REACH
National Center *for* Research on Education Access and Choice

Responding to Crisis:
Virtual Schooling in Oregon during the COVID-19 Pandemic

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Overview

Since the peak of the pandemic in 2020, enrollment in virtual schools has steadily increased, with virtual schools now accounting for approximately 1.4% of the nation's public school students. While the effects of the pandemic on student achievement and mental health have been extensively studied, research has yet to thoroughly examine the impact of the pandemic on state policies and local organizational practices related to virtual schooling. Although some believed the onset of the pandemic would fundamentally reshape virtual schooling options in K-12 education, others were more skeptical, believing expanded virtual learning options were merely a temporary fix. This study examines whether the pandemic shaped virtual schooling at both the local and state levels, and if the changes made are likely to last and/or improve equity.

To answer these questions, we interviewed state and local education leaders and advocates, analyzed policy documents, websites, and media, observed legislative proceedings, and examined organizational practices in a sample of schools between 2019 and 2022 in Oregon. This state had an extensive history of virtual schooling before the pandemic, and enrollment continues to grow. The findings offer important lessons for policymakers and leaders to consider as the availability of virtual schools remains widespread across the country.

Key Findings

- Despite hopes that the crisis would bring new attention and political will to address long-standing concerns about virtual school performance and accountability, state policy changes were temporary or limited in scope.
- Some shifts in local-level organizational practices due to the health crisis notably expanded offerings and increased collaboration between traditional districts and virtual school operators. However, some of the changes that ocurred early in the pandemic may not be long-lasting.

The equity implications of virtual learning are complicated by evidence that remote learning has adverse academic impacts for students who remained online—particularly racially minoritized students and those living in poverty. State leaders signaled strong intent to address equity concerns yet stopped short of creating accountability mechanisms. For example, the state issued guidance calling for inclusive enrollment processes and culturally relevant instruction in virtual schools, but did not enforce changes, leaving implementation to local leaders with no state enforcement. Some interviewees expressed strong fears that virtual schools were not meeting the needs of students with disabilities. Though local leaders recognized equity concerns, few reported shifts in organizational strategies to address them.

Background

Virtual Schools in Oregon

Virtual schooling has been an option since the late 1990s, and there are both district-run virtual schools and virtual charter schools. District-run virtual schools are managed and operated like brick and mortar schools in this jurisdiction. Virtual charter schools, however, are authorized by a state-approved entity, which may include state education agencies, state boards of education, charter school authorizers, local education agencies, and third-party providers. Both types of virtual schools can offer asynchronous, synchronous, and hybrid teaching formats. They are publicly funded and have no admission criteria.

In Oregon, the first virtual charter school opened in 2003 to provide more innovation and flexibility in public school education. Like a number of other states, local school boards are the primary authorizers of charter schools in Oregon. (The state board of education may currently authorize charter schools statewide if a local district denies the application and the decision is appealed, but to date, all Oregon virtual schools are authorized by local districts). Oregon virtual charters, unlike district-run virtual schools, can enroll students from outside their authorizing district.Funding is similar to that of brick-and-mortar charter schools. A state law requires that districts provide a minimum of 80% of the per-student dollar amount for students in grades K-8 and 95% for students in grades 9-12. It includes additional funding for students in poverty and English Language Learners (ELL).

Several types of virtual charter schools operate in the state. Historically, for-profit Education Management Organizations (EMOs) have managed Oregon's largest virtual charter schools. Others are managed by Charter Management Organizations (CMOs), non-profit organizations, or district boards. Rural or smaller school districts sponsor most of Oregon's virtual charter schools.

There has been a steady increase in virtual school openings and enrollment, predating the COVID-19 pandemic. In 2019-20, there were 20 virtual charter schools in Oregon, serving just over 14,000 K-12 students, who made up 2.4% of public school enrollment. The state witnessed significant student enrollment growth in virtual charter and district-run virtual schools with the onset of the pandemic (see Figure 1 below).

Figure 1. District and Charter Virtual School Enrollment in Oregon by School Year
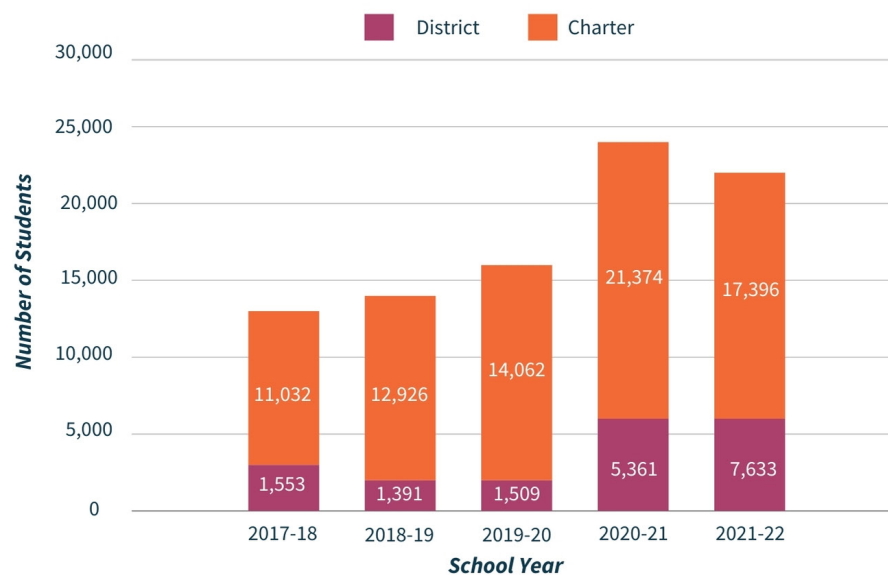
Oregon, with its long history and variety of virtual school options, provides an ideal setting to understand the effects of the pandemic on state-level virtual schooling policies and organizational practices at the local level over time.

Virtual School Concerns Before the Pandemic

Pre-pandemic, virtual charter schools, especially those run by large EMO-affiliated operators, had a reputation for poor student performance, including low graduation rates, as highlighted in a 2017 Oregon state audit report and in past REACH research. Other research shows that for-profit charter school operators (both virtual and in-person) are less effective than non-profit operators.

Out of concern for virtual charter school outcomes, the 2017 Oregon state audit report recommended increased state accountability and oversight. Virtual charters undergo a renewal/reauthorization process every 5-10 years, involving performance reviews, audits, and site visits. However, state legislators generally leave oversight to local school boards.

Friction continued to build after the 2017 audit. Viewing virtual charters as a threat and/or only interested in revenue over high-quality education, groups from the traditional public school sector pushed for strengthening oversight of virtual charter schools and limiting expansion. In contrast, virtual school advocates worked for years to repeal the 3% enrollment cap and stave off regulation. But little changed. A 2019 follow-up report to the 2017 audit reaffirmed that:

> "Significant work is needed to implement all 15 recommendations fully. Addressing these recommendations will help improve results for at-risk students in alternative and online schools and programs" (Oregon Secretary of State, 2019).

Overall, pre-pandemic, there was little indication of political will to adopt significant policy change.

Student Outcomes and Equity

Scholars have long argued that power and systemic racism shape educational policies and practices and perpetuate longstanding inequities. For example, racially minoritized students often have less access to advanced courses, technology, and other resources and programs that might improve learning.

Though the vision motivating early virtual schools nationally was to provide more affordable access to high-quality education for students often lacking these opportunities, virtual charters in Oregon have a higher proportion of white students and a lower representation of other racial/ethnic groups, particularly Latinx students, ELL, students with disabilities, and students from low-income backgrounds. Yet, research also indicates that virtual schools can provide safety for students struggling socially or facing intolerant or racist environments in brick-and-mortar schools. However, poor student outcomes in virtual schools complicate the equity implications, as students may be better off academically if they do not enroll in virtual schools. Moreover, reduced access to virtual schools remains an equity concern. True equity requires ensuring that virtual schools enrolling these students adequately attend to their needs.

This background of virtual schooling in Oregon sets the stage for understanding the pandemic's impact on this educational model and the challenges associated with virtual education, equity, and accountability in the state.

Overall Findings

How Did the Pandemic Shape Virtual Schooling Policy at the State Level?

We find that the pandemic increased awareness and created a sense of urgency to address virtual school accountability, equity, and enrollment issues, but the actual changes were minor, temporary, or symbolic.

When all schooling went virtual at the start of the pandemic, the ODE (Oregon Department of Education) made minor changes to accountability. For example, the state required virtual school operators to take attendance daily rather than twice weekly as they had done before the pandemic. Still, other state policy proposals were not embraced, like requiring all virtual schools to demonstrate 50% synchronous instruction. Pushback from virtual school operators and advocates, along with calls by the Secretary of State for increased oversight, inspired the formation of an ODE Remote Learning advisory committee in 2021. The committee included representatives from virtual charters, school districts, professional associations, and advocacy organizations charged with helping to inform state policy changes that would ensure high quality online education. This advisory committee presented an opportunity to bring about policy changes some had long sought.

We find that these efforts so far have yet to constitute significant changes. While several interviewees in the virtual learning community appreciated the ODE "bringing us into the fold and asking the people doing the work," other participants expressed concern that the Advisory Committee did not have a well-defined focus or desired outcome. One participant noted:

> "A lot of time was spent reviewing and providing feedback on various iterations of draft program standards without … coming back to 'What's the mechanism for implementing something like this? What is the accountability mechanism?'"

After nine months of advisory committee meetings, in August 2022, the ODE released the Online and Remote Learning Guidance for the 2022-2023 School Year, which, according to the ODE's Remote Learning webpage, was developed to "provide clarity regarding existing federal and state requirements and policies for online and remote schools" and to "share design indicators and provide tools for school and district operators and leaders to use in planning for continuous improvement and innovation." These guidelines included explicit calls to promote greater inclusion and equity in online schooling – including more culturally appropriate instruction and efforts to ensure all students can attend regardless of their background. Yet, the state leaves it to districts to adopt these recommendations and provide oversight of virtual schools. One education advocate reported that for the 2023 legislative session, "ODE has no plan to develop legislation related to this guidance."

Enrollment policy is another area that experienced little post-pandemic change. Immediately following the start of the pandemic, the demand for virtual charter schools increased as parents sought out well-established online programs. The prospects of dramatic shifts in student enrollment that could destabilize funding for districts led to some short-lived changes, such as a temporary pause on virtual charter school enrollment. At the same time, virtual school advocates renewed efforts to push for expanding enrollment and increasing or repealing the 3% enrollment cap. In November 2021, one such advocate, a virtual school leader, argued that the cap was outdated:

> "[The cap] made sense in 2011. … When talking about technology, even ed technology, we have to stay current and then update. … [A] 12-year-old or 11-year-old law is 11-year-old technology. It doesn't make sense anymore."

Despite the push, the legislation to repeal the cap did not move forward. The state did not make changes to this policy and, to this date, has not. We found little evidence of lasting, dramatic, or equity-oriented policy change.

Nevertheless, the research suggests a slight shift in the beliefs and climate surrounding virtual schooling in Oregon. Our data indicate there is greater acceptance that virtual schools are here to stay and contribute valuable resources. Proving how difficult it was to conduct online instruction, the pandemic helped legitimate the work of and build positive attitudes toward virtual schools. As one virtual school leader observed:

> "Superintendents that maybe had traditionally been 'us versus them' recognized not only is our job a little bit harder than they probably perceived it to be, but also that we did bring good resources and support to the whole [district]."

A shifting trend away from relying solely on local control is also evident, with a growing belief that the state should assume greater authority to oversee virtual charters. But significant policy changes have been limited at the state level. While there is a call for increased state action and oversight, the efforts made thus far have been temporary, incremental, and primarily focused on addressing immediate challenges rather than comprehensive policy reform.

How Did the Pandemic Shape Virtual Schooling Organizations at the Local Level?

According to an ODE report, district-run virtual school options more than doubled between 2019-20 and 2021-22, statewide enrollment in virtual schools increased by over 9,000 students, and the number of virtual schools grew by 22 district-run schools.

Virtual charter schools responded to this demand by offering various forms of virtual learning support to their sponsoring districts and other districts in the state. Some chose to grow their enrollment. Others developed and marketed new programs. For example, one virtual charter school sought out contracts with other districts to serve as their online school. Similarly, one district superintendent offered to contract with other districts to provide the curriculum and oversight from their district-sponsored virtual charter to other districts' virtual programs.

Figure 2. Number of District and Charter Virtual Schools in Oregon by School Year
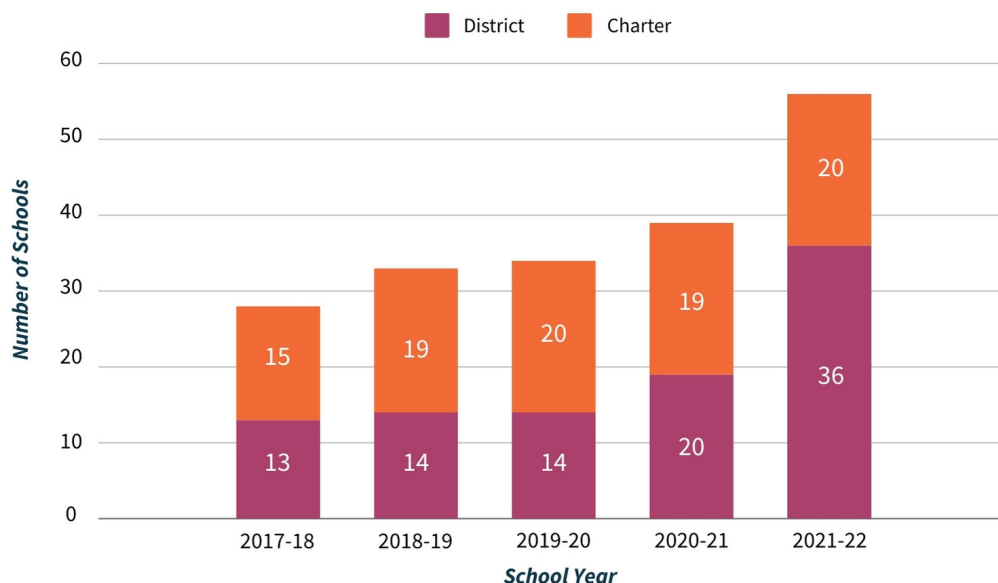
* Data taken from Oregon Department of Education. (2022a). Virtual Learning in Oregon.

The concerns about the academic achievement of virtual schools pre-pandemic still lingered, with some observers questioning this expansion. Nevertheless, some virtual school operators pushed back against the negative stereotypes associated with their schools. One virtual school leader noted:

> "[The] press will key in on, 'Oh, your grad rate was 62%. That's so terrible. You're failing kids.' And it's like, actually, those kids probably weren't graduating in their local district. So, that's a significant improvement from what they would've been."

The pandemic fostered collaboration between traditional school districts and virtual schools, representing a shift in organizational structure. Driven by the difficulties traditional districts faced in transitioning to remote learning, these virtual charter schools could use their expertise and experience to support and guide these districts. One superintendent explained:

> "As soon as we have this pandemic and we're now, 'Hey, we're going to be virtual,' or we're trying to figure out what to do. My most natural is like, 'I have someone that does this right for a living. They are good at delivering online education. They know how to do professional development. They know how to support.' So we did some immediate outreach with them, and they helped us walk through. They did some training with our staff. And it's funny, we've continued to work and do some outreach with them."

This district leader could now consult the expertise of the pre-existing virtual charter school it sponsored to help all of their schools transition to online instruction. Some partnerships expanded to include supporting students with special education needs in a virtual setting. Some district leaders also recognized the benefits of playing an expanded role in supporting virtual charter schools through increased oversight and support for academic achievement – something they had not done as much pre-pandemic.

Despite these observed organizational changes, some evidence raised questions about the long-term sustainability and equity of virtual schooling. Some school districts faced challenges maintaining new district-run virtual learning options due to difficulties in providing a high-quality learning experience. Negative perceptions of virtual schools, particularly those associated with profit-seeking operators, also affected the sustainability of some partnerships. In terms of equity-oriented changes, while the pandemic allowed families to experience safe virtual learning spaces at home, few schools in our study instituted explicit organizational strategies or structural changes to address the needs of students from marginalized groups.

Notably, several leaders acknowledged they didn't have the capacity to handle the administrative requirements of assessment and monitoring of students with disabilities or to provide one-on-one support for "super high needs students." One leader expressed how challenging it was to provide adequate services during this time of immense growth:

> "We have 30% SPED kids in some classrooms, 30%! And all of them were supposed to have an intake. None of them did."

Others noted that virtual school teachers lacked the training to teach students with disabilities especially synchronously or that the school lacked staff to effectively implement the personalized learning plans, particularly those that might have required more physical accommodations. As a result, some leaders were "very upfront" with parents in communicating the limits of what their school could provide. One regional administrator explained:

> "[Some virtual will tell families of Students with Disabilities] 'Well, you can't even apply here because you're special education, we can't meet your needs here' … [that is] just absolutely not legal, but there's not enough oversight. There's also this whole piece around we have so many things going on right now, we can't really focus on that."

Conclusions & Implications

Overall, the pandemic triggered limited changes in state policy and some shifts in organizational practices in our sample of virtual schools in Oregon, with lingering questions about the durability of these changes and their implications for students from marginalized groups. In particular, some participants expressed deep concerns about providing adequate services during this time of growth, particularly to students with disabilities.

It is important to consider the reasons why the crisis of the pandemic did not create more lasting or deep changes and why the limited changes made were not equity-oriented. Consistent with [prior literature](#), our research indicates that context matters and that external triggers "do not by themselves cause revolutionary change, they only create the need."

We find that the changes were limited at the state level due to pre-pandemic state conditions and institutional forces protecting the status quo. The Democratic majority in Oregon (a trifecta of a Democratic governor and bicameral Legislature) and union allies had a long history of endorsing limits on virtual schooling enrollment and deferring to districts to regulate virtual charter schools. Virtual school advocates were not necessarily as powerful as some believed, as they lacked allies in the brick-and-mortar charter school community, some of whom saw their needs as divergent and sought to distance themselves from the virtual charters' controversial reputation. The pandemic did not disrupt the power of dominant interest groups, thus limiting the possibility of lasting change to state policy.

At the local level, politics mattered less to accomplishing change. Although the durability of organizational shifts is still in question, they were able to occur due to the community's openness to virtual schooling and the increase in family demand for virtual school options. It will be interesting to observe if these organizational shifts will last, as many may still perceive changes made during the pandemic as temporary.

The opportunity for change triggered by the pandemic created a potential moment to focus on equity and ultimately improve conditions for historically marginalized communities. Although equity may have been a goal for those involved in decision-making, the changes made did not conform to a transformative equity perspective of "righting past wrongs" as they were only voluntary and not backed by state policy incentives or accountability. The pandemic's immediate emergency and the health and safety concerns might have blurred the focus on equity. A more critical view, however, reveals that focusing on marginalized communities did not immediately benefit those in power, especially since there was no shared definition of equity. It is important to consider why charter school advocates, who claim equity and marginalized communities are a focus of their existence, did not do more to push for equity-oriented changes in virtual schools. It may be that the brick-and-mortar charter school community viewed their needs as too divergent and had concerns about being associated with virtual charters; or that more regulations on virtual charter schools would also bring more regulations on brick-and-mortar charter schools.

This study illustrates that while local control is an important value and one common among states across the country, there remains an important role for state government in ensuring high quality, equitable education, particularly for students from marginalized groups. The limited changes observed at the state level and the uncertainties surrounding local organizational practices reveal that any changes made may not last. While policymakers may hope to address equity challenges, more needs to be done to create robust incentives and accountability mechanisms to improve quality and outcomes in virtual schooling, particularly for students from marginalized groups.

Specific Implications

1. Accountability and capacity-building policies: Along with prior research highlighting poor academic outcomes in virtual charter schools, our findings suggest a need for new or improved state-level accountability measures and capacity-building policies, especially ones targeting the outcomes and needs of historically marginalized and underserved students. Quality assurance mechanisms should be in place to ensure that virtual schooling options deliver effective and equitable education to students. Policymakers might center equity in guidelines and regulations governing virtual charter school authorization, such as requiring new applicants to include in their charter applications goals for enrolling and supporting specific programs for students from marginalized groups, particularly students with disabilities, and monitoring their implementation. Similar efforts could extend to the oversight of district-run virtual schools.

2. Opportunities for collaboration: Practitioners and leaders may benefit from continued district-virtual collaboration. By building communities of practice, leaders could share best practices in terms of instruction, enrollment, and student services. Leaders may also consider what practices can be learned from virtual schools that provide a haven to students ostracized in traditional schools (e.g., LGBTQ+) and whether these lessons apply to brick-and-mortar settings.

3. Equity-focused considerations: Policymakers should consider equity implications when expanding virtual schooling. Efforts should be made to address the disparities in access to technology, support systems for students with disabilities and English Language Learners, and the needs of families with working parents or guardians. Leaders might also grapple further with how they think about equity and virtual schools. A school with unfavorable "outcomes" could be considered equitable by providing students with a safe learning environment. Similarly, a school that provides access to and enrolls large numbers of students from marginalized groups may be inequitable if the educational programs and services fail to meet their particular needs. Assessments of equity may require measures that capture more than academic achievement and access. Of course, policymakers should ultimately strive to achieve both, ensuring virtual schools provide safe environments that result in positive outcomes for all students.

How Does This Relate to Other REACH Research?

REACH and ERA-New Orleans have conducted a variety of studies exploring the impact of the COVID-19 pandemic on public education systems nationwide, as well as student outcomes in virtual charter schools.

- Virtual Charter Students Have Worse Labor Market Outcomes as Young Adults - This study provides insight into the learning outcomes of virtual learning on students.

- Two reports, A Year That Forced Change: Examining How Schools and School Systems Adapted to the Challenges of the COVID-19 Pandemic and Calls for Racial Justice in 2020 and Choice in a Time of COVID: Immediate Enrollment Decisions in New York City and Detroit both further explore the decisions made by schools and school systems during the pandemic and their impact on marginalized communities.

About

The National Center for Research on Education Access and Choice (REACH), Founded in 2018, provides objective, rigorous, and applicable research that informs and improves school choice policy design and implementation to increase opportunities and outcomes for disadvantaged students. REACH is housed at Tulane University with an Executive Committee that includes researchers from Tulane, Michigan State University, Syracuse University, and the University of Southern California. The research reported here was exclusively funded by the Institute of Education Sciences, U.S. Department of Education, through Grant R305C180025 to The Administrators of the Tulane Educational Fund. The opinions expressed are those of the authors and do not represent the views of the Institute or the U.S. Department of Education.

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