

SUBJECT: Creating the Texas Commission on Virtual Education

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes — Dutton, Lozano, Allison, K. Bell, Bernal, Buckley,
M. González, Huberty, K. King, Meza, Talarico, VanDeaver

1 nay — Allen

WITNESSES: For — Ruth Torres; (*Registered, but did not testify*: Andrea Chevalier, Association of Texas Professional Educators; Dana Harris, Austin Chamber of Commerce; Kerri Brady, LEX Collaborative; Charles Gaines, Raise Your Hand Texas; Grover Campbell, TASB; Dena Donaldson, Texas AFT; Barry Haenisch, Texas Association of Community Schools; Amy Beneski, Texas Association of School Administrators; Paige Williams, Texas Classroom Teachers Association; Jennifer Bergland, Texas Computer Education Association; Suzi Kennon, Texas PTA; Christy Rome, Texas School Coalition; Carrie Griffith, Texas State Teachers Association)

Against — (*Registered, but did not testify*: Chloe Latham Sikes, Intercultural Development Research Association)

On — (*Registered, but did not testify*: Chris Bigenho, Lewisville ISD; George Kazanas, Midway ISD; Eric Marin, Megha Kansra, Leonardo Lopez, and Monica Martinez, Texas Education Agency; Dee Carney, Texas School Alliance)

DIGEST: HB 3643 would create the Texas Commission on Virtual Education to develop and make recommendations regarding the delivery of virtual education in the public school system and state funding for virtual education under the Foundation School Program.

The commission would consist of 13 members. The governor, lieutenant governor, and House speaker would each appoint four members, and a member of the State Board of Education would be appointed by the board

chair. The members appointed by the governor must include at least one current or retired classroom teacher with at least 10 years of experience, one member of the business community, and one member of the civic community. The appointments by the lieutenant governor and the House speaker must each consist of three members of the applicable legislative chamber and a public school administrator or school board trustee.

The governor, lieutenant governor, and House speaker would have to coordinate their appointments to ensure that the commission reflected, to the extent possible, the ethnic and geographic diversity of Texas. The governor would designate the commission presiding officer. Commission members would not be compensated but would be entitled to reimbursement for expenses incurred in performing their duties.

The Texas Education Agency would provide administrative support for the commission and funding for administrative and operational expenses would have to be provided by legislative appropriation.

HB 3643 would require the commission to develop recommendations to address issues related to the delivery of and funding for virtual education, including alternative instructional delivery methods and alternative methods of funding. The commission would establish one or more working groups composed of up to five members to study, discuss, and address specific policy issues and recommendations to refer to the commission for consideration.

The commission could hold public meetings and would be subject to state open meeting and public information laws.

The commission's report on recommendations for legislative action to improve the implementation of virtual education would be due by December 31, 2022, for delivery to the governor and the Legislature. The commission would be abolished on January 1, 2023.

The bill would apply beginning with the 2021-2022 school year.

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, 2021.

**SUPPORTERS
SAY:**

HB 3643 would establish a commission to evaluate the delivery and funding of virtual education in Texas and make recommendations to improve online learning for public education students. The demand for virtual education is increasing, as some families found that it has worked well for their children during the past year of pandemic-forced school closures.

The Texas Commission on Virtual Education would take a close look at best practices for delivering online courses to ensure that any recommended changes to laws governing virtual schools would likely result in academic success for students. The commission would be structured similarly to the Texas Commission on Public School Finance, which wrote the report that laid the groundwork for the landmark 2019 reforms to school funding. The commission would include educators, business leaders, and legislators who, with support from the Texas Education Agency, would work to remove barriers to high-quality virtual learning environments in our schools.

While some say that students already can access an online education through an existing network of virtual schools, some of those schools perform below expectations. The commission would carefully study the most effective methods of virtual learning before expanding any virtual offerings to public school students.

**CRITICS
SAY:**

HB 3643 could lead to a separate, costly, and potentially ineffective virtual education system when most students do better when they can learn in person. Students who want to access online courses already can do so through the existing statewide Texas Virtual Schools Network.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about \$380,000 to general revenue through fiscal 2023.