REACH

National Center for Research on Education Access and Choice

Shocking the System? The COVID Crisis and Virtual Schooling in Oregon

Julie Marsh, James Bridgeforth, Laura Mulfinger, Desiree O'Neal, & Tong Tong

University of Southern California

Technical Report

Published April 25, 2024

Introduction

The onset of the COVID-19 global pandemic in March 2020 led to millions of K-12 students engaging in emergency remote instruction due to school building closures (Authors, 2021). By Fall 2020, more than two-thirds of students continued to learn partially or fully remotely, and almost half continued to do so by Spring 2021 (Kaufman & Diliberti, 2021; Saavedra, 2020; 2021). During the early phases of the pandemic, virtual schools (mostly charter schools, established pre-pandemic) saw dramatic increases in enrollment (D'Souza, 2022), likely by families seeking administrators and teachers with experience teaching remotely. Although most school buildings reopened for the 2022 academic year and reduced their remote learning modality options for families (Pangelinan & Dusseault, 2022), many schools and districts are still operating some form of virtual instruction regardless of the state of the pandemic due, in part, to continued demand from families (Diliberti & Schwartz, 2021; Graf, 2023; Lehrer-Small, 2022; Molnar et al., 2023; Nowicki, 2022; Waxman, 2023). In fact, while enrollment numbers have dwindled slightly since the peak of the pandemic in 2020, enrollment in virtual schools overall has steadily increased, with virtual schools now accounting for approximately 1.4% of the nation's public school students (Molnar et al., 2023).

To date, most of the research examining these dramatic changes has focused on the effects of remote instruction on student achievement and mental health (e.g., Bacher-Hicks et al., 2022; Kuhfeld et al., 2020; Relyea et al., 2022). Yet, as the availability of virtual learning has undoubtedly spread across the country, little is known about how policy actors at both the state and local levels have navigated this shifting landscape and the effects of the pandemic on policies and organizational practices related to virtual learning.

Scholars and journalists have speculated widely on the long-term effects of COVID on the

availability of remote instruction. Some have argued that the onset of the pandemic would be an opportunity for fundamental reshaping of K-12 education (Hofmann et al., 2021; St. George et al., 2021). Much like the effects of Hurricane Katrina on the radical transformation of the school system in New Orleans (Harris, 2020), the pandemic, in theory, had the potential to instigate significant change in both policy and practice. Some believed the crisis would build up capacity and demand to continue expanding virtual schools for full-time instruction, further diversifying school options within districts, or for temporary use in future emergency disruptions (e.g., hurricanes, wildfires) (Belsha & Barnun, 2022). Others argued that even if temporary, the universal experience with online learning would bring to light longstanding concerns about virtual schooling outcomes and generate political will and pressure to address them via new policies.

Yet, decades of research demonstrating the durability of educational institutions (Meyer & Rowan, 1977) and the difficulty of instituting lasting change have led others to more skeptical predictions and accounts. Some observers have noted that following the first year of the pandemic, many states passed "return to normal" policies to limit the offering of remote options and that many school systems have not maintained flexible, "anywhere learning" models in the face of ongoing or new crises (e.g., stay-at-home quarantines, snow days) (Lake, 2021). In fact, some might argue that the shift to online instruction was always meant to be a temporary fix and that, unlike Hurricane Katrina, it was not immediately evident that long-term changes would be needed to address this crisis.

In this paper, we seek to bring empirical research to bear on this important debate. Drawing on evolutionary theories of change and qualitative data from 2019-2022, we explore the impact of the pandemic on K-12 virtual education in a state with a long history of virtual schooling by asking: *How has the ongoing COVID pandemic influenced virtual schooling in Oregon?* A virtual

school in this study is a public charter school – affiliated with either a nonprofit or for-profit education management organization, or a non-profit or district board (see School Management below) and approved by the district, state or governing body – or a district- run school, that offers instruction only via technology, in which students and teachers are physically separated, and interact synchronously or asynchronously (Barbour & Reeves, 2009; Keaton, 2021; Nowicki, 2022).[1] In particular, we examine how the health crisis affected state- level virtual schooling *policies* and local *organizational practices*, whether there is evidence of deep and lasting changes, why, and the implications for equity.

Understanding the extent and nature of pandemic-induced changes is critical for stakeholders at all levels. If, in fact, there are lasting shifts, we must prepare and support leaders and educators to provide high-quality remote instruction. There are also implications for policymakers. Given research findings about the often poor academic outcomes of students in virtual charter schools, reviewed more below (e.g., Nowicki, 2022), an expansion of virtual schooling may necessitate new or improved accountability and capacity-building policies.

Potential changes in virtual schooling also raise important equity questions. Recognizing the wide variation in conceptions of equity (Allbright et al., 2019; Dixson & Rousseau, 2005; Dowd & Bensimon, 2015; Levinson et al., 2022), we focus here on a transformative view of educational equity that promotes the empowerment of students harmed by the dynamics of power and privilege. It calls for a focus on 1) non-dominant communities and students that have been marginalized by historic, systemic practices, including students of color, English learners, LGBTQ+, low-income, and students with disabilities, and 2) changes that advance their needs and build on their strengths (Allbright et al., 2019).

On the plus side, expanded virtual school options could empower marginalized students by

providing them with greater options for high-quality education. The "vision" motivating early virtual schools was one of "more affordable and equitable access to high-quality educational opportunities for students who traditionally lack such opportunities: rural, underserved, and at- risk populations" (Roblyer, 2008, p.696). Research also indicates virtual schools can provide safety for students struggling socially or who may face intolerant or racist environments in brick- and-mortar schools (e.g., Davis, 2020; Pendharkar, 2022). Early in the pandemic, when schools were beginning to reopen, families of color were more likely to express preferences for remaining online (Haderlein et al., 2021; Cotto & Woulfin, 2021; Farris & Mohamed, 2022).

Though online settings provided physical safety to communities disproportionately impacted by the pandemic, more recent data on "learning loss" suggest possible negative consequences for students who remained online – particularly racially minoritized students and those living in poverty (Camp & Zamarro, 2022; Camp et al., 2023; Fahle et al., 2023). Additional data on negative outcomes – particularly lower graduation rates – for students in virtual schools generally and for some marginalized students in particular (see review below) raise further questions about the benefits of expanding these options for marginalized students. Thus, what are we to make of the tradeoff in possibly a greater sense of safety yet negative academic outcomes? Finally, there are also long-standing concerns about the efficacy of remote instruction for students with disabilities and English learners, as well as the feasibility of models requiring self-directed learning for families with working parents or guardians. These different equity perspectives suggest a continued need to not only understand whether the pandemic led to expanded access to virtual schools, but also how virtual school policies and practices did or did not address the needs of marginalized students.

Ultimately, we find that the pandemic contributed to limited change in virtual schooling

policy at the state level and some shifts in local-level organizational practices. Our data also raise questions about the durability of any changes and the benefits for marginalized students. In the end, this study provides much-needed insights into the impact of the pandemic on policy and practice, as well as the utility of multi-disciplinary, equity-oriented theory to understand change processes in K-12 education. While much of the literature examining crises and drawing on evolutionary theories in organizations and policy is retrospective, our research examines change in real time – providing an in-depth understanding of how stakeholders responded to a crisis and the forces propelling and resisting change. The study responds to calls for qualitative research of this kind: "a full test of the implications of [the evolutionary theory of] punctuated equilibrium will require more in-depth fieldwork-based studies of actual policy processes as these are worked out on the ground" (Jones & Baumgartner, 2012, p.13).

In the remainder of this article, we first describe the empirical and theoretical literature undergirding our analysis and provide background on virtual schooling in Oregon. We then explain our research methods and provide our findings on both policy and organizational change. We conclude with a discussion and implications for policy, practice, and research.

Review of the Literature

At a high level, virtual schools are a form of school choice. The earliest theorization of school choice policy argued that separating public funding of education from public provision of education could increase competition in the education market, which would both increase the supply of high-quality schools and improve student-school match, which would ultimately improve efficiency, as reflected on student outcomes (Chubb & Moe, 1990: DeAngelis & Erickson, 2018). Some choice advocates have also argued that a market-based system increases educational opportunities for lower-income and other marginalized families who do not have the

same choices afforded to higher-income families who attend better-resourced schools or who can "exit" the system (Horsford et al., 2018; Howell & Peterson, 2002). As noted, virtual schools were seen as expanding "more affordable and equitable" educational opportunities for families limited by geographic location or facing intolerant or unsafe environments in their assigned schools (Roblyer, 2008).

Virtual schooling has expanded rapidly over the past 20 years (Beck et al., 2014; Clifford, 2018; Rauh, 2011). In as many as 40 states, virtual schools—with a variety of models, offerings, and outcomes—are accessible to students in kindergarten to 12th grade in both general and special education (Erwin, 2021; Molnar et al., 2021). Next, we review pre-pandemic research on virtual schooling models and types, management, enrollment, and outcomes. We conclude with a review of recent research on the impact of COVID on virtual schools.

Instructional Models and School Types

Some virtual schools operate in synchronous formats that allow students and teachers to be online at the same time, while other schools operate with more self-paced, asynchronous models. Some states also support blended learning models, allowing students to receive a mix of both in-person and virtual instruction. Most full-time virtual schools tend to follow an asynchronous model for their instruction (Molnar et al., 2023).

There are many types of virtual schools. *Virtual charter schools* account for the largest enrollment share of full-time online students: one-third of all virtual schools are organized as charter schools, which account for 58% of all virtual enrollment (Molnar et al., 2023). As public charter schools, these schools operate entirely or mostly online and largely depend on self-paced, asynchronous instruction, often relying on parents to act as instructors (Nowicki, 2022). Like traditional brick-and-mortar charter schools, virtual charters are publicly funded, cannot have

admissions criteria, and must be authorized by a state-approved entity (Fitzpatrick et al., 2020). State authorizing agencies for virtual charter schools include but are not limited to state education agencies, state boards of education, charter school authorizers, local education agencies, and third-party providers (Erwin, 2021).

State-sponsored virtual schools represent a growing sector in the virtual school landscape. At least 21 states have state-sponsored virtual schools that either operate or contract with other entities (Erwin, 2021). State-sponsored virtual schools provide full- and part-time instruction and aim to serve multiple purposes: providing supplemental coursework, supporting credit recovery, and increasing course access (Erwin, 2021). Though districts are becoming more active in opening virtual schools, *district-run* schools typically are small, with limited enrollment (Erwin, 2021).

For-profit and Nonprofit EMOs

Virtual charter schools are typically operated by third-party entities, such as nonprofit or for-profit management organizations (CMOs and EMOs), that provide instructional resources, teacher support, and administrative tools to students (Fitzpatrick et al., 2020; Molnar et al., 2023). The literature has raised broader concerns for the management and privatization trends occurring in the virtual learning space (Apple, 2012; Burch & Good, 2014; Herold, 2016; Kingsbury, 2021; Woodworth et al., 2015). For-profit EMOs educate nearly 6 in 10 full-time virtual students despite operating just 3 in 10 virtual schools (Molnar et al., 2021).[2] This discrepancy is often attributed to their large size, as virtual schools operated by for- profit EMOs are approximately two and a half to three and a half times as large as other virtual schools operated by nonprofit CMOs and independent virtual schools (Molnar et al., 2021, 2023). Scholars have suggested that the expansion of for-profit entities into virtual learning marketplaces has been shaped by corporations' lobbying efforts and the financial interests of virtual learning champions in state and federal

government (Glass, 2009; Glass & Welner, 2011).

For-profit operators have faced criticism for their virtual schools' poor academic performance, high student turnover, and concerning organizational practices (Brown, 2015; Burch, 2017; 2021; Hawkins, 2020), resulting in lawsuits and investigations (Blume, 2016; Burris & Cimarusti, 2021; Herold, 2016; Herold, 2021). The stigma often associated with for- profit operators and resulting mistrust among some families and educational leaders towards virtual schooling has led to new accountability and regulatory policies across the country (Burch, 2017; Burch & Good, 2014; Molnar & Garcia, 2007) – though there is little research assessing their implementation and impact.

Who Attends Virtual Schools

Advocates generally frame virtual schooling as a way to better serve historically marginalized students who experienced negative social interactions in their traditional brick-and-mortar schools or who need schools that could provide more flexibility and convenience (Ahn, 2011; Beck et al., 2014; DeLaina et al., 2021; Hasler-Waters et al., 2014; Macy et al., 2018). Research indicates that the three most compelling reasons for choosing virtual schooling options relate to schedule flexibility, fit, and teacher availability (DeLaina et al., 2021). As a result, virtual schools tend to enroll students with more mobile families (Toppin & Toppin, 2016). Families living in rural or more isolated areas, where transportation and access to educational facilities can be more limited, are also more likely to enroll in virtual schools (Toppin & Toppin, 2016). However, the largest group of students who enroll in virtual schools tend to be those who have struggled academically or socially in traditional public schools, as the online platform, in theory, can shield students facing bullying due to their social identities, such as race, sexual orientation, or gender identity (Davis, 2020; Pendharkar, 2022; Macgillvray, 2000; McFarland, 1998; Toomey et

al., 2010) and provide them with more direct support from their teachers (DeLaina et al., 2021).

Studies indicate that full-time K-12 virtual schools serve a higher proportion of White students and fewer students of color, low-income students, English learners, and students with disabilities than their traditional brick-and-mortar counterparts (Ahn & McEachin, 2017; Molnar et al., 2019, 2021, 2023). Thus, while virtual schools may serve the needs of students seeking safer environments – some of whom likely come from marginalized and under-resourced communities – enrollment data indicate that students served by virtual schools may not reflect the arguments made by some advocates (Barbour & Reeves, 2009). Who may be excluded and how well virtual schools serve marginalized groups remains understudied.

Student Outcomes

Several studies have raised questions about the outcomes of students enrolled in virtual schools and remote schooling programs. A 2015 study found that online students performed lower and showed less improvement in their reading and math proficiencies than those in brick- and-mortar schools (Woodworth et al., 2015) – a pattern echoed by other research (Apple, 2012; Barbour et al., 2017; Clifford, 2018). Studies also point to low graduation rates. In 2019, researchers found that the graduation rates for full-time virtual schools were roughly 30 percentage points lower than the national rate of 54.6% (Molnar et al., 2019). Additionally, less than 43% of full-time virtual schools with ratings by their state accountability systems were deemed acceptable (Molnar et al., 2019). Studies also indicate variation in student performance among the different types of virtual schools. A 2021 report found that virtual schools operated by nonprofit CMOs had more acceptable school performance ratings, on average, when compared to those operated by for-profit education management organizations (EMOs) and that full-time virtual schools operated by districts achieved higher state school performance ratings when

compared to those that were charter-operated (Molnar et al., 2021).

Research on student subgroups within virtual schools indicate somewhat mixed results. Woodworth et al. (2015) found that among students attending virtual schools, White, Hispanic, and Native American students experienced worse effects on both math and reading compared to students of other races (i.e., Black, Asian American/Pacific Islander, and Multi-Racial student groups). Bueno (2020) found that in virtual schools, non-White students do 0.1-0.4 standard deviations worse than their White counterparts. Woodworth et al. (2015) and Bueno (2020) also found worsened effects experienced by students who are eligible for free and reduced-price lunch, ranging from additional 0.1-0.4 standard deviations decrease in academic performances across four subjects (ELA, Math, Science, and Social Science). Analysis disaggregated by English learners (EL) and students with disabilities (SWD) status is rare; research from CREDO (2019) on online charters in Pennsylvania found worse effects experienced by students categorized as EL or SWD than their non-EL or non-SWD counterparts. In contrast, a recent study found that among students enrolled in virtual schools, Black students and SWD were more likely to enroll in college than their counterparts (Erickson & Scriber, 2023).

The COVID Pandemic

At the beginning of the COVID pandemic, the demand for virtual schooling increased dramatically – leading school districts across the country to offer more remote schooling options for families, often in partnership with existing virtual schools (Diliberti & Schwartz, 2021). During the 2019-20 school year, there were a total of 477 full-time K-12 virtual schools enrolling over 330,000 students in the U.S., and an additional 150,000 students enrolling in blended schools (Molnar et al., 2021). Between the 2019-20 and 2020-21 academic year, enrollment in full-time virtual schools nearly doubled to 643,930 students. (Molnar et al., 2023). By the end of

the 2020-21 school year, many districts had begun setting up their own virtual academies, virtual schools, and online programs (Belsha & Barnum, 2022). States with high pre- pandemic enrollment in virtual schools saw the largest percentage of growth during the pandemic, with Florida, Arkansas, and Pennsylvania leading the growth (Gross, 2021).

Research conducted during this time indicates that many families found full-time virtual schools extremely beneficial (Horn, 2021) and appreciated the flexibility, independence, and safety that came with remote instruction (U.S. Department of Education, 2021). This sentiment was particularly prominent for families with students who suffered from health-related issues (Black et al., 2021). However, to date, little is known about the broader consequences of the pandemic for virtual schooling policy and practice. Our study takes up this aim.

Theoretical Framework

To frame our investigation, we draw on punctuated equilibrium theory (PET) and incremental theories of change, both of which are driven by underlying evolutionary ideas. Incrementalist theories assert that change is the gradual accumulation of smaller changes and adaptations (Gersick, 1991; Mills, 2007) – mimicking the biological processes of variation, selection, and retention (Aldrich, 1999). In contrast, punctuated models assert that, similar to the natural world, while some small changes occur gradually, profound changes can also occur without this process of accumulation, such as when migration to a new niche triggers the emergence of a new species, or when built-up pressure releases to create an earthquake (Baumgartner & Jones, 1993; Van de Ven & Poole, 1995).

We pay particular attention to PET, as the pandemic, in theory, represents a significant external "trigger" central to theorized profound change. Research has long documented the ways in which external crises or "focusing events" - be they natural, political, or even manufactured - are

occasions for change (Kingdon, 1995; Horsford et al., 2018). The dramatic reforms to public education in New Orleans following Hurricane Katrina provide one such example. Though the natural disaster in New Orleans made it immediately clear long-term changes would be necessary, COVID presented a more ambiguous crisis: to some, the health crisis called for temporary changes until it "passed," yet to others, it was an opportunity to support long-term change (Ladson-Billings, 2021). As such, the pandemic provides fertile ground for an evolutionary analysis of virtual schooling that does not presume lasting, profound change. Although some have criticized these evolutionary theories for being overly deterministic (Kezar, 2012), most newer applications and those we apply herein recognize the role of agency and potential learning within change processes. While these ideas have been applied in many fields, we draw on two most relevant to virtual schooling: public policy and organizational sociology. Figure 1 illustrates our conceptual framework and how we apply these ideas to our study.

Public Policy

In the field of public policy, incrementalist views characterize policymaking as a process of "muddling through," where policymakers with limited cognitive capacity are reticent to agree to new ideas given the uncertain costs and benefits, leading to only minor adjustments to the status quo (Lindblom, 1959, p.79; see also Howlett & Migone, 2011). Challenging purely incrementalist ideas, PET scholars assert that in times of equilibrium, there is generally a monopoly of elite interests that dominate and dampen pressure for change (Baumgartner et al., 2018), and non-elite actors have difficulty breaking through. This resistance to change results from 1) a system designed with mechanisms to ensure checks and balances (institutional friction), which slows down the process; 2) the limitations of policymakers, who generally cannot process all the new information coming at them (cognitive friction); and, 3) general information that the status quo

policy is working (policy feedback) (Flink, 2017; Jones & Baumgartner, 2012). Yet, dramatic change can occur when pressure builds up over time (often from political actors strategically creating this pressure) and is released when external informational signals and policy feedback get too strong to ignore (Jones & Baumgartner, 2012). These "triggers" can challenge old ideas and shake up the system, allowing new ideas to emerge. After this period of new policy activity, the system returns to a period of stability in which prior elites lose legitimacy, previously marginalized actors try to solidify their gains, and this new set of interests become newly institutionalized (Baumgartner et al., 2018; Holyoke et al., 2009; McLendon & Cohen-Vogel, 2008).

Local context also plays an important role in these processes, reinforcing or overcoming friction. As Gersick (1991) notes, internal and external triggers "do not, by themselves, cause revolutionary change; they only create the need" (p.22). Research has demonstrated, for example, that bureaucracy (Park & Sapotichne, 2020), poor organizational performance (Flink, 2017; Marsh et al., 2021), and other organizational conditions can temper the effects of punctuations, buffering those within from making adjustments.

Several scholars have used this lens to understand policy change in education (e.g., Holyoke et al., 2009; Mills, 2007). Notably, Holyoke et al. (2009) argued that the emergence of charter schooling across the country represented a punctuation of state education policy monopolies: it was a distinctly new approach to education defying old rules bounding attendance by enrollment zones, it was driven by interest groups and officials previously not participants in education policy, it displaced previously dominant interest groups (e.g., unions), it spread quickly, and it started to claim significant K-12 market shares in those states. When examining how these policies evolved post-punctuation, they found that interest group politics greatly influenced the durability of these changes. In some states, new interests and actors "locked in" these new policies.

In other states, displaced actors managed to gain more restrictive policy changes, reverting to the status quo, or policy "learning" led to incremental policy changes.

Applied to our study, one can easily conceive of the pandemic as challenging the traditional image of education as brick-and-mortar schools, perhaps leading to new state policies legitimating and expanding virtual schooling. As an external trigger, the pandemic may have also called attention to problems festering long before 2020, such as virtual schools' poor student outcomes and concerns about virtual charters drawing away enrollment from traditional schools. Based on PET, one might expect the precipitating COVID crisis to overcome prior friction and spur deep policy changes. However, consistent with incrementalist theory, it is also possible that given existing political dynamics, the highly politicized nature of COVID-induced changes (e.g., Singer et al, 2023), history of institutional friction, and conceptions by some that policy shifts were meant as temporary emergency efforts, any changes brought on in the immediate wake of the crisis could be superficial and/or short-lived. This context may have tempered the effects of the pandemic and reinforced friction, leading to incremental changes.

Organizations

A second body of theoretical literature within sociology and management closely mirrors the debates in public policy. Scholars have long asserted that structures of organizations are highly stable (Meyer et al., 1990) and generally persist for long periods of time with only incremental adjustments or first-order changes (improvements but not fundamental changes) (Argyris & Schon, 1978). These structures include an organization's core values and beliefs (the goals and "why" of an organization), strategy (how the organization seeks to achieve its goals – products and markets served), distribution of power and control systems (who controls resources within the organization, centralized vs decentralized systems), and organizational structure (extent of hierarchy, role

relations) (Tushman & Romanelli, 1985). Other central ideas are that systems generally benefit from stability, that institutional forces – such as the need to appear legitimate – promote this stability (DiMaggio & Powell, 1983; Meyer & Rowan, 1977), that there are both cognitive and motivational barriers to change; and, that stakeholder inertia contributes to the maintenance of these structures (Gold, 1999).

PET asserts, however, that periods of profound or second-order change can occur within organizations when internal triggers (e.g., sustained low performance, pressure from a reorganization of power within the organization) and external triggers (e.g., the emergence of a substitute technology or product, major legal, social or environmental changes or crises) challenge this equilibrium (Tushman & Romanelli, 1985). During these "reorientations," "strategies, power, structure, and systems are fundamentally transformed toward a new basis of alignment" and, in some cases, also involve "shifts in core values" (ibid., p. 175). Scholars have used an organizational PET lens to study education, notably Parsons and Fidler (2005) and Mills (2007) applied it to higher education, while Gold (1999) used it to study change in an elementary school and Murphy (2006) to examine the evolution of the American high school.

Applied to our study, the pandemic may have served as an external trigger reshaping the nature of schools and school districts – including organizational values, management structures, and strategies for teaching and recruitment. School systems accustomed to only offering in- person instruction may have initiated new online programs in ways that overcome long-standing pressures to maintain the status quo, with an intent to continue them long past the mandatory closure orders. The pandemic may have also spurred schools and systems with pre-existing virtual programs to expand or modify the programs, strategies, governance, and other structures to meet new demand. However, incrementalist theory suggests it is also possible that these changes may not be long-

lasting or necessarily deep and could lead to resistance and re- entrenchment of old values and structures. The institutional pressures and demands for stability, along with stakeholder inertia/friction, may mediate the effect of the external trigger.

Equity Orientation

Given the potential implications of shifts in virtual schooling on marginalized students and families, we brought in an explicit equity orientation to our conceptual framework. Scholars have long argued that power and systemic racism shape educational policies and practices (Dumas & Anyon, 2006; Ladson-Billings, 2006) and that policy research must take up a more critical orientation (Diem et al., 2019; Milner, 2007). Applied to evolutionary change, this orientation calls for greater attention to the identities of elite actors and those pushing against the system (e.g., whose voices are privileged), the organizational structures (e.g., the extent to which changing structures serve the needs of marginalized students), and core values (e.g., the extent to which changes honor and include marginalized communities or ignore and burden them).

Several recent studies drawing on PET have argued for a more critical perspective to account for the ways in which crises can perpetuate long-standing inequities. Notably, Daramola (2022) finds that interest convergence – a fundamental tenet of critical race theory (Bell, 1980) – helped explain why a previously powerless group of parents of color found new opportunities in a district to advance a racial equity agenda in the wake of the pandemic. A new district- parent partnership, she argues, may have only occurred because it helped the district manage its image, raising doubts about the possibility of converting this new partnership into deep, systemic change. Further, research into school district governance change spurred by crises found pushback from communities of color questioning the new elite actors coming from privileged social groups, who excluded important local voices and adopted values and structures seen as unjust and inadequately

serving low-income students and students of color (Marsh et al., 2021)

In summary, in our analysis of virtual schooling policy and practice in Oregon, we draw on an equity-oriented, multi-disciplinary evolutionary approach to understanding change in policies and organizations, leaving open the possibility that change could represent incremental or profound shifts. In what follows, we describe the methods used to bring empirical evidence into conversation with these important ideas.

Methods and Data Sources

We designed the study to examine how the COVID pandemic influenced virtual schooling in Oregon, asking: 1) How has the pandemic affected state virtual schooling policies? and 2) How has the pandemic affected organizational practices and structures at the local level? In this section, we explain why we situate the study in Oregon, providing background on virtual schooling prior to the pandemic. We then detail our data collection and analysis methods.

Background: Virtual Schooling and Oregon Pre-Pandemic

We chose to situate our study in Oregon for several reasons. First and foremost, it had an extensive and rich history of virtual schooling prior to the pandemic. Oregon has been attempting to effectively educate students through online or virtual schooling since the late 1990s. We also selected Oregon due to our familiarity with the state's education landscape.

Oregon has been a focal state for our National Center for Research on Education Access and Choice since 2018. Pre-COVID interview data and documents allowed for an in-depth and nuanced examination of change over time. Oregon also provided us an opportunity to gain insights into a variety of models, including virtual charter schools (with the highest student enrollments) and district-run virtual schools (ODE, 2022a).

In Oregon, virtual charter schools were first authorized in state legislation in 1999 through

Senate Bill 100 (Hunt, 2000; NAPCS, 2021). While the legislation was oriented towards supporting public charter schools more broadly, advocates of the bill wanted to bring more innovation and flexibility into Oregon's public education system (Hunt, 2000). Since the inception, Oregon's virtual charter schools have been funded similarly to the state's brick-and- mortar charter schools. State law requires that charter schools receive a minimum of 80% of the per-student dollar amount for students in grades K-8 and 95% for students in grades 9-12, with additional weightings for students in poverty and EL students. Unlike brick-and-mortar charter schools, virtual schools can draw students from outside their sponsoring district (Public Charter Schools, 2021).

Oregon opened its first virtual charter school in 2003 and since then has experienced steady increases in virtual charter school openings and enrollment (see Figures 2 and 3). In 2019- 2020 (pre-pandemic), there were 20 virtual charter schools serving K-12 students across Oregon, which accounted for 2.4% of public school enrollment in the state (ODE, 2022a).[3] During the 2020-2021 school year, enrollment in Oregon virtual charter schools increased to 21,374 students, a more than 7,300-student gain from an enrollment of 14,062 students in the prior school year (ODE, 2022a). While high school students have historically made up the majority of virtual school enrollment, data from the 2020-2021 school year indicate a shift in the enrollment patterns, with 40% of virtual school enrollment in elementary schools, 25% in middle schools, and 35% in high schools (ODE, 2022a).[4]

Historically, the virtual charter schools with the largest student enrollments in Oregon have been those affiliated with for-profit EMOs (e.g., Pearsons, K-12/Stride). However, as we discuss below, in more recent years, some EMO-affiliated charters have moved to distance their operations, and in some cases curricula, from these corporate entities in favor of self- management and oversight by a nonprofit board of directors. Six of the state's virtual charters are currently managed

by EMOs; one is managed by a CMO; two operate in single school districts; and the largest number (10) are managed by nonprofit boards (ODE, 2023). The vast majority of Oregon's virtual charters are sponsored by rural and/or smaller school districts throughout the state. In 2021-22, the total student enrollment in sponsoring districts ranged from approximately 200 to 16,000, well below the enrollment in the state's two largest districts, Portland Public Schools (44,393) and Salem-Keizer School District (38,720) (ODE, 2021).

The demographics of Oregon's virtual charter K-12 student enrollment, to some degree, mirror those of the state overall, with white students constituting the majority. However, compared to statewide enrollment in 2020-21, White students were overrepresented, while all other race/ethnicity groups, especially Latinx students, were underrepresented in enrollment (ODE, 2022a). White students made up 60%, and Latinx students made up 25% of statewide student enrollment, while for virtual charter schools, the proportion was 74% White and 14% Latinx. Similarly, compared to the state as a whole, virtual schools enrolled fewer students with disabilities (12% versus 15% in 2020-2021), students navigating poverty (43% versus 53% in 2018-19), and ELs (6% versus 19% in 2020-2021) (ODE, 2022a).

Pre-pandemic, virtual charter schools in the state, and especially those run by larger, EMO-affiliated operators, had a reputation for poor student performance, particularly with low high school graduation rates, which was highlighted in a 2017 audit report by the Oregon Secretary of State Audits Division. The audit report also identified a lack of state oversight and called for increased accountability. Like all charter schools in the state, virtual charters are sponsored by local school boards and are subject to regular renewal/reauthorization processes every 5-10 years – a process that involves "a review of the public charter school's annual performance reports, annual audit of accounts and annual site visit and review as required … and any other information

mutually agreed upon by the public charter school governing body and the sponsor" (Public Charter Schools, 2021).

While the state has generally left oversight to local school boards, legislators took one notable step in 2011 to impose some guardrails around enrollment. House Bill 2301 imposed a cap on virtual charter school enrollment, giving school districts the option to deny a student's request to transfer to a virtual school outside of the district if the home district has more than 3% of their total current enrollment enrolled in virtual public charter schools located in other districts. Parents have the right to appeal districts' decisions to the Oregon Department of Education (ODE), and in practice, most district denials have been overturned by the state. Proponents argued that this cap was needed to protect smaller districts that could not financially afford to lose a lot of students to virtual schools outside of their district. As noted below, the enrollment cap remains a contentious issue, with virtual charter advocates periodically calling for it to be increased or lifted altogether.

Data Collection and Analysis

This paper draws on multiple data sources. First, we gathered data via 40 telephone and video interviews with state and local education leaders and advocates across three academic years (2019-2022). See Table 1 below. The study spanned four academic years, and interview data were collected in years 1, 3, and 4. In year 1 (2018-19), as part of a larger study, we sought to understand the broader choice policy landscape and targeted primarily state leaders, including legislators, ODE administrators, professional association leaders, and education advocacy leaders. Our year 3 (2020-21) interviews focused on the broad response to COVID-19 and included a mix of state and local leaders/administrators. In year 4 (2021-22), our research focused solely on virtual schools. To further investigate what, if anything, had changed in the virtual school landscape, we interviewed key informants with close ties to the virtual school community. This included repeat

interviews with two state leaders, one system leader, and one advocate who had proximity to the ODE and the state legislature.

However, most of our year 4 data came from interviews in a case study school sample designed to capture the variety of virtual school types and governance/organizational contexts (Table 2). This included one urban district-run school, one EMO-affiliated school, one CMO-affiliated school, and one run by a non-profit board. All four schools had a mix of synchronous and asynchronous instruction, with differing ratios of live instruction depending on grade level and individual student need. The CMO-run school in our sample also included biweekly in- person home visits by teachers. In addition to the urban district, our sample included two rural and one suburban sponsoring district. Since virtual charter schools in Oregon are sponsored by local school districts, we tried to interview a school or network leader and their district sponsor (e.g., superintendent or other administrator) for each sampled virtual charter school. We were unable to secure a district sponsor interview in one of the four cases. [Tables 1 and 2 about here]

Pre-pandemic interview protocols broadly focused on school choice policies and politics and included specific questions about the history and policies governing students attending virtual schools. Interview protocols used during the two pandemic years focused on how COVID was influencing virtual schooling policies and local organizational practices and how subgroups of students (e.g., students with disabilities, English learners, students from low-income families) were being served by virtual schools during the pandemic. Given our organizational focus, these later interviews focused on school-level practices rather than instruction or what occurred in online classrooms and included questions about pandemic-induced changes to assessment practices, supports for historically underserved students, and marketing, recruitment, and enrollment policies and strategies. All interviews were transcribed, and contemporaneous notes were taken during

remote observation meetings.

In the final year of data collection (year 4), we added two important data sources: 1) a review of relevant policy documents, websites, background material, and media reports (n= 201) and 2) remote observations of legislative and advocacy meetings (3 meetings, totaling 5 hours). These data helped add evidence of the effects of the pandemic, particularly on state- level policy.

Analysis occurred in multiple stages (see online Appendix 1 for a list of analytic codes by year). As part of a larger study, in the first year, we coded interview transcripts using Dedoose and a set of structural codes (Saldaña, 2013) pertaining to different types and elements of choice policies, state political context, and student subgroups. We then authored a detailed report summarizing the state's social and political context and the nature of choice policy design and implementation. Sections of this report on context and virtual schooling were brought into later phases of analysis as both background and points of comparison for the main analysis of COVID-era interviews.

Researchers analyzed COVID-era interview transcripts, documents, and notes through the lens of evolutionary theories of change and the key concepts from the framework (Figure 1), producing detailed reports with evidence on: 1) how, if at all, COVID affected virtual schooling policy and local organizational practice; 2) the magnitude and nature of COVID-related changes (e.g., how deep, lasting, and equity-oriented) and 3) possible explanations for patterns, including contextual factors such as politics and institutional pressures that may have mediated/magnified or tempered the effects of the crisis. Driven by evolutionary theories in policy studies, our analysis of *state policy change* considered policy areas in which pressure had been building prior to the pandemic (e.g., accountability, enrollment) as well as new areas and evidence of potential shifts. Driven by evolutionary theories in organizational studies, our analysis of *local-level changes*

focused on the school level and sought out evidence pertaining to potential shifts in core values and beliefs, strategy (e.g., new recruitment plans or program offerings), distribution of power (e.g., new management or oversight), and organizational structure (e.g., new or enhanced relationships between authorizers and virtual charter schools). The equity orientation pushed researchers to document evidence on the extent to which pandemic-induced changes sought to address the needs of marginalized groups. Researchers also referred back to year 1 data to provide early context and points of comparison. Thus, our analysis of change brought about by the pandemic included both an objective comparison of pre-COVID and COVID-era data and self-reports of change. Using memos, peer debriefing sessions, and triangulation of data from multiple sources, we refined and validated emerging findings (Creswell, 2007; Lincoln & Guba,1985). As a multiracial, multi-generational research team, with different positionalities, subjectivities, and experiences, we used regular peer debriefing sessions to check our assumptions and biases (Lincoln & Guba, 1995).

Conducting research during the pandemic was especially challenging and limited the scope of data collection. At the local level, we sought to minimize the burden on educators, choosing to interview only leaders and not teachers or other school staff. We also limited our case sample to four, which was not meant to be representative of all virtual schools or contexts in Oregon. Though reflective of their low proportion of all virtual schools in the state, only one of the four cases was district-run, which limits our ability to make strong comparisons on this dimension. And while the number of local-level interviews in the final study year is limited, we also draw on documents and state-level sources to triangulate our findings. As discussed further below, the analysis of local-level data was also complicated by studying, in real time, the effects of the pandemic with other local changes occurring simultaneously. Although our evidence for investigating local organizational practices is limited, and would benefit from additional future research, it is

nonetheless useful for exploring the influence of the pandemic on local organizational practice.

Findings

Next, we present our findings to each of the two research questions.

How the Pandemic Shaped Virtual Schooling Policy at the State Level (RQ 1)

To examine the effects of the pandemic on state policy, we start with an overview of the pre-pandemic policy landscape and then move to evidence from the pandemic period. A PET perspective would suggest that the external shock of COVID could have helped release pressure mounting at the state level to address issues of virtual charter school accountability and enrollment prior to the pandemic – potentially instigating major policy changes constraining operations. The move to nearly universal online instruction could have also challenged the image of brick-and-mortar education in ways that expanded virtual schooling and policies to legitimate it. In contrast, an incrementalist view recognizes that long-standing institutional and political pressures to maintain schooling as is could easily buffer policy and local leaders from calls for long-lasting change induced by the pandemic. In the end, we find that the pandemic increased awareness and a sense of urgency to address virtual school accountability and enrollment issues, but actions taken were temporary, minor, or symbolic.

The political landscape leading up to the pandemic points to considerable friction. Prior to the pandemic, friction had been building within the policy environment. First, as noted earlier, there were strong concerns about the performance of virtual charter schools, particularly high schools. In response, the 2017 State auditor's report called on the state to enhance monitoring and support.

Second, many individuals and groups within the traditional public school sector regarded the establishment of large, virtual charters in Oregon as a threat. In 2019, one state administrator

attributed the negative views to potential and real loss of student enrollment:

> I'm not sure that there's a lot of trust among general public educators and superintendents and the virtual charter schools. … I don't think a lot of folks are excited about it in the traditional public sector because they see it as taking students, getting funds for them.

Others questioned the motivations of smaller districts authorizing large virtual charters. A state education association leader in 2019 claimed these districts sponsored the schools to increase revenue but not necessarily to ensure high-quality education:

> Because you have a couple of really small school districts now that have tripled the size of their school district because of their online charter school, and remember, we fund school districts based on the number of kids they have.

Another state leader expressed concern about "small districts having bandwidth" to adequately support the large virtual schools. An education advocate said these "larger poorly performing virtual schools suck up all of the oxygen in political conversations about virtual education."

In response, opponents of virtual schooling, led largely by the Oregon Education Association (OEA) representing preK-community college educators statewide, worked for years with the legislature to attempt to limit the expansion and operations of virtual charter schools. According to an education advocate, this includes proposing legislation to "prohibit the virtual schools from doing television or radio advertising." Nevertheless, virtual school proponents were still seen as quite powerful and managed to fend off these legislative efforts. "When we have passed laws," said a state education association leader in 2019, "it's been pretty brutal. …there's a lot of money involved. They're very well organized … they come down to our state capitol with regularity." Virtual school advocates also worked for years to repeal or expand the 3% enrollment cap, hoping to remove barriers to student enrollment.

In the years leading up to the pandemic, there was little indication of political will to adopt significant policy change. Interviewees frequently cited the norms of local control as a rationale

for maintaining the status quo and leaving oversight to authorizing school districts. One state administrator described the state as "agnostic" on how districts oversaw the virtual charters. Another state administrator acknowledged the lack of state motivation to do more:

> At the state level, we don't have explicit rules or guidance or anything that goes into our district compliance. That includes how well the district is doing their job as an authorizer. … [B]ut there isn't a lot of political will in Oregon to add more accountability to our districts because of how overtaxed they already feel and how underfunded they already feel. And so, adding more monitoring or more compliance to districts is not something that is very palatable.

A 2019 follow-up report to the 2017 state audit similarly indicated little action from the state on issues highlighted by the audit:

> At the time of the original audit, the Oregon Department of Education (ODE) fully agreed with all 15 of the recommendations we made. Our follow-up work shows that while ODE has partially implemented three of those recommendations, it has not made progress to implement the remaining 12. As such, significant work is needed to fully implement all 15 recommendations. Addressing these recommendations will help improve results for at-risk students in alternative and online schools and programs. (Oregon Secretary of State, 2019)

In response, ODE leaders maintained that they did not have the legal authority to put many of these recommended policies in place.

The effects of the pandemic are largely minor and not long-lasting. With pressure mounting at the state level to address policy regarding virtual schools, the pandemic could have instigated punctuated change. Our evidence, however, suggests that although the pandemic initially increased awareness and a sense of urgency to address virtual school enrollment and accountability issues, it ultimately resulted in incremental policy tweaks. We found little evidence of lasting, dramatic, or equity-oriented policy change. The one lasting change was a reported slight positive shift in the state climate surrounding virtual schooling and the need for more state action.

Calls for expanding access resulted in enrollment-related policy tweaks and defeats

(incremental change). In the early stages of COVID in spring 2020, when districts shut down in-person instruction, enrollment in established virtual charters began to increase significantly as parents sought out well-established online programs. At this time, there was a corresponding dramatic increase in appeals when districts met their enrollment caps that limit virtual charter school enrollment to 3% of a district's total enrollment. "We typically get about six [appeals] on average a year," said one state administrator in December 2020, "and we've had like 750 this year." To address the "instability" of this shifting student enrollment, the ODE instituted new funding formula rules to stabilize funding for districts losing students. As one ODE administrator explained, "We said, 'Yes, you can enroll these students, but your enrollment, what we're going to pay you … is going to be based on the numbers of kids you had at the end of December.'...so huge funding shifts wouldn't happen."

In late March of 2020, the ODE also imposed a temporary "pause" on virtual charter school enrollment, lasting just a few weeks, to help stem the outflow. The same state administrator explained, "There was this fear, rightly so, that parents and students were going to flee this … initial shutdown, and this distance learning and the chaos and all of that, and just jump ship right into virtual schools."

Soon after, virtual school advocates began pushing again to expand their potential enrollment and to increase or repeal the 3% cap. In November 2021, one such advocate, a virtual school leader, argued that the cap was outdated:

> [The cap] made sense in 2011. … When we're 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 this push, the state did not - and to this date, has not - instituted changes to the policy. During a legislative special session in the summer of 2020, advocates reportedly "floated" ideas

of expanding the cap “behind closed doors.” However, the legislature declined to revisit the 3% policy. “They've decided not to touch it,” said one state leader later that year. In 2022, legislation to repeal the cap was put forward, and a committee hearing with public comment was held, but it also did not move forward. One education advocate explained:

> After the 2021 legislative session, Senator Michael Dembrow …made a promise to the virtual school community to convene a work group to discuss the issues. …So, there was the bill and the Senate education committee folks agreed to have a hearing on issues, but it was past the time at which anything could have moved forward.

COVID-induced changes to accountability/regulatory policy were minor (incremental change). With the shift to comprehensive distance learning (CDL) statewide, the ODE took up issues related to oversight. The fact that all students statewide were now instructed online drew attention to issues of accountability and quality and to some of the concerns that had festered for years prior to the pandemic. Early on, the ODE made changes to the rules around attendance for online education. Virtual school operators were now required to take attendance daily rather than twice weekly prior to the pandemic, which necessitated an updating of student information systems and technology platforms. This policy remains in place as of the time of writing this manuscript.

At this same time, state leaders seeking even greater accounting for student instructional time in virtual schools pressed for additional policy changes that were not, however, adopted. Notably, in an attempt to incentivize more teacher-facilitated instruction in online programs, the ODE initially proposed a requirement that all virtual schools demonstrate “50% synchronous instruction” (which to date had not been regulated), but this was met with “a lot of, frankly, disagreement … so we did not move forth with that proposal,” explained one state administrator in late 2021.

The furor around the proposed 50% synchronous requirement, along with the outstanding

calls by the Secretary of State for increased oversight, contributed to the formation of an ODE Remote Learning Advisory Committee in the fall of 2021. Members of the volunteer committee, staffed by ODE, included representatives from virtual charter schools, school districts, professional associations, and advocacy organizations who agreed to serve for two years. According to ODE administrators, the main charge is for those most familiar with virtual schooling to help inform state policy and answer the question: "What must online schools ensure for high quality online education across the state?" Public documents similarly conveyed an intent for the Advisory Committee to draw on stakeholders' experiences to inform policy:

> ODE's own engagement with online schools and programs and their sponsors has led to questions about levels of compliance with existing Oregon Administrative Rules (OARs). As a result of these questions, in the fall of 2021, ODE began a statewide engagement process to learn from educators and education partners about promising practices, challenges, and priorities around online and remote learning (Letter from Director of ODE as preface to Online and Remote Learning Guidance 2022-23, ODE 2022b).

This group presented an opportunity to bring about policy changes long-sought by some actors.

Our evidence suggests, however, that these efforts so far do not constitute deep changes predicted by a punctuated evolutionary perspective. While several interviewees in the virtual learning space appreciated the ODE "bringing us into the fold and asking the people that are doing the work," other participants expressed concern that the Advisory Committee did not have a well-defined focus or desired outcomes. One participant noted:

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

Another observer expressed some skepticism about the purpose of the committee:

> They wanted to be able to say that we pulled together this advisory council. It has collectively 82 years [of] …virtual experience and people from different groups … I'm not saying that they don't take input or things don't change based off of it, but I'm saying that it feels very scripted towards a certain path.

In the end, 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" (ODE, 2022c). Yet, the state largely leaves it to districts to adopt these recommendations/ideas and provide oversight of virtual schools. According to one education advocate contacted in the fall of 2022 for the 2023 legislative session, "ODE has no plan to develop legislation related to this guidance."

Reported shifts in beliefs and climate signify incremental change. In the end, the one reported lasting effect of the pandemic on virtual schooling at the state level was not policy change but a slight shift in the beliefs about and overall climate surrounding virtual schooling. Two education advocates had already observed diminished "political pushback" and fewer legislative efforts to constrain virtual charters in the period just before the pandemic. Since then, one of these interviewees believed there was an even greater level of acceptance: "When the pandemic hit, since then, I haven't heard anybody trying to close down virtual school options." Based on conversations with several local districts and the expressed demand from parents (especially in the more rural areas of the state), one state administrator anticipated that "at least half of the districts in Oregon will probably keep some form of full virtual option."

An ODE administrator described how the expertise of virtual school leaders was valuable to state-level policymaking, sharing, "We want a group of educators very close to the work with a diverse set of perspectives that we can get input and feedback from on various policies, not just the three percent." Others believed the pandemic proved how difficult it is to conduct online

instruction, legitimating the work of virtual schools. One virtual school leader noted that during the tumultuous enrollment shifts during the pandemic, traditional public school systems realized that virtual charters contributed valuable resources that also helped to build positive attitudes:

> Every district within the ESD was positively impacted when our enrollment was really high, and just because there was more money brought to the ESD for shared services and things like that…So, 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 ESD.

The final potential pandemic-related shift was a growing belief that the state needed to be given or assume greater authority to oversee virtual charters. Thus, while the schools were no longer vilified or seen as needing to be shut down, they did need greater oversight and support that could only come with legislative action. One education advocate said:

> I think where we're at now is people recognizing that we don't have a legislative authority to do some of these pieces and new sets of standards might not be here. … ODE would essentially submit [a policy package] to legislators to potentially sponsor as bills to change legislation. To give them the ability to do things.

As such, there was waning support for the rationale that in a local control state, districts should be the sole authority overseeing their operation. In fact, a May 2022 Secretary of State report concluded that more state action was needed:

> State leaders must appropriately balance local control and state-level monitoring of K-12 results. Improving K-12 education requires balancing two priorities: supporting local control of school districts by district management and school boards — entities closer to the ground and more in touch with their communities — and ensuring ODE appropriately monitors and intervenes to help struggling districts improve, safeguard taxpayers' investment, and protect historically underserved students.
>
> We analyzed risks identified in our past audits and conclude a lack of intervention by ODE … has been a larger problem than infringement on local control. In some cases, ODE has said it lacked statutory authority to intervene.

The report went on to recommend the need to "Monitor and support ODE's efforts to improve inadequate performance measurement of alternative and online schools, and adopt statutes that

hold public district and charter online schools, particularly statewide and regional online schools, to stronger standards." While these shifting beliefs suggest the potential for future policy action, they do not characterize dramatic, swift policy change triggered by an external shock.

Actions signal equity-oriented intent but limited action. Overall, pandemic-induced state policy efforts reflected some intentions to address equity-oriented concerns but limited actions. For example, the preface to the state Online and Remote Learning Guidance report explicitly calls out the lack of equity and inclusion in online schools but largely leaves it to the districts to address the problem and to provide oversight of virtual schools:

> This guidance … is an important step in meeting the recommendations of the audits and addressing equity concerns related to graduation rates and enrollment trends. … Therefore, if we are to truly do the work of equity for students across Oregon, leaders and operators of remote and online education must ensure all students see themselves and their intersecting identities represented in the school, staff, curriculum, and student body. (Letter from ODE Director as preface to Online and Remote Learning Guidance 2022-23, ODE 2022b)

Among the ODE's recommendations for inclusivity and equity are student centered, inclusive and culturally appropriate instruction; an inclusive enrollment process to ensure that all students are able to attend regardless of race/national origin, identity, sexual orientation or disability; and learning opportunities that provide equitable access and outcomes, and especially graduation rates, for all students (ODE, 2022b).

One minor shift was a new internal process for reviewing parent enrollment cap appeals. As the pandemic progressed, one state administrator reported, the ODE considered the equity implications of how appeals were conducted due to concerns about biases, systemic racism and longstanding inequities within the state – concerns brought into relief as a result of the pandemic:

> We know that families of color and students of color are disproportionately affected by how COVID takes place … And so, we wanted to be able to factor that into our decision- making around these appeals. If families are making these choices, being denied by their district and not being offered other high-quality online options, we would then be able to factor that and

make a turnover of a denial based on that.

This administrator went on to share that this process had not led to many local decisions being overturned because they believed that "most of our districts are actually offering quality online options for their students."

Nevertheless, some virtual school operators insisted the cap itself and the flexibility granted to districts in determining whether or not they had met the 3% cap was inequitable - providing unfair limits to families in smaller districts, which tended to reach the cap sooner than larger ones (one operator called it "discriminatory") – and that waivers in these cases were rarely overturned. One education advocate, however, reminded us that the cap was initially instituted "to protect small districts from essentially being raided by virtual schools," as losing even a few students could be financially detrimental to the remaining students. In prior years, other observers suggested financial motives drove virtual school operators' interest in eliminating or expanding the cap – which could arguably constitute another equally problematic equity issue.

How did the pandemic shape virtual schooling organizations at the local level? (RQ2)

Our evidence to answer this question is limited in scope and quite mixed. As noted, PET suggests an external trigger such as COVID can lead to profound organizational changes in: structure, strategy, power systems, or core organizational values. In contrast, an incrementalist perspective posits that these dimensions of organizations are quite stable and that given institutional friction, even in the face of crises, changes are generally superficial or short-lived. While we did not find evidence of changes in values or power structures, our data suggest an expansion of the remote learning marketplace within Oregon (shifts in organizational strategies within virtual and traditional school sectors), increased collaboration between traditional districts and virtual school operators (changes in organizational structure), as well as differences in

expansion based on organizational structure (organizational strategies). Nevertheless, our data also indicate that some of these changes occurring early in the pandemic may not be long-lasting or explicitly equity-oriented, suggesting a more incrementalist evolutionary process.

Importantly, several participants explained how difficult it was to identify specific pandemic-induced organizational changes due to the amount of change they experienced concurrently with the pandemic. For example, one virtual charter operator explained, “I don't know if it's specifically tied to the pandemic, it's just a movement in education overall, to have a specific social-emotional curriculum.” Similarly, a virtual school principal described how recent efforts to be more equity-focused primarily stemmed from student demand, sharing:

> Only about 10% of our students are of color, and so, it's not very diverse. But we want to do the best that we can with the students that we do serve. We have a student-led social justice group that was started this year, so we want to support those kind of things that are coming from student-driven groups, which is a LGBTQ+ group …

Another virtual school principal described how a shift in organizational management—decided pre-pandemic but implemented in Spring 2020—allowed them “...to be a more student centered, be more aligned with [their] district and also the Oregon Department of Education.” This shift in management also allowed for increased flexibility in curricular choices:

> So much of the prior curriculum was just students work through the canned curriculum at their own pace, without a lot of teacher interaction sometimes. That's just not how it is anymore. Students have different assignments every day. Teachers are able to make changes to it, which is wonderful.

When we specifically asked if there were changes in strategy specifically due to the pandemic, an operator of another virtual school candidly explained:

> I don't know. It's really hard to pin stuff specifically on the pandemic. I'm trying to think, because when we're talking Fall 2020…Spring 2020 is a blur, right? Just survive. So, really that Fall 2020 and beyond, our district, our state was under fire, but our district and our own property was also on fire. The very first day of school, we have this pandemic and these new regulations, and we just opened as [Organization's name], so we had so much happening at once, it's really hard to say which one of those things.

Similarly, a virtual school principal shared “It's interesting because, I mean, really our school started just almost right along with the pandemic, our new system. So, it's tough to attribute what is a shift that was just needed because we discovered that, ‘Hey, what we thought was going to work, didn't work. Let's try this instead.’”

Despite these challenges with attribution, we were able to identify several organizational changes clearly induced by the pandemic. However, due to the variety of virtual school options within Oregon, we cannot say whether these findings apply to *all* virtual schools in the state.

Remote learning market expansion indicated some changes in organizational strategies within virtual and traditional school sectors. Although school districts in Oregon have been allowed to return to in-person learning since the fall of 2021, both traditional school leaders and virtual school operators reported a consistent demand from families for remote learning opportunities. As one virtual school leader explained, “Thanks to COVID, there will always be a group within our schools that need a virtual option for one reason or another. There always has been. The pandemic has finally brought that forward. It's no longer a secret.” Participants provided multiple reasons for this continued demand, including ongoing fears about contracting COVID, the need for students to work full-time to support their families, and students thriving in online spaces where they experience less bullying and discrimination.

Additionally, one education advocate shared how political ideologies around masking, school closures, and the unique needs of rural families converged to influence the demand for virtual school options. She described how perceptions of constantly shifting state-level guidelines and heavy-handed mandates were not well received by some parents and families. These families sought virtual school options, she said, as a way of “opting out…when it felt like every week there was some disruption to the actual in-schooling.” A 2022 ODE report supports interview

accounts: the number of district-run virtual school options more than doubled between the 2019-20 and 2021-22 academic years; statewide enrollment in virtual schools increased by more than 9,000 students; and the number of virtual schools increased by 22 schools, with most of the growth in district-run schools (see Figures 1 and 2). [Figures 1 and 2 about here]

The expansion of the remote learning marketplace provided virtual charter schools with a unique opportunity to capitalize on this demand by offering various forms of virtual learning support to their sponsoring districts and other districts throughout the state. Our analysis uncovered differences in expansion strategies based on organizational structure, i.e., whether a virtual charter school was managed by a for-profit or non-profit organization. For example, the authorizer of a district-run charter school described how even as they faced increasing demand for virtual schooling options, they chose to maintain their enrollment numbers instead of rapidly expanding. He explained:

> The first year of the pandemic, we had increased 600 students or so. So, we've been increasing all along. But that was our biggest jump. Usually, we would have anticipated about a 300 growth. … And then we turned students down, because we had another 600 wanting to get in. But just from a system standpoint, it's too much to ramp up … It felt like too much of a lift to do a good job with more students.

Facing similar enrollment demands, a virtual school operator described how their for-profit managed school took a different approach:

> I think we grew too fast … But maybe that was something that played into being a managed school where [for-profit EMO] is like, "Wonderful! Look at this great enrollment," but weren't really thinking of the people in the trenches making the work happen.

Another virtual school operator similarly described these opportunities from an operations perspective, explaining, “there's still a business aspect of our school, right? I mean, we're here to serve kids. And the thing we don't like to talk about with teachers and with families and with students is that we still have to pay our bills.” Acknowledging that some districts have struggled

with operating nascent, pandemic-induced virtual learning programs, she described how her organization shifted its strategy from enrolling new students to developing and marketing new programs to traditional districts: “we can't call these students, students of our charter school. But there's nothing [in Oregon state law] that says we can't open up programs and seats for districts to contract for. So, we're going to expand our offerings [and] build programs specifically for districts to contract for.” Similarly, a virtual charter principal explained that due to the pandemic,

> Schools had to really scramble to throw together a digital or an online learning opportunity for their students. What we are putting together is a turnkey solution where we've been able to tell them, "Well, you could contract with us to be your online school, to be able to provide that. We have [more than a decade] of experience in online education. We've got this down pat, and we'd be able to serve your district."

One district superintendent also foresaw a pandemic-induced expansion of the virtual school marketplace and shifted strategies to expand opportunities for growth in this new market. As the pandemic lingered past spring 2020, this superintendent suggested to the leader of its district-sponsored virtual charter school that other district superintendents might benefit from their arrangement. He explained, “[the virtual charter school] provided the curriculum and some oversight [for its district-run virtual program]. We provide the certified teacher…and oversight of that teacher and program. But then, we buy curriculum and everything, based on their platforms that they’ve had for over a decade.” Understanding the financial realities of operating a small, rural school district, this superintendent ultimately helped to facilitate similar partnerships with several similar districts, describing this opportunity as a win for all parties:

> As the wing of [virtual charter school], there's a net revenue for providing the service. And so, it gives us more capacity to do more things. And the school district on the other hand, they're gaining the ADM [state per-pupil funds] that they would have lost to some other online charter. And so, they're serving their families, they're getting the ADM. And in the mix, we can provide X, they pay for Y, and we make a little bit off of it that gets reinvested into programming.

While some leaders found success in this marketplace expansion, it did not come without

some tension. Notably, some observers expressed concerns about virtual school expansion, given documented lower levels of academic achievement among virtual schools locally and nationally. Nevertheless, some of the virtual school operators dismissed 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, really, that's a significant improvement from what they would've been previously.

Virtual charter school leaders firmly believe they exist to serve a particular population not well served by traditional school districts. As one explained, “We just have different students. So many of our students come to us credit deficient. If we were to look at those percentages, I think it'd be really telling. So I think some of the data that's captured just doesn't tell the whole story.”

Despite these tensions, our research suggests that virtual school options within Oregon expanded, at least temporarily, as a result of the pandemic, and a new marketplace has developed. The increased demand for virtual options led some leaders in both traditional and charter sectors to pursue new organizational strategies, such as new educational programs and revenue streams.

Pandemic-induced collaboration indicated some shifts in organizational structure. One of the most significant ways we observed pandemic-induced local change was through increased collaboration between districts and virtual schools. These changing relationships represented a shift in organizational structure, as organizations rarely engaged in cross-sector partnerships prior to the pandemic.

In spring 2020, when the governor ordered schools to physically close their buildings, some districts–particularly those with little experience with online learning platforms–found the transition to remote learning quite difficult. This provided an opportunity for Oregon’s pre-

existing virtual charter schools to support those 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 really 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.

> Another example of this continued partnership included virtual charter schools providing guidance to districts about supporting students receiving special education services in a virtual setting. One superintendent noted that the relationship between the district and the virtual charter they authorized became stronger throughout the pandemic. He said, "One of the things that we recognized right out of the gate is that we had a huge advantage to move into online CDL type learning, because we'd had one sector of our organization, we've been doing it for over 10 years."

In another district, a superintendent came to recognize the benefits of playing an expanded role in supporting the virtual charter school through broader oversight and supports for academic achievement. Although the district did not receive a large financial benefit from sponsoring the virtual charter school, there was enough of a financial incentive to ensure that the virtual school produced strong academic outcomes. He noted:

> It's [the financial incentive] not insignificant. It's enough that it needs to have your attention and it's enough for us to maintain a relationship and figure out how to support them so that they're successful. If they're not successful, at the end of the day, state legislators … they don't like to see putting state money towards programs that are failing.

When we spoke to the leader of this virtual charter school, she similarly described some benefits of this collaborative partnership, highlighting the ways that an expanded relationship with the district helped their organizational operations—particularly as a newly self-managed charter school due to severing ties with their previous for-profit operator. She shared:

> We've been trying to work with their business managers since we are now in-house with our finances…And it's really us that's driving that, like, "Hey, we're, self-managed now. We want to work with you guys. We want to have a clear understanding of the money flow, how it works, how we're allocating funds for certain grants." So we're working hard to kind of build that for the first time.

While these findings suggest pandemic-induced changes in organizational strategy and structure, we use the next two sections to interrogate their durability and equity-orientation.

Questions about sustainability suggest incremental pandemic-induced changes. Evidence from discussions with virtual school and district leaders indicate that at least some changes in organizational strategy and structure may be short-lived. In particular, some school districts have encountered significant challenges maintaining the operations of new district-run virtual learning options for their families. One district superintendent described the difficult realities of operating a high-quality learning experience, particularly at the elementary and middle school levels:

> You sign up for [virtual charter school] and you're in second grade, you get a box of second grade materials that they ship to you and then it's part of their curriculum and the teachers know how to use it. We tried to do the job, but we didn't do anything like that. We just send manipulatives to kids' homes. I feel like that's where there's a gap and we saw at K-8, we can't play that game. They're [virtual charter schools operating pre-pandemic] definitely geared to doing that.

Relatedly, one virtual school leader shared "One of the districts in our ESD area who's learned how our big enrollment benefited him, they've cut their virtual program for next year. And there's lots of school districts, [those] mid-size school districts, that just don't... it's not cost effective."

Despite recognizing the challenges in successfully operating a virtual school and some initial district interest in outsourcing these operations to established virtual school operators, we found that these interests did not always lead to sustained partnerships. For example, one virtual school leader shared that their organization had been unsuccessful in contracting with school districts to provide the comprehensive remote learning packages that they had developed. When asked why districts ultimately did not utilize their remote learning options this leader explained:

> Well. I mean, quite possibly still associated with the idea of "Oh, there's [Organization name] doing a money grab," or maybe even just not understanding what we're asking. And everyone's so busy … So, I think there's still quite a bit of misinformation, and I

> don't think it's the fault of anyone. It's just the nature of being busy and they don't have time to explore this for those three kids.

In her response, this leader brought up how the negative, profit-seeking reputation of long-standing EMO-affiliated virtual operators challenged their efforts to expand. Their experience is in stark contrast to that of a district superintendent who shared that his district's similarly structured partnership opportunity had been sought after by other districts. As a long-serving superintendent with extensive ties across the state, his social networks may have played an important part in this success. This finding suggests that although the remote learning marketplace has expanded within Oregon, pre-pandemic organizational reputations may continue to influence the sustainability of collaborative partnerships in the future.

Limited evidence of equity-oriented changes raise additional questions. Much like our findings at the state level, in the wake of the pandemic, local leaders clearly understood equity issues implicated in virtual schooling and its expansion, particularly for marginalized student groups. Yet we found few explicit local organizational strategies or structural changes initiated to address these issues.

One group of interviewees conveyed that the pandemic and the opportunity to learn online enhanced equity by providing new families a glimpse into a benefit long-supported in research, that virtual schools provide protective spaces for some students. Commenting on new families, a principal of a district-run virtual school said, "Black students or Latino students who have faced a lot of racism in the school, either macro or micro, for some of them, it was like, 'Oh my God, I just don't have to deal with that stuff anymore.'" Similarly, a virtual charter school operator shared:

> We've got a lot of high anxiety, formally pretty severely bullied kids that seek us out as well; kind of the ones that just don't fit that typical mold … the kids that are kind of counterculture I guess too. They just don't feel like they fit in, in regular school.

Yet these local leaders generally focused on the role of the state – and limits on enrollment via the 3% cap – inhibiting all families from realizing these benefits. They did not describe any particular efforts on their part to initiate organizational changes to capitalize on this opportunity or to explicitly alter strategies or supports for these students. Another group of interviewees expressed concerns that the pandemic was exacerbating inequities. These individuals questioned whether students needing safe spaces online were well served by virtual educational programs. One group- students with disabilities (SWD) - came up repeatedly. Several local leaders were adamant that their virtual programs served SWD well, but made no reference to any pandemic-induced changes in services or strategies. One virtual charter school principal praised their special education team for being able to "level out where they need to be, as far as where their learning needs to start for that school year, and then if they need any one-on-one or any extra services there, [they] have SPED teachers that will work one-on-one with students." Due to well-established, strong systems for providing these services pre- pandemic, another virtual charter school principal explained that very little changed in the ways that they served students with special needs. She shared that students "have their specially designed instruction all online, and then their OT, speech therapy, all of that. We do E-therapy, so that was already implemented…it just continued as we have been through the pandemic."

In contrast, other participants conveyed deep concerns about the pandemic's impact on their special education services. One district-run virtual school principal noted how challenging it was to provide adequate services in 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." Similarly, a regional administrator acknowledged that SWDs in virtual programs may not have been served well during this time:

> What I've seen when a lot of districts come up and create their own programs is special education is just like, "Well, you can't even apply here because we can't meet your needs there." There's all these other pieces that are just absolutely not legal, but because 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.

While not unique to the pandemic period, some virtual school operators readily acknowledged that their school may not be the best fit for all students. One virtual school leader explained "We try to be very upfront. Here's what we are. Here's what we can offer, make an educated choice for you. And there are some disabilities that we probably aren't the best fit for, some super high needs students that do need more of a one-on-one nurse at all times."

Finally, a district superintendent questioned whether virtual school teachers could truly address the needs of marginalized students, particularly when, in many of these schools, teachers can reside all over the state and may not align with the values of the charter school board members or enrolled families. They noted that faculty in one rural virtual charter school "leans progressive" because "they're from all over the state … [and] have different cultural values and understandings of how people operate." As a result, the school's staff were "pushing hard for certain equity stances" while more conservative "families are pretty nervous about the staff pushing hard for that" and "don't want anybody coming in and tell[ing] them how they think." These misalignments played out for example in tensions over sharing symbols and messages around BlackLivesMatter and rainbow LGBTQ+ pride flags or posters within the virtual school. The administrator reiterated how challenging it was to "build consensus" in such an environment.

In summary, while the pandemic may have expanded access and given students from marginalized backgrounds an opportunity to experience safe learning spaces, the pandemic generated some equity-oriented concerns and did not appear to induce explicit equity-oriented changes in organizational strategies or structures among schools in our sample.

Discussion

Our evidence suggests that the pandemic triggered limited change in state policy and some shifts in organizational practices in our sample of virtual schools in Oregon. Moreover, the data raise questions about the durability of these changes and the implications for marginalized students. Ultimately, we conclude that the pandemic resulted in incremental, not punctuated change. In this section we ask *why*? First, why did the pandemic not result in more significant policy shifts and lasting changes? And, why did we see so little equity-oriented change?

Why only incremental changes? The mediating effects of the political context

One potential explanation for the incrementalism and limited pandemic-induced change, particularly state policy change, relates to governance and politics. Consistent with prior literature indicating the importance of local context and an understanding that external triggers "do not, by themselves cause revolutionary change, they only create the need" (Gersick, 1991, p.2), these pre-existing state conditions likely tempered the effects of the pandemic and reinforced institutional friction (core to incrementalist theory).

During the pandemic, the state had a unified Democratic government with a Democratic supermajority in the Legislature and a Democratic governor. These key leaders—unchanged during the pandemic—traditionally have been strong allies of the Oregon Education Association (OEA), which has long fought against the expansion of virtual schools. The Democratic leaders also had a history of endorsing limits on virtual schooling enrollment and deferring to districts to regulate virtual schools. As noted, strong norms of local control may have further reinforced this status quo position. In 2018, a state board member told us: "Oregon, like many states, is quite decentralized in terms of how the state organizes the districts. … there's a very deep tradition of local control in Oregon."

While the Remote Learning Advisory Committee may have brought more people into the conversation, these individuals held little power to "lock in" the temporary changes that occurred at the outset or to enact further policy shifts around accountability. They did not represent a forceful voice for change and were unable to displace the policy elites or dominant interest groups defending the status quo. Similarly, virtual school advocates did not gain any leverage over the Democratic leaders and their OEA allies during this time. In fact, one virtual school leader attributed policy inaction around expanding the cap during the pandemic to partisan politics:

> Our Republican caucus is very supportive of getting rid of the enrollment cap law, and our Democratic caucus is very against it. When you talk to anyone individually and when we talk about kids, everyone is all for kids and the individual kids. But when we start talking about the party line ...

This individual placed blame on the Legislature, not only for the partisan makeup, but also for having "a couple of days to work" given the part-time nature of the government. In Oregon, the Legislature meets every other year or when called into special session by the governor. This structure, along with the partisan divide, could have limited the opportunity for and slowed down the process for enacting state policy changes around virtual schools.

State school choice coalitional politics may have also played a role in the pandemic dynamics. Virtual school advocates, while perceived by some to be powerful due to their financial resources (recall the interviewee noting their ability to lobby against marketing restrictions), were not necessarily as powerful as they could have been. Some noted that brick and mortar charter school actors did not ally themselves with virtual charter schools – in part, to protect their reputation. In 2018, an education advocate shared that some charter leaders wanted to "distance themselves from the larger poorly performing virtual schools that suck up all of the oxygen in political conversations about virtual education." While this was due in part to national virtual operators' controversial reputations, it also reflected the reality that "virtual schools and

brick and mortar schools can be vastly different" with divergent needs from policymakers.

Lastly, immediately prior to the onset of the pandemic, two EMO-affiliated virtual schools chose—to varying degrees—to sever ties with their for-profit national virtual operators. According to local virtual operators interviewed, this development impacted the organizational capacity of the newly self-managed virtual schools. Severing ties may have also affected political dynamics. Even though these national entities continue to operate in Oregon, their capacity and willingness to advocate for greater changes to state-level virtual school policy may have waned.

At the local level, we uncovered some reported shifts in organizational practice, though their durability remains an open question. One explanation for why we see more pandemic-induced changes at the local level than at the state level could be exactly because they are local, where there is less dependence on state politics and where there may have been more favorable conditions. The surge in virtual school enrollment and schools and the demonstrable demand, combined with the shifting beliefs about virtual schools, may have created conditions favorable to local exploration of new strategies and structures—ones that could not be easily ignored and were not dependent on broader state power dynamics.

More recent reports (post-data collection) suggest local conditions continue to mediate the sustainability of Oregon virtual schools, particularly those run by districts. Several districts continue to support their district-run virtual schools – for example in Beaverton School District, where a district-run virtual school principal reported to the media "The idea that we wouldn't have something for students that need something different than in person doesn't make sense to me" (Silverman, 2023). Yet other districts have decided to close their virtual schools. For example, Portland Public Schools (PPS) opened its online learning academy in 2021 due to significant demand from families concerned about returning to in-person learning and families

continued to enroll in the school over time (Miller, 2023). However, due to projected budget shortfalls based on expiring pandemic-related federal aid, PPS officials announced that the online learning academy would close at the end of the 2022-23 academic year, characterizing the virtual program "as a short-term program that was only opened a couple of years ago for specific purpose" (Miller, 2023). This development suggests that while politics may not have been a significant barrier to change at the local level, other structural and systemic factors may impact the sustainability of such change. The PPS closure in particular also reflects a suspicion among many that pandemic-induced changes, at least for some districts, were always meant to be temporary - those beliefs may have further mediated the effects of this external trigger, providing further evidence of an incremental evolutionary process.

Why such seemingly limited equity-oriented changes?

From a transformative equity perspective, our evidence suggests that pandemic-related policy and practice response did not uniformly advance the needs of marginalized students and families. Virtual charter operators pressed hard on expanding/lifting the cap in the name of equity, but this understanding of equity pertained to geographic disadvantages (being denied access for living in a small or rural district). Such a conception of equity aligns well with liberal and libertarian notions of "fairness" and "equal opportunity" for all, but not the transformative view of righting past wrongs and attending to the needs of marginalized students (Allbright et al., 2019). While some of that geographic disadvantage can correlate with lower-income families, data indicate that most virtual school students come from more privileged families (Ahn & McEachin, 2017; Molnar et al., 2019) and several interviewees noted equity was not the driving motivation behind these efforts. Also, actors pressing for stricter accountability policy for virtual schools did so based on concerns about poor student outcomes that touched upon, but were not consistently or

explicitly tied to conceptions of equity related to race, class, and disability. Though some state language was introduced in new guidelines to attend to issues of transformational equity in designing virtual programs (e.g., ensuring diverse representation in curriculum and staffing), these remained voluntary and not backed by state policy incentives or accountability mechanisms.

But why? One possible reason is that there simply was not an appetite for addressing these issues. A generous interpretation is that the immediate emergency and concerns about health and safety trumped issues of (in)equity. A more critical perspective suggests that it did not benefit those with power to attend to marginalized student needs at this time, especially with policy actors working from varied understandings and definitions of equity. A more impactful, strategic approach to equity-oriented policymaking and leadership requires both a shared definition of equity and a shared vision of equity in practice (Malcom-Piqueux & Bensimon, 2017). Either way, based on our interviews and document review, no one with power to set the agenda took up an explicit call for ensuring transformational equity in virtual schooling during the pandemic. This call might have included required demonstration and review of virtual educational programs to ensure access for and services supporting marginalized students, such as instructional models that ensure working families have school-provided adults to guide learning, students with disabilities receive individualized support, and counseling or curricular materials attend to issues of race and racism and reflect the diversity of students enrolled. And, as noted above, the state could require that districts implement the ODE's recommendations for inclusivity and equity, such as student-centered instruction and more inclusive enrollment practices. In the years prior to the pandemic, state leaders repeatedly cited local control as the rationale for not enacting state policies seeking to ensure greater access and equity in school choice policies more generally. Therefore, why should we expect any difference during the pandemic?

One might ask why charter school advocates, who often espoused equity and the need to provide options to marginalized families as the rationale for their existence, did not push for equity-oriented changes and greater attention to the needs of these families. Perhaps the fear of brick and mortar operators affiliating with virtual schools and tarnishing their reputation kept them silent. Or, as some suggested, they stayed out of the fray for fear that more regulations on virtual schools would ultimately fall upon them as well.

Implications

This study provides an in-depth, real-time understanding of how state and local leaders and administrators responded to the COVID pandemic and the forces propelling and resisting change in virtual school policy and practice in Oregon. While the crisis generally spurred only incremental changes in state policy, it did result in some local-level organizational changes in our sample that one could characterize as deep and non-incremental—though with lingering doubts about their durability. Pre-existing political conditions help explain these results. Collectively, this research suggests several implications for policy, practice, and research.

Implications for Policy and Practice

While local control is an important value and one common among states across the country, there remains an important role for state government, particularly in ensuring high-quality, equitable education. As the Oregon Secretary of State's 2017 audit concluded, the ODE has a responsibility to provide oversight and accountability for all students, but especially historically marginalized and underserved students, such as students with disabilities, to ensure that once enrolled in virtual schools, they receive an adequate and equitable education. This audit noted the urgency of this responsibility, particularly as many of the most marginalized students in Oregon enroll in alternative and online education at the point when they are most at risk of

dropping out of high school. While creating the Advisory Committee was an important first step, opportunities remain to ensure the improvement of and high quality of virtual schools statewide.

Previous research suggests that additional incentives, accountability, and capacity-building tools may be worthy of consideration, such as targeted funding to serve marginalized students (Bulkley et al., 2021). One example of a promising accountability measure is to focus on local authorization of new schools, particularly if equity is meant to be on the virtual school policy agenda. Bulkley et al. (2023) found that "authorizing entities can have a direct influence on the extent to which charter school applicants center equity in their goals and planning" (p. 8). In particular, they found that authorizers with clear, stated missions focused on equity and access for marginalized students more regularly garnered charter applications that explicitly detailed plans for addressing equity in their schools. Extending their finding, we suggest that at the state level, Oregon policymakers might explicitly center equity in guidelines and regulations governing virtual school design and authorization, such as requiring new applicants to include goals for enrolling and specific programs and supports for marginalized students, particularly SWDs, in their charter applications - and monitoring their implementation. Similar efforts could be extended to the oversight of district-run virtual schools.

Additionally, state policymakers might continue to build on relationships with virtual school leaders stemming from the Advisory Committee to maintain a continuous feedback loop and learn from virtual school operators about instructional best practices and the needs of virtual schools in hopes of better serving all students. The state may also want to sponsor research on virtual charter schools that have operated for some time with strong outcomes, particularly for marginalized students and SWDs, to better identify best practices. This information may also be relevant for brick-and-mortar schools. For example, what practices can be learned from virtual

schools that provide a safe haven to students ostracized in traditional schools (e.g., LGBTQ+), and can these lessons apply to brick-and-mortar settings?

Ultimately, the debate around the virtual school enrollment cap and the discourse around creating new revenue streams from new virtual programs and partnerships suggest a deeper set of policy concerns related to school finance. District leaders in Oregon regularly lament the inadequacy of state education funding, particularly as state reports suggest that historically marginalized student populations continue to be underserved (Baumhardt, 2021). Perhaps a concerted policy focus on education finance and funding adequacy is warranted.

We also observed several opportunities for collaboration between districts and virtual school operators, particularly as some districts attempt to operate their own virtual schools. By building communities of practice that could potentially operate statewide, best practices regarding instruction, enrollment, marketing, and student services could be developed, implemented, and diffused more quickly, potentially benefiting more students statewide.

Implications for Future Research

More research is needed to examine the longer-term trends we uncovered herein. Will some of the shifts in organizational strategy and structure persist? Will the seeds planted by the Advisory Committee or the shifting beliefs about virtual schools grow into future policy action? Future research might examine enrollment trends and patterns across virtual schools, including whether racial/ethnic disparities documented in prior research (Molnar et al., 2019) persist. Given the limits of our research, future studies might pursue several important areas that we were unable to examine fully, including: the role of national virtual school operators and how they influence state and local education policy; organizational changes within virtual charter schools that severed ties with these national operators; and, changes in enrollment and marketing, organizational

decision-making, and the extent to which relationships with their authorizing districts were impacted. Studies with larger case study samples would also enable further inquiry into the differences or similarities experienced over time between district-run and charter virtual schools.

A deeper exploration of the experiences of virtual school families is also warranted. The 2017 Secretary of State Audit notes that many virtual school families have previously been homeschooled families, leading us to question the extent to which this shift may have been further impacted by the pandemic. While state-level administrative data can tell us who virtual schools largely serve, it is just as important to understand *why* families are choosing to be served by these schools and how they came to make those choices.

Future research and policymakers might also grapple further with tradeoffs in the ways we think about equity and virtual schools. A school with unfavorable "outcomes" could be considered equitable by providing students with a safe environment. Similarly, a school that provides access to and enrolls large numbers of marginalized students may be inequitable if the educational programs fail to meet their particular needs – as was observed in several of our case sites. Assessments of equity depend on varying definitions, and a transformational conception may require measures that capture more than achievement and access.

In the end, this study adds to growing research on the effects of the global pandemic on education, expanding our understanding of its impact on policy and practice and demonstrating the utility of a multi-disciplinary, equity-oriented evolutionary perspective. Consistent with prior research (e.g., Marsh et al., 2021; Gersick, 1991; Holyoke et al., 2009), we find that crises do not necessarily lead to deep lasting change and that evolutionary perspectives must account for local contexts that can facilitate and buffer change in organizations and policy processes in the face of external triggers. Future studies might consider the utility of this framework for examining future

crises that are inevitably bound to arise and to shape education policy and practice.

Figure 1: Conceptual Framework

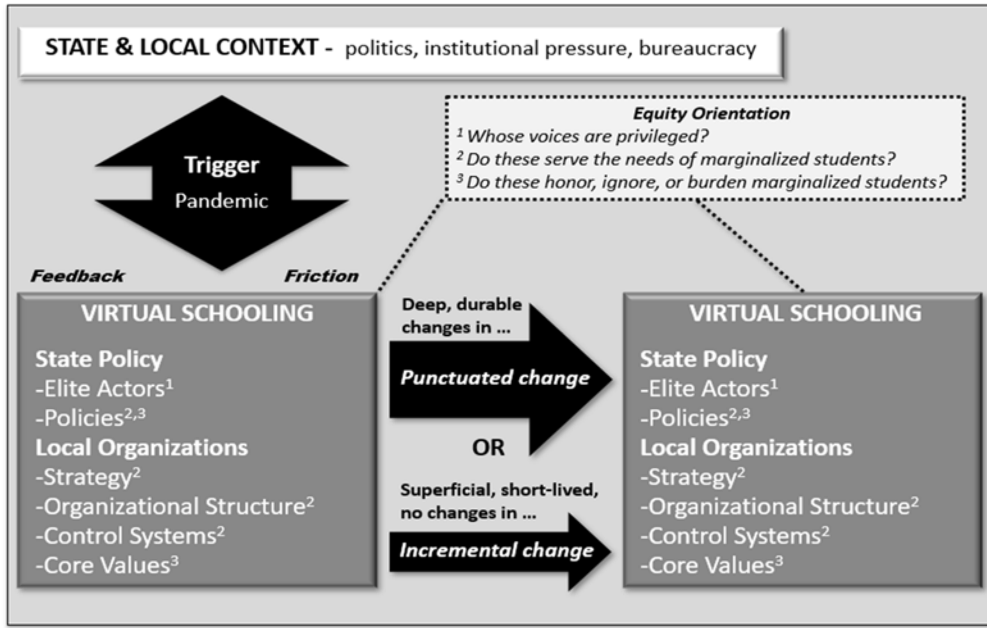

Figure 2: District and Charter Virtual School Enrollment in Oregon by School Year

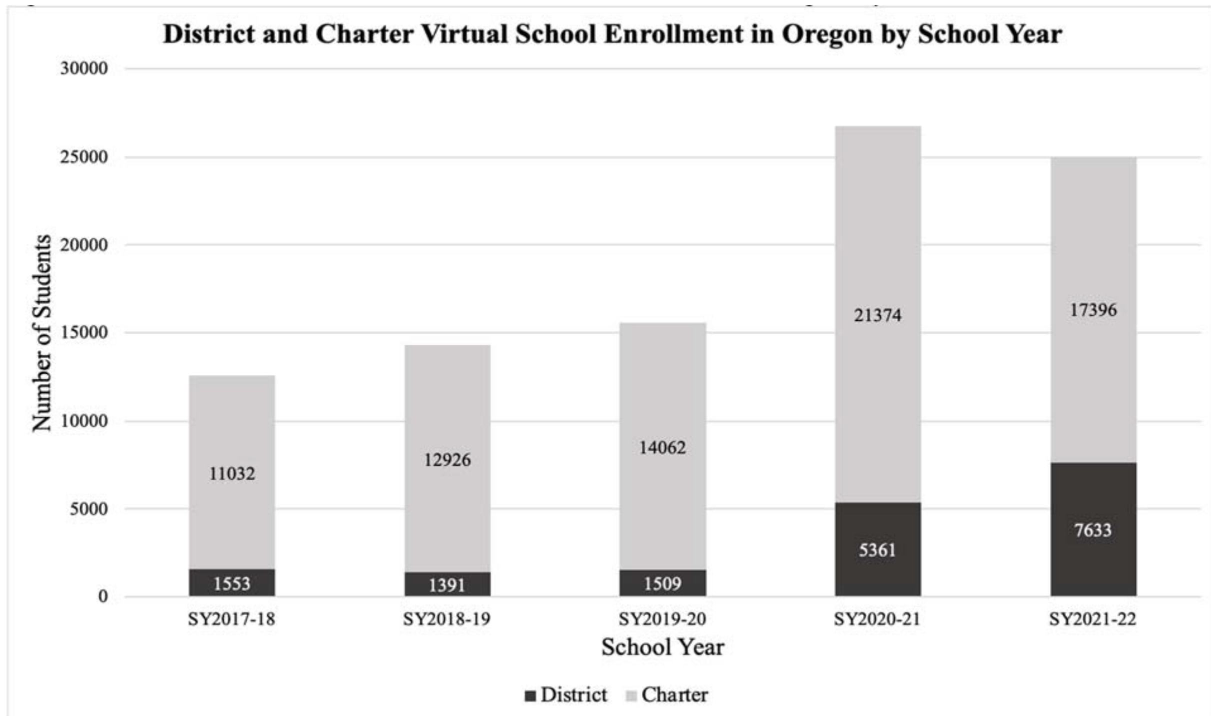

Figure 3: Number of District and Charter Virtual School in Oregon by School Year (ODE, 2022a)

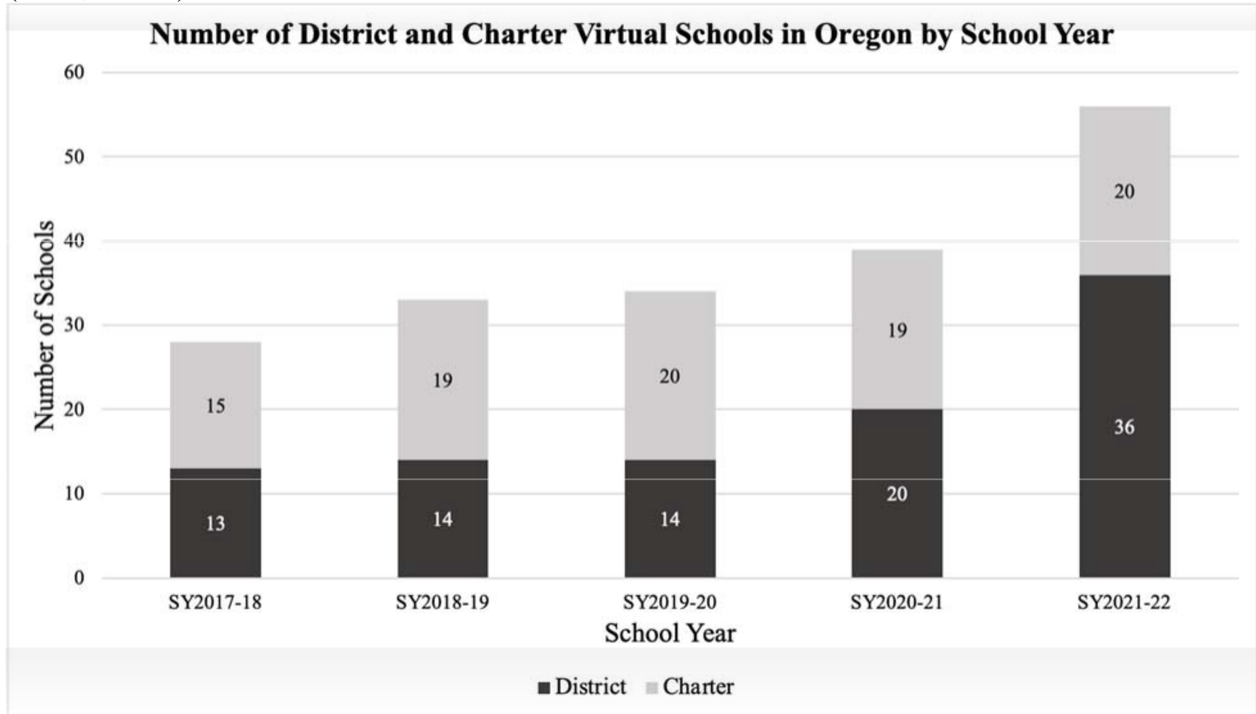

Table 1. Interview Respondents by Type, by Year

Respondent Type	Year 1 (2018-19)	Year 3 (2020-21)	Year 4 (2021-22)	Total Number of Interviews (n=40)
State Leaders/Administrators	3[a]	2	1	6
State Board Members	1	1	0	2
Local System Leaders (CMO/EMO/Nonprofit)/Board Members/ Superintendents/District Administrators	0	10[c]	4[d]	14
School Leaders/Principals	0	1	5	6
Education Association Leaders	2	1	0	3
Education Advocacy Leaders	5[b]	2	2	9

Note: Counts include multiple interviews with some individuals. Total number of interviewees = 35
[a]Two State Administrators interviewed in Years 1 & 3
[b]One Advocacy Leader interviewed in Years 1, 3 & 4
[c]One Local System Leader interviewed in Year 3 & 4
[d]One Local System Leader interviewed twice in Year 4

Table 2. Characteristics of Case Study Sample

Governance **Urbanicity/Total enrollment of sponsoring district**	**Grades served**	**2021-22 enrollment**	**Student demographics**
District–run Urban >10,000	K-12	<1000	Black >10% Latinx >15% White n/a SWD >20% EL n/a
Education Management Organization Suburban <10,000	K-12	>1000	Black <10% Latinx >15% White >60% SWD <20% EL <10%
Charter Management Organization Rural <10,000	K-12	>1000	Black <10% Latinx <15% White >60% SWD <20% EL <10%
Non-profit board Rural <10,000 (3298)	K-12	>1000	Black <10% Latinx >15% White >60% SWD <20% EL <10%

Sources: Oregon Department of Education (2022a) and Public Broadcasting (2023)

References

Ahn, J. (2011). Policy, technology, and practice in cyber charter schools: Framing the issues. Teachers College Record, 113(1), 1-26.

Ahn, J., & McEachin, A. (2017). Student enrollment patterns and achievement in Ohio's online charter schools. *Educational Researcher*, *46*(1), 44-57.

Aldrich, H. (1999). *Organizations evolving*. Thousand Oaks, CA: Sage.

Allbright, T., Marsh, J., Hall, Tobben, L., M., Picus, L., & Lavadenz, M. (2019). Conceptualizing equity in the implementation of California education finance reform. *American Journal of Education, 125*(2), 173-200.

Apple, M. W. (2012). *Can education change society?*. Routledge.

Argyris, C., & Schon, D. A. (1978). *Organizational learning: A theory of action perspective*. Addison-Wesley.

Bacher-Hicks, A., Goodman, J., Green, J. G., & Holt, M. K. (2022). The COVID-19 pandemic disrupted both school bullying and cyberbullying. American Economic Review: Insights, 4(3), 353-70.

Baumgartner, F. and Jones, B. (1993). *Agendas and instability in American politics*. Chicago University Press, Chicago.

Baumgartner, F. R., Jones, B. D., & Mortensen, P. B. (2018). Punctuated equilibrium theory: Explaining stability and change in public policymaking. In C. M. Weible & P.A. Sabatier (Eds.), *Theories of the policy process* (pp. 55-101). Routledge

Baumhardt, A. (2021, December 1). Despite closing decades-long funding gaps, Oregon schools say they need more money. *Oregon Capital Chronicle*. https://oregoncapitalchronicle.com/2021/12/01/despite-closing-decades-long-funding-gaps-oregon-schools-say-they-need-more-money/

Barbour, M. K., Miron, G., & Huerta, L. (2017). Virtual schools in the U.S.: Case studies of policy, performance, and research evidence. Lansing, MI: Michigan Virtual University. http://media.mivu.org/institute/pdf/VSCase-17.pdf

Barbour, M. K., & Reeves, T. C. (2009). The reality of virtual schools: A review of the literature. *Computers & Education, 52*(2), 402–416. https://doi.org/10.1016/j.compedu.2008.09.009

Beck, D., Egalite, A., & Maranto, R. (2014). Why they choose and how it goes: Comparing special education and general education cyber student perceptions. *Computers & Education, 76,* 70-79.

Bell Jr., D.A. (1980) Brown v. Board of Education and the interest-convergence dilemma. *Harvard Law Review, 93*(3), 518-533

Belsha, K & Barnum, M. (2022). Sticking around: Most big districts will offer virtual learning this fall, a sign of pandemic's effect. *Chalkbeat*. https://www.chalkbeat.org/2022/6/6/23153483/big-school-districts-virtual-learning-fall-2022

Black, E., Ferdig, R., & Thompson, L. A. (2021). K-12 virtual schooling, COVID-19, and student success. *JAMA pediatrics*, *175*(2), 119-120.

Blume, H. (2016, July 10). State settles with online charter accused of financial violations. *Los Angeles Times*. https://www.latimes.com/local/education/la-me-edu-state-settles- with-cava-online-charter--20160708-snap-story.html

Brown, E. (2015, June 19). Teachers allege problems at California virtual schools run by Va.-based company K12 Inc. *Washington Post.* https://www.washingtonpost.com/local/education/teachers-allege-problems-at-california- virtual-schools-run-by-va-based-company-k12-inc/2015/06/19/dd3b4ab0-1699-11e5- 89f3-61410da94eb1_story.html

Bulkley, B, Lu, A., Fernandez, K.M., & Gerry, A. (2023). Charter authorizing, applications, and the needs of historically marginalized students: A cross state analysis. *Educational Policy,* https://doi.org/10.1177/0895904823115

Bulkley, K., Marsh, J., & Mulfinger, L. (2021). *States choice policy and levers affecting equity: Surveying the landscape*. Technical Report. National Center for Research on Education Access and Choice and USC Rossier Center on Education Policy, Equity and Governance. https://reachcentered.org/uploads/technicalreport/REACH-Year-1-Qual-Tech-Report.pdf

Burch, P. (2017). Equal scrutiny: The promise of digital education in disadvantaged communities and how markets corrupt this potential. In B. Ndimand & C. Lubienski (Eds.), *Privatization and the Education of Marginalized Children* (pp. 120-139). Routledge.

Burch, P. (2021). *Hidden markets: Public policy and the push to privatize education*. Routledge.

Burch, P., & Good, A. G. (2014). *Equal Scrutiny: Privatization and accountability in digital education*. Harvard Education Press.

Burris, C., & Cimarusti, D. (2021). *Chartered for profit: The hidden world of charter schools operated for financial gain.* Network for Public Education.

Camp, A. M., & Zamarro, G. (2022). Determinants of Ethnic Differences in School Modality Choices During the COVID-19 Crisis. *Educational Researcher, 51*(1), 6-16. https://doi.org/10.3102/0013189X211057562

Camp, A., Johnson, A., & Zamarro, G. (2023). Revisiting Ethnic Differences in In-Person Learning During the 2021-22 School Year. *Journal of School Choice,* 1-50.

Chubb, J., & Moe, T. (1990). Politics, Markets and America's Schools. Washington, DC: Brookings Institution.

Clifford, S. E. (2018). *The implementation of the Individuals with Disabilities Education Act in a virtual public charter school* (Doctoral dissertation). https://scholarworks.uno.edu/cgi/viewcontent.cgi?article=3610&context=td

Cotto Jr, R., & Woulfin, S. (2021). Choice with (out) equity? Family decisions of child return to urban schools in pandemic. *Journal of Family Diversity in Education, 4*(1), 42-63.

Center for Research on Educational Outcomes (2019). *Charter School Performance in Pennsylvania 2019.* Stanford University: Stanford, CA.

Creswell, J. W. (2007). *Qualitative inquiry and research design: Choosing among five approaches.* Thousand Oaks, CA: Sage.

Daramola, E. J. (2022). *Fever dreams: The promise and limitations of Black and Latinx parent organizing during the first year of the COVID-19 Pandemic.* Doctoral dissertation, University of Southern California.

Davis, L. S. (2020, June 15). *With online learning, class bullies fade to the background*. CNN. Retrieved November 20, 2022, from https://www.cnn.com/2020/06/15/health/online- class-bullies-fade-wellness/index.html

DeAngelis, C. A., & Erickson, H. H. (2018). What leads to successful school choice programs? A review of the theories and evidence. Cato Journal, 38(1), 247-63.

DeLaina, T., Kimmons, R., & Mason, S. L. (2021). Motivations among special education students and their parents for switching to an online school: Survey responses and emergent themes. *Online Learning*, *25*(2), 171-189.

Diem, S., Young, M. D., & Sampson, C. (2019). Where critical policy meets the politics of education: An introduction. *Educational Policy, 33*(1), 3–15. https://doi.org/10.1177/0895904818807317

Diliberti, M. K., & Schwartz, H. L. (2021). *The rise of virtual schools: Selected findings from the third American school district panel survey*. RAND Corporation.

DiMaggio, P. J., & Powell, W. W. (1983). The iron cage revisited: Institutional isomorphism and collective rationality in organizational fields. *American Sociological Review, 48*(2), 147–160. https://doi.org/10.2307/2095101

Dixson, A.D., & Rousseau, C.K. (2005). And we still are not saved: Critical race theory in education ten years later. Race Ethnicity and Education 8(1):7–27.

Dowd, A. C., & Bensimon, E. M. (2015). Engaging the “race question”: Accountability and equity in US higher education. Multicultural Education Series. New York: Teachers College Press.

D'Souza, K. (2022, January 18). Stressed-out parents divided over going back to school amid surge. *EdSource*. https://edsource.org/2022/stressed-out-parents-divided-over-going- back-to-school-amid-surge/666205

Dumas, M. J., & Anyon, J. (2006). Toward a critical approach to education policy implementation. In M. Honing (Ed.), *New directions in education policy implementation: Confronting complexity* (pp. 149–186). State University of New York Press.

Erickson, H & Scriber, K. (2023) Virtual charter schools and student post-secondary enrollment, *Journal of School Choice*. DOI: 10.1080/15582159.2023.2289094

Erwin, B. (2021). A Policymaker's Guide to Virtual Schools. Policy Guide. Education Commission of the States.

Fahle, E. M., Kane, T. J., Patterson, T., Reardon, S. F., Staiger, D. O., & Stuart, E. A. (2023). *School district and community factors associated with learning loss during the COVID-19 pandemic*. Center for Education Policy Research at Harvard University

Farris, E. M., & Mohamed, H. S. (2022). Race and the Rush to Reopen Schools During COVID-19. *Journal of Public Management & Social Policy, 29*(1), 7.

Fitzpatrick, B., Berends, M., Ferrare, J. J., & Waddington, R. J. (2020). Virtual charter schools and online learning during COVID-19.

Flink, C. M. (2017). Rethinking punctuated equilibrium theory: A public administration approach to budgetary changes. *Policy Studies Journal, 45*(1), 101–120. https://doi.org/10.1111/psj.12114

Gersick, C. J. G. (1991). Revolutionary change theories: A multilevel exploration of the punctuated equilibrium paradigm. *Academy of Management Review, 16*(1), 10–36. https://doi.org/10.5465/amr.1991.4278988

Glass, G. V. (2009). *The realities of K-12 virtual education.* National Education Policy Center.

Glass, G. V., & Welner, K. G. (2011). *Online K-12 Schooling in the US: Uncertain Private*

Ventures in Need of Public Regulation. National Education Policy Center.

Gold, B. A. (1999). Punctuated legitimacy: A theory of educational change. *Teachers College Record, 101*(2), 192–219. https://doi.org/10.1111/0161-4681.00038

Graf, C. (2023). Most families have given up virtual school, but what about students who are still thriving online?. The Hechinger Report. https://hechingerreport.org/most-families-have-given-up-virtual-school-but-what-about-students-who-are-still-thriving-online/

Gross, B. (2021). Surging enrollment in virtual schools during the pandemic spurs new questions for policymakers. The Center on Reinventing Public Education. https://crpe.org/surging- enrollment-in-virtual-schools-during-the-pandemic-spurs-new-questions-for- policymakers/

Haderlein, S., Marsh, J., Tong, T., Bulkley, K., Jabbar, H., Germain, E., Quinn, D., Bradley, D., Alonso, J. & Mulfinger, L. (2021). Schools and school choice during a year of disruption: Views of parents in five states. New Orleans, LA: National Center for Research on Education Access and Choice. https://reachcentered.org/uploads/technicalreport/20211004-Haderlein-et-al-REACH-COVID-Parent-Survey-Appendix_211005_145617_2022-02-04-211028_ityq.pdf

Harris, D. N. (2020). *Charter school city: What the end of traditional public schools in New Orleans means for American education*. University of Chicago Press.

Hasler-Waters, L., Barbour, M.-K., & Menchaca, M.-P. (2014). The nature of online charter schools: Evolution and emerging concerns. *Educational Technology & Society, 17*(4), 379–389.

Hawkins, B. (2020, February 5). Threatened with closure, virtual school embraced accountability, fired its for-profit manager and made dramatic gains for its 9,000 students. *The 74*. https://www.the74million.org/article/threatened-with-closure-virtual-school-embraced-accountability-fired-its-for-profit-manager-and-made-dramatic-gains- for-its-9000-students/

Herold, B. (2016. November 3). Connections education: A defense of cyber charters. *Education Week.* https://www.edweek.org/school-choice-charters/rewarding-failure-an- education-week-investigation-of-the-cyber-charter-industry/2016/11/00000175-4786- d8cd-a7ff-7faed4ab0002

Herold, B. (2021, May 6). Full-time virtual schools: Still growing, still struggling, still resisting oversight. *Education Week*. https://www.edweek.org/policy-politics/full-time-virtual- schools-still-growing-still-struggling-still-resisting-oversight/2021/05

Hofmann, R., Arenge, G., Dickens, S., Marfan, J., Ryan, M., Tiong, N. D., Radia, B., & Janik Blaskova, L. (2021). The COVID-19 learning crisis as a challenge and an opportunity for schools: An evidence review and conceptual synthesis of research-based tools for sustainable change. *CEPS Journal, 11(Special Issue), 39*-66.

Holyoke, T. T., Henig, J. R., Brown, H., & Lacireno-Paquet, N. (2009). Policy dynamics and the evolution of state charter school laws. *Policy Sciences, 42*(1), 33–55. https://doi.org/10.1007/s11077-009-9077-3

Horn, M. (2021). *Districts should be able to offer virtual schools in fall. The Future of Education*. https://michaelbhorn.substack.com/p/districts-should-offer-virtual-schools Horsford, S. D., Scott, J. T., & Anderson, G. L. (2018). *The politics of education policy in an era of inequality: Possibilities for democratic schooling.* Routledge.

Howell, W., & Peterson, P. (2002). Impact of school voucher research. *Political Science & Politics, 35*(4), 659-660. https://doi.org/10.1017/S1049096502001063

Howlett, M., & Migone, A. (2011). Charles Lindblom is alive and well and living in punctuated equilibrium land. *Policy and Society, 30*(1), 53–62. https://doi.org/ 10.1016/j.polsoc.2010.12.006

Hunt, C. (2000). Senate bill 100: Creating public school choice through charter schools. *Willamette Law Review. 36*(2) 265-311.

Jones, B. D., & Baumgartner, F. R. (2012). From there to here: Punctuated equilibrium to the general punctuation thesis to a theory of government information processing. *Policy Studies Journal*, *40*(1), 1-20.

Kaufman, J. H., & Diliberti, M. K. (2021). *Divergent and inequitable teaching and learning pathways during (and per-haps beyond) the pandemic: Key findings from the American educator panels spring 2021 COVID-19 surveys*. RAND Corporation.

Keaton, P. (2021, April 30). Identifying virtual schools using the common core of data (CCD). *NCES Blog*. https://nces.ed.gov/blogs/nces/post/identifying-virtual-schools-using-the- common-core-of-data-ccd

Kezar, A. (2012). Organizational change in a global, postmodern world. In M. Bastedo (Ed.), *The organization of higher education* (pp. 181–221). Johns Hopkins University Press.

Kingdon, J. W. W. (1995). *Agendas, alternatives and public policies* (2nd ed.). New York, NY: Harper Collins.

Kingsbury, I. (2021). Online learning: How do brick and mortar schools stack up to virtual schools?. *Education and Information Technologies*, *26*(6), 6567-6588.

Kuhfeld, M., Soland, J., Tarasawa, B., Johnson, A., Ruzek, E., & Liu, J. (2020). Projecting the potential impact of COVID-19 school closures on academic achievement. *Educational Researcher, 49*(8), 549-565.

Ladson-Billings, G. (2006). From the achievement gap to the education debt: Understanding achievement in U.S. schools. *Educational Researcher, 35*(7), 3–12.

Ladson-Billings, G. (2021). I'm here for the hard re-set: Post pandemic pedagogy to preserve our culture. Equity & Excellence in Education, 54(1), 68-78.

Lake, R. (2021, October 25). The pandemic could have unlocked remote schooling: It hasn't. *Education Week.* https://www.edweek.org/leadership/opinion-the-pandemic-could-have- unlocked-remote-schooling-it-hasnt/2021/10

Lehrer-Small, A. (2022, November 14). Virtual school enrollment kept climbing even as COVID receded, new data reveal. The 74. https://www.the74million.org/article/virtual-school- enrollment-kept-climbing-even-as-covid-receded-new-data-reveal/

Levinson, M., Geron, T., & Brighouse, H. (2022). Conceptions of educational equity. *AERA Open, 8*, 23328584221121344.

Lincoln, Y., & Guba, E. (1985). *Naturalistic inquiry*. Thousand Oaks, CA: Sage

Lindblom, C. E. (1959). The science of muddling through. *Public Administration Review*, 19(2), 79–88. https://doi.org/10.2307/973677

Macgillvray, I. K. (2000). Educational equity for gay, lesbian, bisexual, transgendered, and queer/questioning students: The demands for democracy and social justice for America's schools. Education and Urban Society, 32(3), 303-323.

Macy, M., Macy, R., & Shaw, M. E. (2018). Bringing the ivory tower into students' homes: Promoting accessibility in online courses. *Ubiquitous Learning: An International*

Journal, 11(1). https://doi.org/10.18848/1835-9795/CGP/v11i01/13-21.

Malcom-Piqueux, L., & Bensimon, E. M. (2017). Taking equity-minded action to close equity gaps. *Peer Review, 19*(2), 5-9.

Marsh, J., Allbright, T, Bulkley, K., Brown, D., Strunk, K., & Harris, D. (2021). The process and politics of educational governance change in New Orleans, Los Angeles, and Denver.
American Educational Research Journal, 58(1):107-159.

McFarland, W. P. (1998). Gay, lesbian and bisexual student suicide. Professional School Counselling, 1, 26–31.

McLendon, M. K., & Cohen-Vogel, L. (2008). Understanding education policy change in the American states: Lessons from political science. In B. Cooper, J. G. Cibulka, & L. D. Fusarelli (Eds.), *Handbook of education politics and policy* (pp. 30–51). Routledge.

Meyer, J. W., & Rowan, B. (1977). Institutionalized organizations: Formal structure as myth and ceremony. *American Journal of Sociology*, *83*(2), 340–363. https://doi.org/10.1086/226550

Meyer, A. D., Brooks, G. R., & Goes, J. B. (1990). Environmental jolts and industry revolutions: Organizational responses to discontinuous change. *Strategic Management Journal*, 93-110.

Mills, M. R. (2007). Stories of politics and policy: Florida's higher education governance reorganization. *Journal of Higher Education*, 78(2), 162–187. https:// doi.org/10.1353/jhe.2007.0011

Miller, E. (2023). Behind Portland's decision to shut down online learning academy. *OPB.* https://www.opb.org/article/2023/02/02/online-learning-academy-close-portland- public-schools/

Milner, H. R., IV. (2007). Race, culture, and researcher positionality: Working through dangers seen, unseen, and unforeseen. *Educational Researcher*, 36(7), 388–400. https://doi.org/10.3102/0013189X07309471

Molnar, A., & Garcia, D. R. (2007). The expanding role of privatization in education: Implications for teacher education and development. *Teacher Education Quarterly, 34*(2), 11-24.

Molnar, A., Miron, G., Elgeberi, N., Barbour, M. K., Huerta, L., Shafer, S. R., & Rice, J. K. (2019). *Virtual schools in the U.S. 2019*. National Education Policy Center.

Molnar, A. (Ed.), Miron, G., Barbour, M.K., Huerta, L., Shafer, S.R., Rice, J.K., Glover, A., Browning, N., Hagle, S., & Boninger, F. (2021). *Virtual schools in the U.S. 2021*. National Education Policy Center. http://nepc.colorado.edu/publication/ virtual-schools- annual-2021

Molnar, A. (Ed.), Miron, G., Hagle, S., Gulosino, C., Mann, B., Huerta, L.A., Rice, J.K., Glover, A., & Bill, K. (2023). Virtual schools in the U.S. 2023. Boulder, CO: National Education Policy Center. http://nepc.colorado.edu/publication/virtual-schools-annual-2023

Murphy, J. (2006). The 2006 Willower family lecture: The evolving nature of the American high school: A punctuated equilibrium model of institutional change. *Leadership and Policy in Schools, 5,* 285–324. https://doi.org/10.1080/157007 60600929426

National Alliance for Public Charter Schools. (2021). Oregon. https://www.publiccharters.org/our-work/charter-law-database/states/oregon

Nowicki, J. M. (2022). *K-12 education: Department of education should help states address student testing issues and financial risks associated with virtual schools, particularly virtual charter schools*. Report to Congressional Requesters. GAO-22-104444. US Government Accountability Office.

Oregon Department of Education. (2021). School and district profile reports. https://www.oregon.gov/ode/schools-and-districts/reportcards/Pages/default.aspx

Oregon Department of Education. (2022a). *Data snapshot part I: Virtual learning in Oregon*. https://www.oregon.gov/ode/learning-options/Documents/Virtual_Learning_in_Oregon_Data_Snapshot.pdf Oregon Department of Education (2022b). Online & Remote Learning Guidance Critical Requirements and Design Indicators School Year 2022-23 https://www.oregon.gov/ode/schools-and-districts/grants/Documents/Online%20and%20Remote%20Learning%20Guidance%202 0 22-2023%20SY%209.9.pdf

Oregon Department of Education. (2023). 2022-23 Virtual public charter schools (list). https://www.oregon.gov/ode/learning-options/schooltypes/charter/Documents/2022-23%20Oregon%20Virtual%20Public%20Charter%20Schools.xlsx

Oregon Department of Education (2022c). Online and Remote Learning Guidance. https://www.oregon.gov/ode/learning-options/pages/remote-learning.aspx

Oregon Public Broadcasting. (January 2023). Anonymized article.

Oregon Secretary of State (2017). *Stronger accountability, oversight, and support would improve results for academically at-risk students in alternative and online education*. SOS Audit Report No. 2017-30. https://sos.oregon.gov/audits/documents/2017-30.pdf Oregon Secretary of State (2019). *Recommendation Follow-up Report: Stronger Accountability, Oversight, and Support Would Improve Results for Academically At-Risk Students in Alternative and Online Education.* SOS Audit Report No. 2019-12. https://sos.oregon.gov/audits/Documents/2019-12.pdf

Oregon Secretary of State (2022). *State Leaders and Policymakers Must Address Persistent System Risks to Improve K-12 Equity and Student Success*. SOS Audit Report No. 2022- 16.https://sos.oregon.gov/audits/Documents/2022-16.pdf

Pangelinan, C., & Dusseault, B. (2022, August 28). Many remote learning options shutting down as school reopens for fall 2022. The 74. https://www.the74million.org/article/many-remote-learning-options-shutting-down-as- school-reopens-for-fall-2022/

Park, A. Y., & Sapotichne, J. (2020). Punctuated equilibrium and bureaucratic autonomy in American City Governments. *Policy Studies Journal, 48(*4), 896-925.

Parsons, C., & Fidler, B. (2005). A new theory of educational change–punctuated equilibrium:

The case of the internationalisation of higher education institutions. *British Journal of Educational Studies, 53*(4), 447–465. https://doi.org/10.1111/ j.1467-8527.2005.00306.x

Pendharkar, E. (2022, October 26). *Some breaks from bullying, but fewer supports: How LGBTQ students fared in the pandemic*. Education Week. Retrieved November 20, 2022, from https://www.edweek.org/leadership/some-breaks-from-bullying-but-fewer-supports-how- lgbtq-students-fared-in-the-pandemic/2022/10

Public Charter Schools, Oregon Revised Statutes, Chapter 338 (2021). https://www.oregonlegislature.gov/bills_laws/ors/ors338.html

Rauh, J. (2011). Online education as a toll good: An examination of the South Carolina virtual school program. *Computers & Education*, *57*(2), 1583-1594.

Relyea, Jackie Eunjung, Patrick Rich, James S. Kim, and Joshua B. Gilbert. (2022). *The COVID-19 impact on reading achievement growth of grade 3-5 students in a U.S. urban school district: Variation across student characteristics and instructional modalities.* (EdWorkingPaper: 22-646). Retrieved from Annenberg Institute at Brown University: https://doi.org/10.26300/r7nt-z076

Roblyer, M.D. (2008). Virtual schools: Redefining "a place called school". In Voogt, J., & Knezek, G. (Eds.) *International Handbook of Information Technology in Primary and Secondary Education.* Boston, MA: Springer https://doi-org.libproxy1.usc.edu/10.1007/978-0-387-73315-9_40

Saavedra, A., Rapaport, A., & Silver, D. (2020). *Matching supports to student needs: Survey results highlight where schools, policymakers can help*. Center on Reinventing Public Education. https://crpe.org/wp-content/uploads/Matching-supports-to-student-needs- EP.pdf

Saavedra, A., Rapaport, A., & Silver, D. (2021, June 8). Why some parents are sticking with remote learning--even as schools reopen. *Brookings Brown Center Chalkboard*. https://www.brookings.edu/blog/brown-center-chalkboard/2021/06/08/why-some- parents-are-sticking-with-remote-learning-even-as-schools-reopen/

Saldaña, J. (2013). *The coding manual for qualitative researchers (2nd ed.)*. Thousand Oaks, CA: Sage.

Schwartz, H. L., Grant, D., Diliberti, M.K., Hunter, G.P., & Setodji, C.M. (2020). *Remote learning is here to stay: Results from the first American school district panel survey*. RAND Corporation. https://www.rand.org/pubs/research_reports/RRA956-1.html.

Shapiro, E., Green. E.L., & Kim, J. (2021, February 1). Missing in school reopening plans: Black families' trust. *New York Times*. https://www.nytimes.com/2021/02/01/us/politics/school- reopening-black-families.html

Silverman, J. (2023, February 3). Portland schools to axe online academy amid budget cuts. *Government Technology.* https://www.govtech.com/education/k-12/portland-schools-to- axe-online-academy-amid-budget-cuts

Singer, J., Marsh, J., Menefee-Libey, D., Alonso, J., Bradley, D., & Tracy, H. (2023). The politics of school reopening during COVID-19: A multiple case study of five urban districts in the 2020-21 School Year. *Educational Administration Quarterly, 59*(3), 542-593

St. George, D., Strauss, V., Meckler, L., Heim, J., & Natanson, H. (2021, March 15). How the

pandemic is reshaping education. *The Washington Post* https://www.washingtonpost.com/education/2021/03/15/pandemic-school-year-changes/

Terms and form of charter; renewal; appeal, OR Rev Stat § 338.065 (2021). https://law.justia.com/codes/oregon/2021/volume-09/chapter-338/section-338-065/

Toomey, R. B., Ryan, C., Diaz, R. M., Card, N. A., & Russell, S. T. (2010). Gender-nonconforming lesbian, gay, bisexual, and transgender youth: school victimization and young adult psychosocial adjustment. *Developmental Psychology, 46*(6), 1580-1589.

Toppin, & Toppin, S. M. (2016). Virtual schools: The changing landscape of K-12 education in the U.S. *Education and Information Technologies, 21*(6), 1571–1581. https://doi.org/10.1007/s10639-015-9402-8

True, J., Jones, B., and Baumgartner, F. (2007). Punctuated-equilibrium theory: Explaining stability and change in public policymaking. In Paul A. Sabatier (Ed.), *Theories of the policy process* (pp. 155-187). Boulder, CO: Westview Press

Tushman, M. L., & Romanelli, E. (1985). Organizational evolution: A metamorphosis model of convergence and reorientation. *Research in Organizational Behavior, 7*, 171–222.

U.S. Department of Education, Office for Civil Rights. (2021). *Education in a pandemic: The disparate impacts of COVID-19 on America's students*. https://www2.ed.gov/about/offices/list/ocr/docs/20210608-impacts-of-covid19.pdf

Van de Ven, A. H., & Poole, M. S. (1995). Explaining development and change in organizations. *Academy of Management Review, 20*(3), 510-540.

Waxman, O. B. (2023, August 22). Why New York City is Making Virtual School Permanent. Time. https://time.com/6305516/new-york-city-virtual-school-permanent/

Woodworth, J. L., Raymond, M. E., Chirbas, K., Gonzalez, M., Negassi, Y., Snow, W., & Van Donge, C. (2015). *Online charter school study 2015*. Center for Research on Educational Outcomes

Online Appendix 1

Table: Analytic Codes by Year

Year 1	Year 3	Year 4
Politics/Context/State Policy	Politics/Context/State Policy	Politics/Context/State Policy
Enrollment	Pandemic and Relationships	Pandemic and Relationships
Planning/Oversight	Pandemic Effects/Response/Conditions	Enrollment
Leaders, Teachers	Vulnerable/Marginalized Student Populations	Vulnerable/Marginalized Student Populations
Student Populations	Leaders, Teachers, Staff	Equity
Type of Choice Policy	Modality/Logistics	Accountability/Oversight
Equity	School Choice	Modality/Logistics
	Accountability	Decision Making
	Equity	Policy Shifts/Changes
	Enrollment	Political Actors
		Changes in Organizational Strategies
		Changes in Organizational Structure
		Changes in Power Systems
		Changes in Core Values

---

[1] The Oregon Department of Education identifies three different types of virtual charter school management organizations: Charter Management Organization (CMO) non-profit that manages more than one charter school; Education Management Organization EMO) for-profit that contracts with charter schools; and Other non-profit or district board with only one school. (ODE, 2023)

[2] As of 2023, the virtual schools operated by for-profit entities enrolled an average of 1,483 students compared to their nonprofit and independent virtual school peers who, enrolled an average of 656 students and 562 students respectively. (Molnar et al., 2023). This suggests that the majority of students enrolled in virtual schooling are attending virtual charter schools managed by for-profit organizations. However, this has been the case even prior to the pandemic: 42 percent of virtual charter schools had contracts with for-profit management organizations during the 2019-2020 academic school year (Nowicki, 2022).

[3] Virtual schools in Oregon are categorized by the Oregon Department of Education (ODE) as either "Full" or "Focus." A Full Virtual school has no physical building where students meet with each other or with teachers on a regularly scheduled basis; all instruction is virtual. A Focus Virtual School focuses on a systematic program of virtual instruction but includes some regularly scheduled in-person meetings including students and teachers as part of the instructional program. The ODE's reported data on virtual schools reflects both categories combined. (See ODE, 2022a)

[4] These data are for all virtual schools, not just virtual charters. We are unable to locate data on charter schools exclusively but have no reason to believe the enrollment patterns would be significantly different.