

SUBJECT: Repealing expiration date for certain virtual remote learning provisions

COMMITTEE: Public Education — favorable, without amendment

VOTE: 11 ayes — Buckley, Allison, Cunningham, Cody Harris, Harrison, Hefner, Hinojosa, K. King, Longoria, Schaefer, Talarico

1 nay — Allen

1 absent — Dutton

WITNESSES: For — Justin Terry, Forney ISD (*Registered, but did not testify*: Amanda List, AList Consulting; Julia Grizzard, Bexar County Education Coalition; Gavin Massingill, Imagine Learning; Bob Popinski, Raise Your Hand Texas; Harold Oliver, Shulman Lopez Hoffer Adelstein; Barry Haenisch, Texas Association of Community Schools; Amy Beneski, Texas Association of School Administrators; Whitney Broughton, Texas Association of School Boards; Matthew Russell, Texas Computer Education Association; Gray Rutledge, Texas Conservative Coalition Research Institute; Suzi Kennon, Texas PTA; Christy Rome, Texas School Coalition; Amy Bruno, Upbring; Virginia Gustin; Kathryn Kizer; Eve Margolis; Jordan Preddy; Brittany Trinite;)

Against — Alice Linahan, Women On The Wall; Lynn Davenport; Ginger Russell (*Registered, but did not testify*: Meg Bakich; Terri Koen; Mary Lowe)

On — Tricia Cave, Association of Texas Professional Educators; Ryan Franklin, Educate Texas; Andrew Benscoter, Trinity Charter and Upbring; Jacob Butler; Amy Pasierb (*Registered, but did not testify*: Becky Calahan, Philanthropy Advocates; Alejandro Pena, Texas AFT; Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE); Emily Garcia, Eric Marin, Monica Martinez, Jessica McLoughlin, Marian Schutte, James Terry, Texas Education Agency; Carrie Griffith, Texas State Teachers Association)

DIGEST: HB 681 would repeal the September 1, 2023, expiration date from sections of the Education Code pertaining to:

- allowing a candidate for certification as a teacher to satisfy certification requirements through an internship that provided the candidate employment as a teacher for local remote learning program courses;
- attendance exemptions for students participating in one or more courses offered by a local remote learning program;
- counting the time a student participated in an off-campus electronic instruction program as part of the student's minimum number of instructional hours to be considered a full-time student;
- the authority of certain districts or schools to operate a local remote learning program;
- the evaluation by the education commissioner of the performance of a district or school that operated a full-time local remote learning program;
- performance indicators for reporting poses for certain students enrolled in a local remote learning program or who received remote instruction;
- excluding certain students who received virtual or remote instruction from being counted by a district or school for purposes of calculating the district's or school's average daily attendance;
- off-campus courses or programs counted for purposes of average daily attendance;
- and the establishment of an asynchronous progression funding method to be used to determine certain districts' foundation school program entitlements.

The bill also would remove the restriction for school districts and charter schools to calculate virtual and remote learning enrollment only for the 2021-2022 and 2022-2023 school years.

This 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 August 31, 2023.

**SUPPORTERS
SAY:**

HB 681 would expand access to the virtual remote learning courses which have been helpful to students in recent years. Due to the COVID-19 pandemic, school districts throughout Texas have developed virtual and remote learning capabilities. While virtual remote learning may not best for every student, the bill would give more students the option to learn in a manner that best suited them, which could be especially important for students in underserved communities or students with disabilities. The bill would not make students more vulnerable to data collection since the virtual education would be conducted by each district and any contracted services would not collect data differently than other websites.

**CRITICS
SAY:**

HB 681 could lead to a reduction in instructional quality for students who would no longer participate in in-person instruction. By expanding access to virtual remote learning courses, the bill could introduce a greater risk of data collection being performed on students in the state.