

BILL ANALYSIS

Senate Research Center
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S.B. 1483
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, school districts do not have a policy bridge between their bricks and mortar schools and virtual course options. Traditional and virtual coursework are taken in silos. Furthermore, there are significant barriers to entry for electronic providers, including an unclear and inefficient course review process. Texas currently provides limited opportunities for a student to take an entirely virtual course option, which could reclaim students for whom the traditional school setting does not work.

S.B. 1483 provides all students with the opportunity to access a blended education coupling brick and mortar with virtual courses through a district policy on electronic courses. S.B. 1483 allows course reviewers to consider all materials when checking for TEKS alignment and to publish a clear timeline for the virtual course review process. It also establishes a fee structure for the virtual course review process. S.B. 1483 funds electronic course enrollment similar to brick and mortar courses except based upon course completion, with flexibility for the home district and provider district to negotiate an agreement. The bill allows the establishment of virtual high schools to serve students up to the age of 26 with innovative virtual course options and allows for virtual high schools to provide diploma avenues for those beyond the age of 26 utilizing adult basic education funds or by charging a fee.

As proposed, S.B. 1483 amends current law relating to the state virtual school network and virtual high schools.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 5 (Section 30B.001, Education Code) of this bill.

Rulemaking authority previously granted to the commissioner of education is rescinded in SECTION 8 (Section 42.159, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 30A, Education Code, by adding Section 30A.007, as follows:

Sec. 30A.007. SCHOOL DISTRICT POLICY ON ELECTRONIC COURSES. Requires a school district to adopt a policy that provides district students with the opportunity to enroll in electronic courses provided through the state virtual school network.

SECTION 2. Amends Section 30A.104, Education Code, as follows:

Sec. 30A.104. COURSE ELIGIBILITY IN GENERAL. (a) Creates this subsection from existing text. Makes no further changes.

(b) Requires the provider school district or school, if the essential knowledge and skills with which an approved course is aligned in accordance with Subsection (a)(2) (relating to requiring the state virtual school network to be aligned with the

essential knowledge and skills) is modified, to be provided the same time period to revise the course to achieve alignment with the modified essential knowledge and skills as is provided for the modification of a course provided in a traditional classroom setting.

SECTION 3. Amends Section 30A.105, Education Code, by adding Subsections (a-1) and (a-2) and amending Subsection (d), as follows:

(a-1) Requires the administering authority to publish the schedule established under Subsection (a)(1) (relating to establishing a schedule for an annual submission and approval process for electronic courses), including any deadlines specified in that schedule, and any guidelines applicable to the submission and approval process for electronic courses.

(a-2) Requires that the evaluation required by Subsection (a)(2) (relating to requiring the administrative authority to evaluate electronic courses) include review of each electronic course component, including off-line material proposed to be used in the course.

(d) Authorizes the school district, open-enrollment charter school, or public or private institution of higher education that submitted the course for evaluation and approval, if the Texas Education Agency (TEA) determines that the costs of evaluating and approving a submitted electronic course will not be paid by TEA due to a shortage of funds available for that purpose, to pay a fee equal to the amount of the costs in order to ensure that evaluation of the course occurs. Requires TEA to establish and publish a fee schedule for purposes of this subsection.

SECTION 4. Amends Subchapter D, Chapter 30A, Education Code, by adding Section 30A.153, as follows:

Sec. 30A.153. FOUNDATION SCHOOL PROGRAM FUNDING. (a) Entitles a school district or open-enrollment charter school in which a student is enrolled to funding under Chapter 42 (Foundation School Program) for the student's enrollment in an electronic course offered through the state virtual school network in the same manner that the district or school is entitled to funding for the student's enrollment in courses provided in a traditional classroom setting, provided that the student successfully completes the electronic course.

(b) Requires a school district or open-enrollment charter school in which a student is enrolled to enter into an agreement with the provider school district or school for the payment to the provider school district or school of costs associated with the enrollment of the student in an electronic course.

(c) Requires the administering authority, with the approval of the commissioner of education (commissioner), to adopt a standard agreement under Subsection (b) that governs payment of funds and other matters relating to a student's enrollment in an electronic course offered through the state virtual school network. Requires a school district or open-enrollment charter school to use the standard agreement unless:

(1) the district or school requests from the commissioner permission to modify the standard agreement; and

(2) the commissioner authorizes the modification.

SECTION 5. Amends Subtitle F, Title 2, Education Code, by adding Chapter 30B, as follows:

CHAPTER 30B. VIRTUAL HIGH SCHOOLS

Sec. 30B.001. CREATION OF VIRTUAL HIGH SCHOOLS. (a) Requires the commissioner by rule to establish a process under which an eligible entity, as determined

by the commissioner, may submit an application to the commissioner for authorization to operate a virtual high school.

(b) Authorizes a virtual high school authorized by the commissioner to:

(1) enroll eligible students on a full-time basis; and

(2) grant high school diplomas to students who meet the requirements for a diploma imposed under this title.

Sec. 30B.002. ELIGIBLE STUDENTS. (a) Authorizes a student to enroll in a virtual high school on a full-time basis if the student resides in this state and is under 26 years of age.

(b) Authorizes a virtual high school to also elect to admit:

(1) a student described by Subsection (a) on a part-time basis; or

(2) a student who resides in this state and is 26 years of age or older.

Sec. 30B.003. CURRICULUM. (a) Requires a virtual high school to permit students to enroll in courses provided through the state virtual school network under Chapter 30A in addition to courses offered directly by the virtual high school.

(b) Authorizes a virtual high school to develop a community-based course in physical education or fine arts. Requires that a course developed under this subsection be approved by TEA before the virtual high school may offer the class to a student for academic success credit.

Sec. 30B.004. FUNDING. (a) Entitles a virtual high school, for each student described by Section 30B.002(a) enrolled in the school, to allotments under Chapter 42 as if the school were a school district with a tier one local share for purposes of Section 42.253 (Distribution of Foundation School Fund).

(b) Provides that a virtual high school is not entitled to allotments under Chapter 42 for students described by Section 30B.002(b). Authorizes a virtual high school to charge a fee for enrollment to students described by Section 30B.002(b); or use adult basic education funds to pay the costs of enrollment of students described by Section 30B.002(b)(2), if those funds are available for that purpose.

SECTION 6. Amends Section 42.003(a), Education Code, as follows:

(a) Entitles a student to the benefits of the Foundation School Program if, on September 1 of the school year, the student is five years of age or older and under 21 years of age and has not graduated from high school, or is at least 21 years of age and has not graduated from high school, or is at least 21 years of age and under 26 years of age and has been admitted by a virtual high school under Chapter 30B or a school district to complete the requirements for a high school diploma.

SECTION 7. Amends Section 42.302(a), Education Code, to redefine "WADA."

(a) Provides that the amount of state support, subject only to the maximum amount under Section 42.303, is determined by a certain formula. Redefines "WADA" as used in the formula.

SECTION 8. Repealer: Section 42.159 (State Virtual School Network Allotments), Education Code.

SECTION 9. Effective date: September 1, 2011.