

INSIGHTS FROM U.S. K-12 ONLINE EDUCATION POLICIES AND REGULATIONS

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Abstract: The U.S. has accumulated rich experience in K12 online education. Its policies and regulations have shown remarkable maturity in accreditation, quality evaluation, accountability and monitoring, and financial support. In particular, the emphasis on an extremely strict accreditation system, clearly set standards for quality evaluation, strengthened accountability and monitoring mechanism, along with funding schemes transparently exercised. On the contrary, there is still a developing exploratory phase for China's management model of K-12 level online education. It is also hoped that this may be of some use as a reference when formulating K-12 online education policies and regulations within the Mainland of China.

Keywords: K12 online education; Management of online education; Policies for education; Basic education development

1 INTRODUCTION

The term K-12 is used internationally to refer to the kindergarten through to twelfth grade level of learning. In this light, K12 online education can be simply defined as the delivery of K12 teaching services through an online platform on the Internet.

The history of development is long for U.S. K-12 online education, and the U.S. continues to conduct policy exploration and practice to promote the development of high-level K12 online education. By comparison, the management model of K-12 online education in China is still in a state of flux and is under constant exploration and improvement. This article represents a comprehensive policy formulation assessment of regulations within online education in K-12 in the US and has given an in-depth analysis of the dynamics of development, aiming to provide a reference for basic education online policy formulation and regulation within China.

2 THE EVOLUTION OF K-12 ONLINE EDUCATION POLICIES AND REGULATIONS IN THE UNITED STATES

U.S. K-12 online education system was a model initially designed for providing opportunities for groups of students who cannot participate in traditional campus-based learning due to various unforeseen circumstances. At first, the system was modelled on distance education and the initial virtual school model. Since the turn of the twenty-first century, virtual K-12 schooling in the United States has also seen some amazing and rapid growth. According to the different administrative structure and geographical coverage, virtual schools can be divided into four main categories: charter virtual schools, virtual schools under the jurisdiction of a single school district, virtual schools operated across multiple school districts and virtual schools directly established and managed by the state authorities. Virtual schools are organized into four different types, each with its own management structure. The primary entities involved in overseeing these schools are state educational organizations, state boards of education, charter school licensors, local educational institutions, and outside service providers[1].

3 CONTENT CHARACTERISTICS OF U.S. K12 ONLINE EDUCATION POLICIES AND REGULATIONS

3.1 An Overview of the Policy and Regulation Development and Operation Logic of K12 Online Education

Policy development requires manifold stakeholders' cooperation and input, for development[2]. Federal authorities, State authorities, and Education unions are some of the entities involved in policymaking in the United States regarding K-12 online education. Each entity has an operational logic depending upon their role. The authorities directly undertake the making of policy and regulation while the non-authority sectors influence it indirectly.

The United States is a country with a decentralized system. It is a federal system wherein the federal authorities need to share powers with the state authorities. The federal authorities only possess those powers that are explicitly written in the Constitution, whereas all the rest of the powers are held by the state authorities not named in the Constitution[3]. Even though the United States esteems and views state authority control and power as leading in the making of educational policy, prevailing driver also is the federal authority in case of online education policymaking. Both federal and state authorities play a very significant role in the development of K-12 online education policy.

Policy is usually expressed through decisions, rules, and regulations set by legislation at the federal, state, and local levels. Besides legislation, federal and state reports are fundamental sources of information. Furthermore, with the maturing process of the sector of K-12 online education, the intervention of authority has gradually reduced[4]. Non-state actors like academics, educational consortia, virtual schools - have been, bit by bit, becoming more influential agents in policy creation and reforming K-12 online education in the United States. They themselves do not have the authority to make policy, but they provide recommendations through reports, intervention procedures, monitoring online education activities, and accountability. Such policy recommendations have contributed much toward policy development and have fostered the development of operating mechanism for online education in the United States.

3.2 Emphasis on the Accreditation of Online Schools and Education Provider Roles

The online education resources for primary and secondary schools are mainly provided by education providers in the United States. An all-rounded access mechanism, an accreditation system in particular, has been established in every level for online education providers, particularly being an external service providers of core online courses. Those must be approved by state-level education boards in the U.S. and take a strong review process. For instance, the state of Florida annually issues a list of courses accreditation or a list of courses whose online providers meet the necessary and sufficient standards[5].

The United States believes the accreditation of online educational institutions to be of great importance because it aims at ascertaining whether the institution is capable of offering high quality educational services; hence, it fully guarantees the rights of students to quality educational resources. Indeed, only those schools or institutions that have received this accreditation and certification can provide online education services in the United States. The state law or legislation in this regard, for instance, Georgia state legislation, has developed a host of roles or responsibilities expected from online education service providers. The compliance requirements include making complete information and details available to the public concerning full and part-time academic policies, status of accreditations, student-to-educator ratios, graduation and progression rates of students, and accountability reports on educator performance and academic institution performance.

Within the United States alone, hundreds of for-profit companies, official agencies, and non-profit organizations are providing K-12 online education services and products. These online education providers are primarily obligated to provide comprehensive and superior online educational content, resources, and services to the K-12 education institutions[6]. Specifically, at the level of content supply, suppliers shall guarantee that they supply complete online courses with rich course content and a variety of digital resources. On the plane of tool supply, they are committed to providing an operational learning management system, precise learning analytics tools, and an effective learning platform. Finally, on the plane of the supply of service, suppliers are supposed to deliver various services related to online teacher training and the development of customized curriculum. Moreover, from a supply perspective, suppliers should supplement services such as online teacher training and customized curriculum development. Such variety is needed for meeting a plethora of requirements by K-12 education institutions. U.S. online education suppliers play an important role in guaranteeing quality and effectiveness within the K-12 online education. They have simultaneously set up a sound foundation for the sustainable and healthy development of the K-12 online education sector[7]. The United States authorities have partnered with online education providers, and thus play a major role in the K-12 online education system. They perform access audits of the online education providers to ensure that they have the capacity to provide online education products and services, forming a basis on which the providers can operate effectively.

3.3 Develop a Standardized System for Evaluating Online Education

In this context, several U.S. states have issued high-quality standards regarding assessment and evaluation of online education in K12. Such policies not only highlight the priority that states authorities attach to online education but also provide the basic assurance of quality in education through mechanisms and standards that ensure accountability and monitoring. And some states have imposed unique standards and requirements for virtual schools. Included among these, for instance, Nevada and Oklahoma took on a centralized model for approving multi-district virtual schools where approval authority is consolidated in one actor to strengthen management effectiveness.

General quality assessment system brought forward by states authorities enables them to evaluate periodically and systematically the quality of online education. It not only deals with how to carry out teaching and teaching content evaluation but also involves many dimensions, such as multiple teachers' qualifications and students' learning outcomes, closely monitors the progress of student learning, ensures stringently that the quality in teaching and learning is gainfully improved to meet the diversified needs of students and the education industry and, concurrently, extends strong support to the healthy development of the education industry. In 2021, Maryland started to work on developing policies for virtual public schools established by a local board of education or state education agency to establish a policy framework for agency-created virtual public schools. The legislation requires virtual schools to use curricula approved by the state board of education, provide assessments, and conform to state standards for quality online education programs that guarantee student progression based on the mastery of the regulations. These standards provide a rigorous model for school management, curriculum and instruction, student and family engagement, and program evaluation. In Massachusetts, the Massachusetts Board of Elementary and Secondary Education licenses virtual schools

operating within the state. The virtual school application for licensure has to include a set of terms and conditions such as attendance policies, expectations for interaction between teachers and students, and other details of the virtual environment.

United States has promoted one national system of quality assessment standards to supplement state quality assessment and evaluation standards. The system of standards that includes the National Standards for Quality Online Programs, the National Standards for Quality Online Instruction and the National Standards for Quality Online Learning⁸. It is the National Standards for Quality Online Instruction within that system. The National Standards for Quality Online Programs standardize the online education in institutional standards, curricular and pedagogical standards, support standards, and assessment standards to make sure quality online education^[8].

3.4 Emphasize Online Education School Responsibility and Teaching Quality Accountability Oversight

Performance-based accountability for student performance and student learning outcomes has been a centerpiece of education reform in the U.S. K-12 education system for the last three decades. This is manifested in the standardization movement. Recent focus has been on standardized assessments and, more recently, the emergence of big data-based learning analytics. States have updated licensing requirements and introduced accountability measures intended to raise school quality and hold low-performing schools accountable. Another prevailing trend, taking center stage as a driver of current education reforms and policy developments in the United States, is accountability. The No Child Left Behind Act of 2002 created, for the first time in United States history, a federally driven accountability system in education. The NCLB was enacted into law in 2002 and is presently in the second year of its implementation. At the time of NCLB enactment, student performance on standardized tests in reading and mathematics was the leading accountability metric for elementary and secondary education in the U.S.^[9].

The implementation of NCLB has brought a number of issues, which include teaching to the test, curricular constraints, and discouragement among teachers. In 2015, the Every Child Succeeds Act (ESSA) replaced NCLB, initiating the one that has shifted the accountability mechanisms for K-12 online education in the United States from a federal, monolithic accountability system to a state-driven accountability system with differentiated indicators. It focuses on student performance as a priority and analyzes the same based on standardized learning outcomes. The reformed accountability system shall focus on varied indicators including academic achievement, and student learning behaviors. The logs of the learning management server storing data on what happens while students are learning in a web-based environment can become a rich source of information for the investigation of actual student behavior. In the U.S. context of accountability, recent years have concentrated on innovative school reforms, coupled with the establishment of large-scale student data systems, as ways to strengthen accountability practices and, in turn, student achievement results^[10]. Unlike the narrow accountability indicators of NCLB, these multiple accountability measures are centerpieces of ESSA and the heart of accountability reform. They give detailed concentration, not only on academic achievement but also on the factors related to school quality and student achievement that bring out an all-rounded evaluation of student growth and school performance. Such an approach enriches and improves the tools of assessment while enhancing accountability. ESSA shifts much of the authority back to states and school districts for designing accountability systems with multiple indicators, while taking pragmatic measures to prevent teaching to the test, ensure that instructional staff are not poorly motivated, or monitor and promote e-learning and holistic growth of students properly and efficiently.

3.5 Provide Financial Management for Online Education Funding Grants that is Open and Transparent

Performance-based financial aid has become one of the most powerful policy supports to promote the development of virtual schools. For example, states like Florida, Idaho, and Minnesota provided financial assistance to the students after completion of an online course. This coming year, Utah will provide funding for external service providers, depending on course progression a student makes and completing his role.

In the field of full-credit online courses, course providers have implemented a phased charging mechanism. Specifically, once a student has passed the refund period for a course, they will be required to pay 25% of the total cost of the course. When students have completed half of the course, an additional 25% will be paid. If the student completes the entire course within a 12-month period, then the remaining 50% of the fee will be charged. To encourage students who fail to complete the course within the time limit to continue their studies, course providers offer a 30% reduction in course fees to students who complete the course before graduation^[11].

In Georgia, H.B.787 of 2018 provides virtual schools with funding equal to 25 percent of the total cost of the program, which is used to purchase computer hardware, software, related technical equipment, and ongoing maintenance necessary to better serve students. New Hampshire's 2017 H.B.517 clarified the student enrollment criteria for Virtual Learning Academy charter schools, defining full-time enrollment and identifying students who complete 12 half-credit courses as full-time equivalents. The bill also revises the funding formula for Virtual Learning Academy Charter Schools (VLACS) to provide a grant of \$2,036 per full-time enrolled student and an additional grant for each student who completes 12 half-credit courses. These grants are based on VLACS 'average daily enrollment, equivalent to \$2,036 per full-time student. Ohio's 2018 S.B.216 created a joint legislative committee to study the feasibility and effectiveness of a performance-based funding system. In the United States, most state virtual schools created by legislation provide free curriculum resources and services, and their day-to-day operations rely mainly on grants from the federal authority or foundation funding^[12].

U.S. states create working groups and oversight committees regarding K12 online learning financial issues. In addition to financial support in finance, the U.S. K-12 online education policy develops a supporting financial management system. The major tasks it performs include funding policy timely adjustments, creating sound financial accountability, delineating enrollment boundaries and funding responsibilities, and eliminating profiteering in education management organizations. The financial management system ensures funding efficiently and encourages financial transparency. For example, Oklahoma's legislature passed the Virtual Charter School Reform and Transparency Act of 2020 that eliminates the profiteering of education management organizations in the state and promotes open and transparent management of online education finances.

4 CONCLUSION

Policymaking and online education regulations for the K12 level started late in China compared to that of the U.S. In recent years, the purification of K12 online education through the introduction of policies like Administrative Measures and Circulars has helped promote the benign and healthy development of online education. Since 2021, China has issued relevant policy documents that focused on regulating the guidance and management of the online education industry, but till date, there is still room for further refinement and improvement in relevant laws and regulations, and implementation details. The policy and regulation system of K12 online education in the United States clearly and in detail stipulates the scope, content, and responsibility of online education. The U.S. policies and regulations are comparatively perfect in many issues, such as supervision responsibility, financial transparency, and stringent access. By the time when the regulation of laws and rules in the field of online education has been further improved, market access management has been strengthened, supervision has been reinforced, market order has been stabilized, the rights and interests of consumers have been protected, and the reform of online education has been continuously deepened, China shall learn from successful practical experiences in K12 online education of the United States to build a more stable and perfect legal and regulatory framework for online education, form a management system of primary and secondary education with Chinese characteristics, and achieve a new goal of integrating and developing online education with offline education.

COMPETING INTERESTS

The authors have no relevant financial or non-financial interests to disclose.

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