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## **Cyber and Home School Charter Schools: How States are Defining New Forms of Public Schooling**

The following brief is intended to provide a content summary of the article “Cyber and Home School Charters: Defining New Forms of Public Schooling” authored by Luis Huerta and sponsored by the National Center for the Study of Privatization in Education. This summary is *not* intended as an executive review or to offer additional analysis, but only to provide a quick synopsis of the larger work. The exploitation of legislative loopholes and the redirection of educational funding have led to substantial debate on the virtue of cyber and home school charter schools. Luis Huerta’s original article seeks to examine the impact of new charter school models on the larger public school community by navigating political agendas and negotiating new schooling models. This objective is achieved in four steps: salient policy issues are defined, forms of schooling are established, the policy history of California and Pennsylvania is reviewed, and recommendations are offered. Each focus of the paper is discussed in greater detail below.

### **Introduction**

Charter schools have become a significant movement in public education. Over the past decade, both the popularity of the reform and the number of actual schools have grown dramatically. At present, roughly 2,700 charter schools serve 648,000 students, a 40% increase in enrollment over the last five years. The demand by advocates for innovation and autonomy has helped foster new schooling models. At the forefront of this evolution, rest cyber and home school charter schools. Collectively referred to as non-classroom charter schools, these institutions currently serve 68,000 students or approximately 10% of the charter school population. Four distinct characteristics separate non-classroom charter schools from traditional “brick and mortar” schools. First, learning primarily occurs outside of a classroom and often in isolation from peers. Second, instruction is delivered through an alternative medium, usually a parent or computer. Third, non-classroom charter schools draw on populations previously not enrolled in public schools, namely home-schooled students. Finally, schools do not conform to district lines and can draw students from across a given state. Thus, regardless of the number of participants, the steady growth of new schooling models promises to impact the larger public school community.

## What makes a school?

Although numerous differences between traditional public schools and non-classroom schools are apparent, classifying or defining institutional forms can prove difficult. In addition, important differences between cyber and home schools exist. Without a full understanding of the design, standards, and expectations of each school, writing legislation and implementing policy is a flawed process. The chart below provides an abbreviated account of classifications presented in Luis Huerta's larger article. (For a more detailed account of the definitions of each institutional form, see page 10 of the original work.)

	Home-School Charters	Cyber Charters	Traditional Schools
Teaching and Learning	<ul style="list-style-type: none"> <li>• Parents</li> </ul>	<ul style="list-style-type: none"> <li>• Computer Software</li> <li>• Third Party Curriculum</li> <li>• External Teacher</li> </ul>	<ul style="list-style-type: none"> <li>• Teachers</li> <li>• Directed Classroom Instruction</li> </ul>
Organizational Model	<ul style="list-style-type: none"> <li>• Parent Instruction</li> <li>• Home-based Setting</li> <li>• Individualized Curriculum</li> <li>• Peer involvement (voluntary)</li> </ul>	<ul style="list-style-type: none"> <li>• Computer Instruction</li> <li>• Home-based Setting</li> <li>• Tailored Mass Curriculum</li> <li>• Peer Involvement (Varied)</li> </ul>	<ul style="list-style-type: none"> <li>• Classroom directed Instruction</li> <li>• Mass Curriculum</li> <li>• Site-based learning</li> <li>• Peer involvement mandatory</li> </ul>
Governance Model	<ul style="list-style-type: none"> <li>• Parents</li> <li>• State Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Cyber School</li> <li>• External Teachers</li> <li>• Third Party Curriculum Provider</li> <li>• State Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Teachers and Administrators</li> <li>• Superintendent and District</li> <li>• State Agencies</li> </ul>
Accountability Model	<ul style="list-style-type: none"> <li>• Fiscal</li> <li>• Charter Granting Agency</li> <li>• Testing (if required)</li> <li>• Market Choice</li> </ul>	<ul style="list-style-type: none"> <li>• Fiscal</li> <li>• Charter Granting Agency</li> <li>• Testing (if required)</li> <li>• Market Choice</li> </ul>	<ul style="list-style-type: none"> <li>• Regulatory/Rule Based</li> <li>• Fiscal</li> <li>• Student Attendance</li> <li>• Student Outcomes</li> <li>• District Oversight</li> </ul>

## Salient Policy Issues

Due to a lack of research on non-classroom schools, particularly on institutions that receive public funding, it is imperative to define the pressing policy issues. Through the examination of published reports and articles, the collection of original data from state offices, and the review of public accounts in popular press articles four policy issues have emerged:

- Determine equitable per-pupil funding for non-classroom charters,
- Create accountability measures of student performance and program quality,
- Define enrollment boundaries and funding requirements,
- Address the impact of an influx of previously home-schooled students.

## **Policy and the State**

The policy concerns identified above have emerged in states with significant numbers of non-classroom charter school students. Two states are identified and studied in the larger article. First, an examination of California considers the policy impact of home school charter schools. This is followed by an investigation of cyber charter schools in Pennsylvania and the resulting policy debates. Both case studies illustrate that educators and elected officials struggle to define, regulate, and hold accountable non-classroom charter schools. Past failures have led to the exploitation of legislative loopholes and the misuse of state educational funds. In northern California, a management company realized a profit of \$500,000 from \$1.4 million dollars in state funding provided for home school charter schools. Below each state is discussed in greater detail.

### **California: Home school charters**

California enacted charter school legislation in 1992 and the first home school charter school was founded with a year. By 1997, home school charter schools enrolled 37,000 students and accounted for 50% of the state charter school population. However, as previously home-schooled students flocked to a new public outlet, concerns grew over funding and accountability mechanisms. Most troubling, home school charters were able to enroll students from across the state. The state legislature introduced SB 399 in an attempt to limit enrollment boundaries for independent study course. Unfortunately, home-schooling was not listed as a form of independent study and this loophole allowed the practice of large cross-district enrollments to continue. New legislation proved difficult given a powerful home-school lobby in California, but SB 434 ultimately defined the expectations of all charter schools and demanded home school charters conform to current independent study regulations. Despite this reform, political debates over state funding requirements continued. Ultimately, SB 740, citing minimal costs for teachers and facilities in non-classroom charters, reduced funding for these institutions to 70% of state per-pupil expenditures in public schools. The legislation prompted two large home school charters to take legal action, but the courts sided with the state.

### **Pennsylvania: Cyber Charters**

Charter schools were not allowed in Pennsylvania until 1997 when Act 22 was authorized. The first cyber charter opened in 1998 and Pennsylvania now supports 8 cyber charter schools, the largest number in the nation. Controversy erupted in 2000 with the founding of the Western Pennsylvania Cyber (WPC) charter school. Under Pennsylvania guidelines, the district of residence for each student is required to send funding to the appropriate institution when a child enrolls in a charter school. However, WPC enrolled students from across the state, so districts were asked to fund children attending schools outside their boundaries. In addition, many of the students had been previously home-schooled and were further decreasing already tight budgets. As a result, roughly 70% of the 105 districts from which WPC requested funding failed to send payments. Legal action resulted. Both the Pennsylvania School Board Association and numerous districts filed suit against the state and claimed that cyber schools violated

various statutes and regulations. Ultimately, Act 88 addressed policy shortcomings by fully defining cyber charter schools and funding requirements, while making the state Department of Education the only agency allowed to grant cyber charters.

## **Recommendations**

Five recommendations are suggested to address salient policy issues and prevent the flawed implementation of non-classroom charter schools as experienced by California and Pennsylvania. Clearly defining the design and expectations of new forms of schooling can help to prevent the exploitation of state resources.

1. *Per-pupil funding levels must reflect the real costs of non-classroom learning*

The natural design of non-classroom schools minimizes the two greatest costs for traditional public schools, faculty and facilities. One may assume that operating a non-classroom school is less expensive. However, new costs do emerge. For example, schools can incur high technology costs. Further, the assumption that per-pupil expenditures should be reduced for non-classroom schools supposes that current funding levels in traditional public schools are appropriate. To properly distribute resources we must determine the cost of non-classroom learning.

2. *State and local-level accountability mechanisms must be established*

As with all forms of schooling, it is essential that non-classroom schools employ quality programs and properly distribute funding to assist student performance. To ensure this, we must create mechanisms that monitor student learning. This necessitates the creation of imaginative policy if we are to allow for innovation and autonomy, but prevent speculation.

3. *Enrollment boundaries and funding responsibilities must be clearly defined*

Given that local communities still play a large role in the funding of public schools, to allow non-classroom charter schools to draw enrollments across district boundaries presents an immediate problem. The state and local districts must resolve whose responsibility it is to grant and fund non-classroom charters. This will help determine how enrollment regulations should be realized and spare district budgets from abuse.

4. *State level funding must assist local responsibilities*

As noted in recommendation 3, if non-classroom charters are to gain needed funding and local districts are to be spared budget crises, the state must provide play a larger role. Many of the students in non-classroom charter schools are formerly home-schooled students, who have not attended public schools, and who local districts are not prepared to support. Without state aid problems will emerge.

5. *Further research must be conducted*

Non-classroom charter schools are a recent phenomenon in educational reform. They have been the subject of few studies and little is known of their practices. If we are to anticipate future policy dilemmas, greater research must take place.