

- SUBJECT:** Expanding online courses and distance-learning options
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 9 ayes — Aycock, J. Davis, Deshotel, Farney, Huberty, K. King, Ratliff, J. Rodriguez, Villarreal
- 1 nay — Allen
- 1 absent — Dutton
- WITNESSES:** For — Bruce Friend, International Association for Online Learning; James Golsan, Texas Public Policy Foundation; Heather Staker, Innosight Institute; Chris White; (*Registered, but did not testify:* Courtney Boswell, Adam Jones, and Michelle Wittenburg, Texans for Education Reform; Brent Connett, Texas Conservative Coalition; Andrew Erben, Texas Institute for Education Reform; Darrick Eugene, Tutors with Computers; Jeremy Newman, Texas Home School Coalition; Wendy Reilly, TechAmerica; Nelson Salinas, Texas Association of Business; Eliza Vielma, Americans for Prosperity; Justin Yancy, Texas Business Leadership Council)
- Against — David Anthony, Raise Your Hand Texas; Ted Melina Raab, Texas AFT; (*Registered, but did not testify:* Yannis Banks, Texas NAACP; Amy Beneski, Texas Association of School Administrators and Texas Association of School Boards; Portia Bosse, Texas State Teachers Association; Monty Exter, Association of Texas Professional Educators; Julie Haney, Coalition for Public Schools; Ken McCraw, Texas Association of Community Schools; Bob Popinski, Texas School Alliance; Chandra Villanueva, Center for Public Policy Priorities)
- On — (*Registered, but did not testify:* David Anderson, Lisa Dawn-Fisher, Anita Givens, and Monica Martinez, Texas Education Agency)
- BACKGROUND:** Online courses are offered to public school students through two main programs. The Houston and Texarkana ISDs and one charter school offer full-time online programs to students in grades 3-12. The Texas Virtual School Network (www.txvsn.org) offers about 75 unique online high school courses. The network is operated by Education Service Center

(ESC) Region 10, in collaboration with the Harris County Department of Education and Texas Education Agency (TEA).

Current law allows districts, open-enrollment charter schools, and institutions of higher education to contract with the virtual school network to develop online courses.

DIGEST:

CSHB 1926 would change provisions in the Education Code to expand online and distance-learning courses to Texas public school students. It would allow nonprofit organizations and private companies to develop courses, require TEA to provide information about online courses and distance-learning on its website, and change the conditions under which a district or charter school could deny a student's request to enroll in an online course.

Requests to enroll. The bill would eliminate language that allows a district to deny a student's or parent's request to enroll in an online course if it can demonstrate that the course is not as rigorous as the same course provided in a traditional classroom setting or if an online course could negatively affect the student's performance on a state standardized test.

Districts would gain authority to deny enrollment for courses that were inconsistent with a student's requirements for college admission or earning an industry certification or if the district offered a substantially similar course.

Districts offering distance-learning courses could charge students who opted to enroll in courses after their home districts declined to pay. Districts also could decline to pay for more than three year-long electronic courses for a student during any school year, although students could pay for additional courses.

CSHB 1926 would allow school districts that provide distance-learning courses to inform other districts through the TEA website of the availability of the course, including the number of positions available for student enrollment. TEA could adopt rules governing student enrollment and course pricing, although districts would determine the price for their courses.

Course providers. The bill would allow online courses to be provided by nonprofits, private entities, or a corporation that provides an electronic

professional development course through the Virtual School Network. Those entities would be eligible if they complied with all applicable federal and state anti-discrimination laws, possessed prior successful experience, and demonstrated financial solvency. Course providers would be required to apply for course renewal on the 10th anniversary of the previous approval or when the state curriculum changed.

The bill would make conforming changes to reflect the broader list of course providers.

CSHB 1926 would make changes so that charter schools were treated the same as school districts in determining their eligibility to act as course providers.

The bill would authorize the Virtual School Network to enter into a reciprocity agreement with one or more states to facilitate expedited approval for courses aligned with Texas curriculum standards.

Costs and prohibitions. CSHB 1926 would require the education commissioner to negotiate an agreement with each eligible course provider governing the costs of each course, which could not exceed current statutory limits of \$400 per course or \$4,800 for a full-time student.

Course providers would be prohibited from promising or providing equipment or anything of value to a student or a student's parent as an inducement for the student to enroll in an online course.

The bill would add requirements to "informed choice" reports describing online courses. Each course report would include information about:

- the entity that developed and provided the course;
- the course completion rate;
- aggregate student performance on state-mandated tests administered to students who completed the course provider's courses; and
- other information determined by the education commissioner.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013, and would apply beginning with the 2013-2014 school year.

**SUPPORTERS
SAY:**

CSHB 1926 would allow school children across Texas to have equal educational opportunities. For example, some school districts do not offer four years of a specific foreign language a student may need in order to apply to a select college or university. The bill would expand use of the state virtual school network so that students could obtain the education that best suited them, regardless of which school district they attended.

Online courses can allow students to move at a quicker pace than they could through the traditional classroom. A trauma surgeon testified about how the expansion of distance-learning would help the gifted and talented students who work with him on research projects during the summer. If those students could take more of their courses online, he said, they could continue their research year-round instead of being required to return to school in the fall.

CSHB 1926 would allow for-profit companies to provide courses, but it is not a voucher bill and it is not a vendor bill. It would limit the number of online courses a student could take and a district would have to pay for and would prohibit companies from offering laptops or other equipment as an inducement for students to sign up.

The bill would expand opportunities for districts and charter schools to develop their own online and distance-learning courses. To the extent that students from other districts enrolled, a district could gain revenue from its electronic course offerings.

**OPPONENTS
SAY:**

A classroom setting offers the best opportunities for student learning. It is fine for a student to supplement the classroom with online courses, but Texas should move cautiously in encouraging students to conduct their studies online.

**OTHER
OPPONENTS
SAY:**

CSHB 1926 should require nonprofits and private companies to partner with school districts to ensure their online classes were of a high quality. Otherwise, tax dollars could be wasted on courses with little in the way of quality control.