="list-style-type: none"> <li>1. Fund an RFP or task order for a virtual/online special education funding center to identify costs and capture industry standards.</li> <li>2. Develop policy recommendations to be disseminated by iNACOL.</li> <li>3. Develop/disseminate user-friendly policy/practice guidance.</li> <li>4. Conduct research to assess costs of delivery of high quality special education and related services in virtual schools.</li> <li>5. Identify expectations of service and cost differentials based on intensity of service.</li> <li>6. Develop a virtual school primer. Examine issues (e.g., excess costs, funding formulas, cost differentials, related services delivery, accountability).</li> </ol>	<ol style="list-style-type: none"> <li>1. Funding immediate</li> <li>2. Within two years, plus another year to develop user-friendly materials</li> <li>3. One year after research</li> <li>6. Build from existing primers in the short-term</li> </ol>



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