

By: Taylor

S.B. No. 1455

A BILL TO BE ENTITLED

AN ACT

relating to the state virtual school network; changing a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1.001(b), Education Code, is amended to read as follows:

(b) Except as provided by Chapter 18, Chapter 19, Subchapter A of Chapter 29, Subchapter E of Chapter 30, or Chapter 30B [30A], this code does not apply to students, facilities, or programs under the jurisdiction of the Department of Aging and Disability Services, the Department of State Health Services, the Health and Human Services Commission, the Texas Juvenile Justice Department, the Texas Department of Criminal Justice, a Job Corps program operated by or under contract with the United States Department of Labor, or any juvenile probation agency.

SECTION 2. Section 7.0561(f), Education Code, is amended to read as follows:

(f) In consultation with interested school districts, open-enrollment charter schools, and other appropriate interested persons, the commissioner shall adopt rules applicable to the consortium, according to the following principles for a next generation of higher performing public schools:

(1) engagement of students in digital learning, including engagement through the use of electronic textbooks and instructional materials adopted under Subchapters B and B-1,

Chapter 31, and courses offered through the state virtual school network under Chapter 30B [~~Subchapter 30A~~];

(2) emphasis on learning standards that focus on high-priority standards identified in coordination with districts and charter schools participating in the consortium;

(3) use of multiple assessments of learning capable of being used to inform students, parents, districts, and charter schools on an ongoing basis concerning the extent to which learning is occurring and the actions consortium participants are taking to improve learning; and

(4) reliance on local control that enables communities and parents to be involved in the important decisions regarding the education of their children.

SECTION 3. Section 12.101(a), Education Code, is amended to read as follows:

(a) In accordance with this subchapter, the commissioner may grant a charter on the application of an eligible entity for an open-enrollment charter school to operate in a facility of a commercial or nonprofit entity, an eligible entity, or a school district, including a home-rule school district. In this subsection, "eligible entity" means:

(1) an institution of higher education as defined under Section 61.003;

(2) a private or independent institution of higher education as defined under Section 61.003;

(3) an organization that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section

501(c)(3)); ~~[or]~~

(4) a governmental entity; or

(5) a private entity or corporation for the purposes of operating a full-time virtual school.

SECTION 4. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1016 to read as follows:

Sec. 12.1016. CHARTER AUTHORIZATION FOR FULL-TIME VIRTUAL SCHOOL. (a) Except as provided by Subsection (b), the commissioner may grant under Section 12.101 a charter on the application of a private entity or corporation to provide a full-time virtual school.

(b) The commissioner may not grant a charter as authorized under this section to a private entity or corporation that has been subject to a contract revocation under Section 30B.210.

(c) A charter granted under this section may not provide for operating a school in any manner other than a full-time virtual school.

(d) In granting a charter under this section, the commissioner may modify any provision of this subchapter to:

(1) accommodate lack of geographical placement; and

(2) impose additional requirements to ensure accountability, access to information, and security of funding.

SECTION 5. Section 25.007(b), Education Code, is amended to read as follows:

(b) In recognition of the challenges faced by students who are homeless or in substitute care, the agency shall assist the transition of students who are homeless or in substitute care from

1 one school to another by:

2 (1) ensuring that school records for a student who is
3 homeless or in substitute care are transferred to the student's new
4 school not later than the 10th working day after the date the
5 student begins enrollment at the school;

6 (2) developing systems to ease transition of a student
7 who is homeless or in substitute care during the first two weeks of
8 enrollment at a new school;

9 (3) developing procedures for awarding credit,
10 including partial credit if appropriate, for course work, including
11 electives, completed by a student who is homeless or in substitute
12 care while enrolled at another school;

13 (4) developing procedures to ensure that a new school
14 relies on decisions made by the previous school regarding placement
15 in courses or educational programs of a student who is homeless or
16 in substitute care and places the student in comparable courses or
17 educational programs at the new school, if those courses or
18 programs are available;

19 (5) promoting practices that facilitate access by a
20 student who is homeless or in substitute care to extracurricular
21 programs, summer programs, credit transfer services, electronic
22 courses provided under Chapter 30B [~~30A~~], and after-school tutoring
23 programs at nominal or no cost;

24 (6) establishing procedures to lessen the adverse
25 impact of the movement of a student who is homeless or in substitute
26 care to a new school;

27 (7) entering into a memorandum of understanding with

1 the Department of Family and Protective Services regarding the
2 exchange of information as appropriate to facilitate the transition
3 of students in substitute care from one school to another;

4 (8) encouraging school districts and open-enrollment
5 charter schools to provide services for a student who is homeless or
6 in substitute care in transition when applying for admission to
7 postsecondary study and when seeking sources of funding for
8 postsecondary study;

9 (9) requiring school districts, campuses, and
10 open-enrollment charter schools to accept a referral for special
11 education services made for a student who is homeless or in
12 substitute care by a school previously attended by the student, and
13 to provide comparable services to the student during the referral
14 process or until the new school develops an individualized
15 education program for the student;

16 (10) requiring school districts, campuses, and
17 open-enrollment charter schools to provide notice to the child's
18 educational decision-maker and caseworker regarding events that
19 may significantly impact the education of a child, including:

20 (A) requests or referrals for an evaluation under
21 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or
22 special education under Section [29.003](#);

23 (B) admission, review, and dismissal committee
24 meetings;

25 (C) manifestation determination reviews required
26 by Section [37.004\(b\)](#);

27 (D) any disciplinary actions under Chapter [37](#) for

1 which parental notice is required;

2 (E) citations issued for Class C misdemeanor
3 offenses on school property or at school-sponsored activities;

4 (F) reports of restraint and seclusion required
5 by Section 37.0021; and

6 (G) use of corporal punishment as provided by
7 Section 37.0011;

8 (11) developing procedures for allowing a student who
9 is homeless or in substitute care who was previously enrolled in a
10 course required for graduation the opportunity, to the extent
11 practicable, to complete the course, at no cost to the student,
12 before the beginning of the next school year;

13 (12) ensuring that a student who is homeless or in
14 substitute care who is not likely to receive a high school diploma
15 before the fifth school year following the student's enrollment in
16 grade nine, as determined by the district, has the student's course
17 credit accrual and personal graduation plan reviewed;

18 (13) ensuring that a student in substitute care who is
19 in grade 11 or 12 be provided information regarding tuition and fee
20 exemptions under Section 54.366 for dual-credit or other courses
21 provided by a public institution of higher education for which a
22 high school student may earn joint high school and college credit;

23 (14) designating at least one agency employee to act
24 as a liaison officer regarding educational issues related to
25 students in the conservatorship of the Department of Family and
26 Protective Services; and

27 (15) providing other assistance as identified by the

1 agency.

2 SECTION 6. Section 26.0031, Education Code, is amended to
3 read as follows:

4 Sec. 26.0031. RIGHTS CONCERNING STATE VIRTUAL SCHOOL
5 NETWORK STATEWIDE COURSE CATALOG. (a) At the time and in the
6 manner that a school district or open-enrollment charter school
7 informs students and parents about courses that are offered in the
8 district's or school's traditional classroom setting, the district
9 or school shall notify parents and students of the option to enroll
10 in an electronic course offered through the state virtual school
11 network statewide course catalog under Chapter 30B [~~30A~~].

12 (b) Except as provided by Subsection (c), a school district
13 or open-enrollment charter school in which a student is enrolled as
14 a full-time student may not deny the request of a parent of a
15 student to enroll the student in an electronic course offered
16 through the state virtual school network statewide course catalog
17 under Chapter 30B [~~30A~~].

18 (c) A school district or open-enrollment charter school may
19 deny a request to enroll a student in an electronic course if:

20 (1) a student attempts to enroll in a course load that
21 is inconsistent with the student's high school graduation plan or
22 requirements for college admission or earning an industry
23 certification; or

24 (2) the student requests permission to enroll in an
25 electronic course at a time that is not consistent with the
26 enrollment period established by the school district or
27 open-enrollment charter school providing the course [~~or~~]

1 ~~[(3) the district or school offers a substantially~~
2 ~~similar course].~~

3 ~~[(c-1) A school district or open-enrollment charter school~~
4 ~~may decline to pay the cost for a student of more than three~~
5 ~~yearlong electronic courses, or the equivalent, during any school~~
6 ~~year. This subsection does not:~~

7 ~~[(1) limit the ability of the student to enroll in~~
8 ~~additional electronic courses at the student's cost; or~~

9 ~~[(2) apply to a student enrolled in a full-time online~~
10 ~~program that was operating on January 1, 2013.]~~

11 (d) Notwithstanding Subsection (c)(2), a school district or
12 open-enrollment charter school that provides an electronic course
13 through the state virtual school network statewide course catalog
14 under Chapter 30B [30A] shall make all reasonable efforts to
15 accommodate the enrollment of a student in the course under special
16 circumstances.

17 (e) A parent may appeal to the commissioner a school
18 district's or open-enrollment charter school's decision to deny a
19 request to enroll a student in an electronic course offered through
20 the state virtual school network statewide course catalog. The
21 commissioner's decision under this subsection is final and may not
22 be appealed.

23 (f) A school district or open-enrollment charter school
24 from which a parent of a student requests permission to enroll the
25 student in an electronic course offered through the state virtual
26 school network statewide course catalog under Chapter 30B [30A] has
27 discretion to select a course provider approved by the network's

administering authority for the course in which the student will enroll based on factors including the informed choice report in Section 30B.112(b) [~~30A.108(b)~~].

SECTION 7. Subtitle F, Title 2, Education Code, is amended by adding Chapter 30B, and a heading is added to that chapter to read as follows:

CHAPTER 30B. STATE VIRTUAL SCHOOL NETWORK STATEWIDE COURSE CATALOG
AND FULL-TIME VIRTUAL SCHOOLS

SECTION 8. Chapter 30B, Education Code, as added by this Act, is amended by adding Subchapter A, and a heading is added to that subchapter to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 9. Section 30A.001, Education Code, is transferred to Subchapter A, Chapter 30B, Education Code, as added by this Act, redesignated as Section 30B.001, Education Code, and amended to read as follows:

Sec. 30B.001 [~~30A.001~~]. DEFINITIONS. In this chapter:

(1) "Administering authority" means the Texas Education Agency [~~entity designated under Section 30A.053 to administer the state virtual school network~~].

(2) "Board" means the State Board of Education.

(3) "Course" means a course of study that meets the requirements of Section 30B.105 [~~30A.104~~].

(4) "Electronic course" means a course in which:

(A) instruction and content are delivered primarily over the Internet;

(B) a student and teacher are in different

1 locations for a majority of the student's instructional period;

2 (C) most instructional activities take place in
3 an online environment;

4 (D) the online instructional activities are
5 integral to the academic program;

6 (E) extensive communication between a student
7 and a teacher and among students is emphasized; and

8 (F) a student is not required to be located on the
9 physical premises of a school district or open-enrollment charter
10 school.

11 (5) ~~["Electronic diagnostic assessment" means a~~
12 ~~formative or instructional assessment used in conjunction with an~~
13 ~~electronic course to ensure that.~~

14 ~~[(A) a teacher of an electronic course has~~
15 ~~information related to a student's academic performance in that~~
16 ~~course; and~~

17 ~~[(B) a student enrolled in an electronic course~~
18 ~~makes documented progress in mastering the content of the course.~~

19 ~~[(6)]~~ "Electronic professional development course"
20 means a professional development course in which instruction and
21 content are delivered primarily over the Internet.

22 (6) "Full-time virtual school" means a campus
23 authorized by the commissioner to provide a full-time virtual
24 school program to students enrolled in that district or school.

25 (7) "Course provider" means:

26 (A) a school district or open-enrollment charter
27 school that provides an electronic course through the statewide

1 course catalog [~~state virtual school network~~] to:

2 (i) students enrolled in that district or
3 school; or

4 (ii) students enrolled in another school
5 district or school;

6 (B) a public or private institution of higher
7 education, nonprofit entity, or private entity that provides a
8 course through the statewide course catalog [~~state virtual school~~
9 ~~network~~]; or

10 (C) an entity that provides an electronic
11 professional development course through the state virtual school
12 network.

13 (8) "Public or private institution of higher
14 education" means a private or independent institution of higher
15 education as defined by Section 61.003 [~~an institution of higher~~
16 ~~education, as defined by 20 U.S.C. Section 1001~~].

17 (9) "Statewide course catalog" means a program of
18 supplemental courses offered by state-approved course providers
19 that is delivered through the state virtual school network.

20 SECTION 10. Section 30A.002, Education Code, is transferred
21 to Subchapter A, Chapter 30B, Education Code, as added by this Act,
22 redesignated as Section 30B.002, Education Code, and amended to
23 read as follows:

24 Sec. 30B.002 [~~30A.002~~]. STUDENT ELIGIBILITY. [~~(a)~~] A
25 student is eligible to enroll in a course provided through the
26 statewide course catalog or in a full-time [~~state~~] virtual school
27 [~~network~~] only if [~~the student~~]:

(1) the student ~~[on September 1 of the school year:]~~

~~[(A) is younger than 21 years of age; or~~

~~[(B) is younger than 26 years of age and entitled
to the benefits of the Foundation School Program under Section
42.003,~~

~~[(2) has not graduated from high school; and~~

~~[(3)] is [otherwise] eligible to enroll in a public
school in this state; or~~

(2) the student does not qualify under Subdivision
(1), including a student who is an adult or who resides in another
state or country, and the student pays fees in accordance with this
subchapter.

~~[(b) A student is eligible to enroll full-time in courses
provided through the state virtual school network only if the
student:~~

~~[(1) was enrolled in a public school in this state in
the preceding school year;~~

~~[(2) is a dependent of a member of the United States
military who has been deployed or transferred to this state and was
enrolled in a publicly funded school outside of this state in the
preceding school year; or~~

~~[(3) has been placed in substitute care in this state,
regardless of whether the student was enrolled in a public school in
this state in the preceding school year.~~

~~[(c) Notwithstanding Subsection (a)(3) or (b), a student is
eligible to enroll in one or more courses provided through the state
virtual school network or enroll full-time in courses provided~~

~~through the network if the student:~~

~~[(1) is a dependent of a member of the United States military,~~

~~[(2) was previously enrolled in high school in this state, and~~

~~[(3) does not reside in this state due to a military deployment or transfer.]~~

SECTION 11. Section 30A.003, Education Code, is transferred to Subchapter A, Chapter 30B, Education Code, as added by this Act, redesignated as Section 30B.003, Education Code, and amended to read as follows:

Sec. 30B.003 [~~30A.003~~]. PROVISION OF COMPUTER EQUIPMENT OR INTERNET SERVICE. This chapter does not:

(1) require a school district, an open-enrollment charter school, a course provider, a full-time virtual school, or the state to provide a student with home computer equipment or Internet access for a course provided through the state virtual school network; or

(2) prohibit a school district or open-enrollment charter school from providing a student with home computer equipment or Internet access for a course provided through the state virtual school network.

SECTION 12. Section 30A.004, Education Code, is transferred to Subchapter A, Chapter 30B, Education Code, as added by this Act, redesignated as Section 30B.004, Education Code, and amended to read as follows:

Sec. 30B.004 [~~30A.004~~]. APPLICABILITY OF CHAPTER. (a)

1 Except as provided by Subsection (c), this chapter does not affect
2 the provision of a course to a student while the student is located
3 on the physical premises of a school district or open-enrollment
4 charter school.

5 (b) ~~[This chapter does not affect the provision of distance~~
6 ~~learning courses offered under other law.]~~

7 ~~[(b-1)]~~ Requirements imposed by or under this chapter do not
8 apply to a virtual course provided by a school district only to
9 district students if the course is not provided as part of the state
10 virtual school network.

11 (c) A school district or open-enrollment charter school may
12 choose to participate in providing an electronic course or an
13 electronic diagnostic assessment under this chapter to a student
14 who is located on the physical premises of a school district or
15 open-enrollment charter school.

16 SECTION 13. Section 30A.005, Education Code, is transferred
17 to Subchapter A, Chapter 30B, Education Code, as added by this Act,
18 and redesignated as Section 30B.005, Education Code, to read as
19 follows:

20 Sec. 30B.005 [~~30A.005~~]. TELECOMMUNICATIONS OR INFORMATION
21 SERVICES NETWORK NOT CREATED. This chapter does not create or
22 authorize the creation of a telecommunications or information
23 services network.

24 SECTION 14. Section 30A.007, Education Code, is transferred
25 to Subchapter A, Chapter 30B, Education Code, as added by this Act,
26 redesignated as Section 30B.006, Education Code, and amended to
27 read as follows:

1 Sec. 30B.006 [~~30A.007~~]. LOCAL POLICY ON ELECTRONIC
2 COURSES. (a) A school district or open-enrollment charter school
3 shall adopt a written policy that provides district or school
4 students with the opportunity to enroll in electronic courses
5 provided through the statewide course catalog [~~state virtual school~~
6 ~~network~~]. The policy must be consistent with the requirements
7 imposed by Section 26.0031.

8 (b) [~~(a-1)~~] A school district or open-enrollment charter
9 school shall, at least once per school year, send to a parent of
10 each district or school student enrolled at the middle or high
11 school level a copy of the policy adopted under Subsection (a). A
12 district or school may send the policy with any other information
13 that the district or school sends to a parent.

14 (c) [~~(b)~~] For purposes of a policy adopted under Subsection
15 (a), the determination of whether or not an electronic course will
16 meet the needs of a student with a disability shall be made by the
17 student's admission, review, and dismissal committee in a manner
18 consistent with state and federal law, including the Individuals
19 with Disabilities Education Act (20 U.S.C. Section 1400 et seq.)
20 and Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section
21 794).

22 SECTION 15. Subchapter A, Chapter 30B, Education Code, as
23 added by this Act, is amended by adding Section 30B.007 to read as
24 follows:

25 Sec. 30B.007. GRANTS AND FEDERAL FUNDS. (a) The
26 commissioner may solicit and accept a gift, grant, or donation from
27 any source for the implementation of the statewide course catalog

1 and full-time virtual schools.

2 (b) The commissioner may accept federal funds for purposes
3 of this chapter and shall use those funds in compliance with
4 applicable federal law, regulations, and guidelines.

5 SECTION 16. Chapter 30B, Education Code, as added by this
6 Act, is amended by adding Subchapter B, and a heading is added to
7 that subchapter to read as follows:

8 SUBCHAPTER B. ADMINISTRATIVE PROVISIONS

9 SECTION 17. Section 30A.051, Education Code, is transferred
10 to Subchapter B, Chapter 30B, Education Code, as added by this Act,
11 redesignated as Section 30B.051, Education Code, and amended to
12 read as follows:

13 Sec. 30B.051 [~~30A.051~~]. GOVERNANCE [~~OF NETWORK~~]. (a) The
14 commissioner shall:

15 (1) administer the state virtual school network
16 statewide course catalog and full-time virtual schools; and

17 (2) ensure:

18 (A) high-quality education for students in this
19 state who are being educated through electronic courses provided
20 through the statewide course catalog or a full-time virtual school
21 [~~state virtual school network~~]; and

22 (B) equitable access by students to those courses
23 and schools.

24 (b) The commissioner may adopt rules necessary to implement
25 this chapter.

26 [~~(c) To the extent practicable, the commissioner shall~~
27 ~~solicit advice from school districts concerning:~~

1 ~~[(1) administration of the state virtual school~~
2 ~~network, and~~

3 ~~[(2) adoption of rules under Subsection (b).]~~

4 SECTION 18. Section 30A.052, Education Code, is transferred
5 to Subchapter B, Chapter 30B, Education Code, as added by this Act,
6 redesignated as Section 30B.052, Education Code, and amended to
7 read as follows:

8 Sec. 30B.052 [~~30A.052~~]. GENERAL POWERS AND DUTIES OF
9 COMMISSIONER. (a) The commissioner shall prepare or provide for
10 preparation of a biennial budget request for the state virtual
11 school network statewide course catalog and full-time virtual
12 schools for presentation to the legislature.

13 (b) The commissioner has exclusive jurisdiction over the
14 assets of the network and shall administer and spend appropriations
15 made for the benefit of the network.

16 ~~[(c) The commissioner shall employ a limited number of~~
17 ~~administrative employees in connection with the network.]~~

18 SECTION 19. Section 30A.054, Education Code, is transferred
19 to Subchapter B, Chapter 30B, Education Code, as added by this Act,
20 redesignated as Section 30B.053, Education Code, and amended to
21 read as follows:

22 Sec. 30B.053 [~~30A.054~~]. STUDENT PERFORMANCE INFORMATION.
23 To the extent permitted under the Family Educational Rights and
24 Privacy Act of 1974 (20 U.S.C. Section 1232g), the commissioner
25 shall make information relating to the performance of students
26 enrolled in electronic courses through the statewide course catalog
27 or a full-time virtual school under this chapter available to

1 school districts, open-enrollment charter schools, and the public.

2 SECTION 20. Chapter 30B, Education Code, as added by this
3 Act, is amended by adding Subchapter C, and a heading is added to
4 that subchapter to read as follows:

5 SUBCHAPTER C. STATEWIDE COURSE CATALOG

6 SECTION 21. Section 30A.101, Education Code, is transferred
7 to Subchapter C, Chapter 30B, Education Code, as added by this Act,
8 redesignated as Section 30B.101, Education Code, and amended to
9 read as follows:

10 Sec. 30B.101 [~~30A.101~~]. ELIGIBILITY TO ACT AS COURSE
11 PROVIDER. (a) A school district or open-enrollment charter school
12 is eligible to act as a course provider through the statewide course
13 catalog [~~under this chapter~~] only if the district or school
14 receives an overall performance rating of C or higher [~~is rated~~
15 ~~acceptable~~] under Section 39.054.

16 (b) [~~An open-enrollment charter school may serve as a course~~
17 ~~provider only.~~

18 [~~(1) to a student within its service area, or~~

19 [~~(2) to another student in the state.~~

20 [~~(A) through an agreement with the school district~~
21 ~~in which the student resides, or~~

22 [~~(B) if the student receives educational services~~
23 ~~under the supervision of a juvenile probation department, the Texas~~
24 ~~Juvenile Justice Department, or the Texas Department of Criminal~~
25 ~~Justice, through an agreement with the applicable agency.~~

26 [~~(c)~~] A public or private institution of higher education,
27 nonprofit entity, private entity, or corporation is eligible to act

as a course provider through the statewide course catalog ~~[under this chapter]~~ only if the institution, ~~[nonprofit]~~ entity, ~~[private entity,]~~ or corporation:

(1) complies with all applicable federal and state laws prohibiting discrimination;

(2) demonstrates financial solvency; ~~[and]~~

(3) provides evidence of prior successful experience offering online courses to ~~[middle or high school]~~ students, with demonstrated student success in course completion and performance, as determined by the commissioner; and

(4) complies with any other criteria established by the commissioner.

(c) The entity where the student is enrolled has sole authority ~~[(d) An entity other than a school district or open-enrollment charter school is not authorized]~~ to award course credit or a diploma for courses taken through the statewide course catalog ~~[state virtual school network]~~.

(d) This section may not be waived by the commissioner.

SECTION 22. Sections [30A.102](#), [30A.1021](#), [30A.103](#), [30A.104](#), and [30A.1041](#), Education Code, are transferred to Subchapter C, Chapter 30B, Education Code, as added by this Act, redesignated as Sections 30B.102, 30B.103, 30B.104, 30B.105, and 30B.106, Education Code, and amended to read as follows:

Sec. 30B.102 [[30A.102](#)]. LISTING OF ELECTRONIC COURSES.

(a) The administering authority shall:

(1) publish the criteria required by Section 30B.104 [[30A.103](#)] for electronic courses that may be offered through the

1 statewide course catalog [~~state virtual school network~~];

2 (2) using the criteria required by Section 30B.104
3 [30A.103], evaluate electronic courses submitted by a course
4 provider to be offered through the statewide course catalog
5 [~~network~~];

6 (3) create a list of electronic courses approved by
7 the administering authority; and

8 (4) publish in a prominent location on the state
9 virtual school network's Internet website the list of approved
10 electronic courses offered through the statewide course catalog
11 [~~network~~] and a detailed description of the courses that complies
12 with Section 30B.112 [30A.108].

13 (b) To ensure that a full range of electronic courses,
14 including advanced placement courses, are offered to students in
15 this state, the administering authority:

16 (1) shall create a list of those subjects and courses
17 designated by the board under Subchapter A, Chapter 28, for which
18 the board has identified essential knowledge and skills or for
19 which the board has designated content requirements under
20 Subchapter A, Chapter 28;

21 (2) shall enter into agreements with school districts,
22 open-enrollment charter schools, public or private institutions of
23 higher education, and other eligible entities for the purpose of
24 offering the courses through the statewide course catalog [~~state~~
25 ~~virtual school network~~]; [~~and~~]

26 (3) may develop or authorize the development of
27 additional electronic courses that:

(A) are needed to complete high school graduation requirements; and

(B) are not otherwise available through the statewide course catalog; and

(4) may develop or authorize the development of an orientation course [~~state virtual school network~~].

(c) The administering authority shall develop a comprehensive course numbering system for all courses offered through the statewide course catalog [~~state virtual school network~~] to ensure, to the greatest extent possible, consistent numbering of similar courses offered across all course providers.

Sec. 30B.103 [~~30A.1021~~]. PUBLIC ACCESS TO USER COMMENTS REGARDING ELECTRONIC COURSES. (a) The administering authority shall provide students who have completed or withdrawn from electronic courses offered through the statewide course catalog [~~virtual school network~~] and their parents with a mechanism for providing comments regarding the courses.

(b) The mechanism required by Subsection (a) must include a quantitative rating system and a list of verbal descriptors that a student or parent may select as appropriate.

(c) The administering authority shall provide public access to the comments submitted by students and parents under this section. The comments must be in a format that permits a person to sort the comments by teacher, electronic course, and course provider.

Sec. 30B.104 [~~30A.103~~]. CRITERIA FOR ELECTRONIC COURSES. (a) The commissioner [~~board~~] by rule shall establish an objective

1 standard criteria for an electronic course to ensure alignment with
2 the essential knowledge and skills requirements identified or
3 content requirements established under Subchapter A, Chapter 28.
4 The criteria may not permit the administering authority to prohibit
5 a course provider from applying for approval for an electronic
6 course for a course for which essential knowledge and skills have
7 been identified.

8 (b) The criteria must be consistent with Section 30B.105
9 [30A.104] and may not include any requirements that are
10 developmentally inappropriate for students.

11 (c) The commissioner by rule may:

12 (1) establish additional quality-related criteria for
13 electronic courses; and

14 (2) provide for a period of public comment regarding
15 the criteria.

16 (d) The criteria must be in place at least six months before
17 the administering authority uses the criteria in evaluating an
18 electronic course under Section 30B.107 [30A.105].

19 Sec. 30B.105 [30A.104]. COURSE ELIGIBILITY IN GENERAL.

20 (a) A course offered through the statewide course catalog [~~state~~
21 ~~virtual school network~~] must:

22 (1) be in a specific subject that is part of the
23 required curriculum under Section 28.002(a);

24 (2) be aligned with the essential knowledge and skills
25 identified under Section 28.002(c) for the [a] grade level [~~at or~~
26 ~~above grade level three~~]; and

27 (3) be the equivalent in instructional rigor and scope

1 to a course that is provided in a traditional classroom setting
2 during a semester of 90 instructional days.

3 (b) If the essential knowledge and skills with which an
4 approved course is aligned in accordance with Subsection (a)(2) are
5 modified, the course provider must be provided the same ~~[time]~~
6 period to revise the course to achieve alignment with the modified
7 essential knowledge and skills as is provided for the modification
8 of a course provided in a traditional classroom setting.

9 Sec. 30B.106 [~~30A.1041~~]. DRIVER EDUCATION COURSES. (a) A
10 school district, open-enrollment charter school, public or private
11 institution of higher education, or other eligible entity may seek
12 approval to offer through the statewide course catalog ~~[state~~
13 ~~virtual school network]~~ the classroom portion of a driver education
14 and traffic safety course that complies with the requirements for
15 the program developed under Section 29.902.

16 (b) A school district, open-enrollment charter school,
17 public or private institution of higher education, or other
18 eligible entity may not offer through the statewide course catalog
19 ~~[state virtual school network]~~ the laboratory portion of a driver
20 education and traffic safety course.

21 (c) A driver education and traffic safety course offered in
22 compliance with this section must be the equivalent in
23 instructional rigor and scope to a course that is provided in a
24 traditional classroom setting for a period of 56 hours.

25 SECTION 23. Section 30A.105, Education Code, is transferred
26 to Subchapter C, Chapter 30B, Education Code, as added by this Act,
27 redesignated as Section 30B.107, Education Code, and amended to

1 read as follows:

2 Sec. 30B.107 [~~30A.105~~]. APPROVAL OF ELECTRONIC COURSES.

3 (a) The administering authority shall:

4 (1) establish a submission and approval process for
5 electronic courses that occurs on a rolling basis; and

6 (2) provide for the evaluation of [~~evaluate~~]
7 electronic courses to be offered through the statewide course
8 catalog [~~state virtual school network~~].

9 (b) [~~(a-1)~~] The administering authority shall publish the
10 submission and approval process for electronic courses established
11 under Subsection (a)(1), including any deadlines and guidelines
12 applicable to the process.

13 (c) [~~(a-2)~~] The evaluation required by Subsection (a)(2)
14 must include review of each electronic course component, including
15 off-line material proposed to be used in the course.

16 (d) [~~(b)~~] The administering authority shall establish the
17 cost of providing an electronic course approved under Subsection
18 (a) [~~, which may not exceed \$400 per student per course or \$4,800 per~~
19 ~~full-time student~~].

20 (e) The [~~(c)~~ ~~The agency shall pay the reasonable costs of~~
21 ~~evaluating and approving electronic courses. If funds available~~
22 ~~to the agency for that purpose are insufficient to pay the costs of~~
23 ~~evaluating and approving all electronic courses submitted for~~
24 ~~evaluation and approval, the agency shall give priority to paying~~
25 ~~the costs of evaluating and approving the following courses:~~

26 [~~(1) courses that satisfy high school graduation~~
27 ~~requirements,~~

~~[(2) courses that would likely benefit a student in obtaining admission to a postsecondary institution,~~

~~[(3) courses, including dual credit courses, that allow a student to earn college credit or other advanced credit,~~

~~[(4) courses in subject areas most likely to be highly beneficial to students receiving educational services under the supervision of a juvenile probation department, the Texas Juvenile Justice Department, or the Texas Department of Criminal Justice, and~~

~~[(5) courses in subject areas designated by the commissioner as commonly experiencing a shortage of teachers.~~

~~[(d) If the agency determines that the costs of evaluating and approving a submitted electronic course will not be paid by the agency due to a shortage of funds available for that purpose, the]~~
 school district, open-enrollment charter school, public or private institution of higher education, or other eligible entity that submits a submitted the course for evaluation and approval shall ~~[may]~~ pay a fee equal to the amount of the costs of evaluating and approving the course in order to ensure that evaluation of the course occurs. The agency shall establish and publish a fee schedule for purposes of this subsection.

(f) ~~[(e)]~~ The administering authority shall require a course provider to apply for renewed approval of a previously approved course in accordance with a schedule designed to coincide with revisions to the required curriculum under Section 28.002(a) but not later than the 10th anniversary of the previous approval.

SECTION 24. Section 30A.1051, Education Code, is

transferred to Subchapter C, Chapter 30B, Education Code, as added by this Act, and redesignated as Section 30B.108, Education Code, to read as follows:

Sec. 30B.108 [~~30A.1051~~]. ELECTRONIC COURSE PORTABILITY. A student who transfers from one educational setting to another after beginning enrollment in an electronic course is entitled to continue enrollment in the course.

SECTION 25. Sections 30A.1052, 30A.106, 30A.107, 30A.108, 30A.109, 30A.110, and 30A.111, Education Code, are transferred to Subchapter C, Chapter 30B, Education Code, as added by this Act, redesignated as Sections 30B.109, 30B.110, 30B.111, 30B.112, 30B.113, 30B.114, and 30B.115, Education Code, and amended to read as follows:

Sec. 30B.109 [~~30A.1052~~]. INDUCEMENTS FOR ENROLLMENT PROHIBITED. (a) A course provider may not promise or provide equipment or any other thing of value to a student or a student's parent as an inducement for the student to enroll in an electronic course offered through the statewide course catalog [~~state virtual school network~~].

(b) The commissioner shall revoke approval under this chapter of electronic courses offered by a course provider that violates this section.

(c) The commissioner's action under this section is final and may not be appealed.

Sec. 30B.110 [~~30A.106~~]. APPEAL TO COMMISSIONER. (a) A course provider may appeal to the commissioner the administering authority's refusal to approve an electronic course under Section

1 30B.107 [~~30A.105~~].

2 (b) If the commissioner determines that the administering
3 authority's evaluation did not follow the criteria or was otherwise
4 irregular, the commissioner may overrule the administering
5 authority and place the course on a list of approved courses. The
6 commissioner's decision under this section is final and may not be
7 appealed.

8 Sec. 30B.111 [~~30A.107~~]. OPTIONS FOR PROVIDERS AND
9 STUDENTS. (a) A student who does not qualify under Section
10 30B.002(1) may take one or more electronic courses through the
11 statewide course catalog if the student pays the fees for the course
12 in accordance with Section 30B.123 [~~A course provider may offer~~
13 ~~electronic courses to:~~

14 [~~(1) students and adults who reside in this state; and~~
15 [~~(2) students who reside outside this state and who~~
16 ~~meet the eligibility requirements under Section 30A.002(c)~~].

17 (b) A student who is enrolled in a school district or
18 open-enrollment charter school in this state [~~as a full-time~~
19 ~~student~~] may take one or more electronic courses through the state
20 virtual school network.

21 (c) A student who resides in this state but who is not
22 enrolled in a school district or open-enrollment charter school in
23 this state [~~as a full-time student~~] may, subject to Section 30B.123
24 [~~30A.155~~], enroll in electronic courses through the statewide
25 course catalog [~~state virtual school network~~]. A student to whom
26 this subsection applies:

27 (1) [~~may not in any semester enroll in more than two~~

~~electronic courses offered through the state virtual school network,~~

~~(2)~~ is not considered enrolled at the ~~[to be a]~~ public school campus but shall be considered for purposes of:

(A) accountability in accordance with Section 30B.114; and

(B) state funding as provided by Section 30B.122 ~~[student];~~

(2) ~~(3)~~ must obtain access to a course provided through the statewide course catalog ~~[network]~~ through the school district or open-enrollment charter school ~~[attendance zone in which the student resides];~~

(3) ~~(4)~~ is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the statewide course catalog ~~[network]~~; and

(4) ~~(5)~~ is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

(d) A school district or open-enrollment charter school may not require a student to enroll in an electronic course.

(e) A school district or open-enrollment charter school shall require students to take a student orientation course to access the state virtual school network.

Sec. 30B.112 ~~[30A.108]~~. INFORMED CHOICE REPORTS. (a) Not later than a date determined by the commissioner, the administering

1 authority shall create and maintain on the state virtual school
2 network's Internet website an "informed choice" report as provided
3 by commissioner rule.

4 (b) Each report under this section must describe each
5 electronic course offered through the statewide course catalog
6 [~~state virtual school network~~] and include the following
7 information:

8 (1) course requirements;

9 (2) the school year calendar for the course, including
10 any options for continued participation outside of the standard
11 school year calendar;

12 (3) the entity that developed the course;

13 (4) the entity that provided the course;

14 (5) the course completion rate;

15 (6) aggregate student performance on an assessment
16 instrument administered under Section 39.023 to students enrolled
17 in the course;

18 (7) aggregate student performance on all assessment
19 instruments administered under Section 39.023 to students who
20 completed the course provider's courses; and

21 (8) other information determined by the commissioner.

22 Sec. 30B.113 [~~30A.109~~]. COMPULSORY ATTENDANCE. The
23 commissioner by rule shall adopt procedures for reporting and
24 verifying the attendance of a student enrolled in an electronic
25 course provided through the statewide course catalog [~~state virtual~~
26 ~~school network~~]. The rules may modify the application of Sections
27 25.085, 25.086, and 25.087 for a student enrolled in an electronic

course but must require participation in an educational program equivalent to the requirements prescribed by those sections.

Sec. 30B.114 [~~30A.110~~]. APPLICABILITY OF ACCOUNTABILITY REQUIREMENTS. (a) Chapter 39 applies to an electronic course offered through the statewide course catalog [~~state virtual school network~~] in the same manner that that chapter applies to any other course offered by a school district or open-enrollment charter school.

(b) The performance of a student described by Section 30B.111(c) shall be considered for purposes of accountability for a school district or open-enrollment charter school if the student takes more than three statewide course catalog courses through the school district or open-enrollment charter school in a school year.

(c) Each student enrolled under this chapter in an electronic course offered through the statewide course catalog [~~state virtual school network~~] must take any assessment instrument under Section 39.023 that is administered to students who are provided instruction in the course material in the traditional classroom setting. The administration of the assessment instrument to the student enrolled in the electronic course must be supervised by a proctor.

(d) [~~(c)~~] A school district or open-enrollment charter school shall report to the commissioner through the Public Education Information Management System (PEIMS) the results of assessment instruments administered to students enrolled in an electronic course offered through the statewide course catalog [~~state virtual school network~~] separately from the results of

assessment instruments administered to other students.

Sec. 30B.115 [~~30A.111~~]. TEACHER AND INSTRUCTOR QUALIFICATIONS. (a) Each teacher of an electronic course offered by a school district or open-enrollment charter school through the statewide course catalog [~~state virtual school network~~] must:

(1) be certified under Subchapter B, Chapter 21, to teach that course and grade level; and

(2) successfully complete the appropriate professional development course provided under Section 30B.116(a) [~~30A.112(a)~~] or 30B.117 [~~30A.1121~~] before teaching an electronic course offered through the state virtual school network.

(b) The commissioner by rule shall establish procedures for verifying successful completion by a teacher of the appropriate professional development course required by Subsection (a)(2).

(c) The commissioner by rule shall establish qualifications and professional development requirements applicable to college instructors providing instruction in dual credit courses through the statewide course catalog [~~state virtual school network~~] that allow a student to earn high school credit and college credit or other credit.

SECTION 26. Section 30A.112, Education Code, is transferred to Subchapter C, Chapter 30B, Education Code, as added by this Act, and redesignated as Section 30B.116, Education Code, to read as follows:

Sec. 30B.116 [~~30A.112~~]. EDUCATOR PROFESSIONAL DEVELOPMENT. (a) The state virtual school network shall provide or authorize providers of electronic professional development courses

or programs to provide professional development for teachers who are teaching electronic courses through the network.

(b) The state virtual school network may provide or authorize providers of electronic professional development courses to provide professional development for:

(1) teachers who are teaching subjects or grade levels for which the teachers are not certified; or

(2) teachers who must become qualified under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

SECTION 27. Sections 30A.1121, 30A.113, 30A.114, and 30A.115, Education Code, are transferred to Subchapter C, Chapter 30B, Education Code, as added by this Act, redesignated as Sections 30B.117, 30B.118, 30B.119, and 30B.120, Education Code, and amended to read as follows:

Sec. 30B.117 [~~30A.1121~~]. ALTERNATIVE EDUCATOR PROFESSIONAL DEVELOPMENT. (a) Subject to Subsection (b), a course provider may provide professional development courses to teachers seeking to become authorized to teach electronic courses provided through the statewide course catalog [~~state virtual school network~~]. A course provider may provide a professional development course that is approved under Subsection (b) to any interested teacher, regardless of the teacher's employer.

(b) The agency shall review each professional development course sought to be provided by a course provider under Subsection (a) to determine if the course meets the quality standards established under Section 30B.118 [~~30A.113~~]. If a course meets

those standards, the course provider may provide the course for purposes of enabling a teacher to comply with Section 30B.115(a)(2) [~~30A.111(a)(2)~~].

Sec. 30B.118 [~~30A.113~~]. CRITERIA FOR ELECTRONIC PROFESSIONAL DEVELOPMENT COURSES. The commissioner by rule shall establish objective standard criteria for quality of an electronic professional development course provided under Section 30B.116 [~~30A.112~~].

Sec. 30B.119 [~~30A.114~~]. REGIONAL EDUCATION SERVICE CENTERS. The commissioner by rule shall allow regional education service centers to participate in the statewide course catalog [~~state virtual school network~~] in the same manner as course providers.

Sec. 30B.120 [~~30A.115~~]. ADDITIONAL RESOURCES. The commissioner by rule may establish procedures for providing additional resources, such as an online library, to students and educators served through the statewide course catalog [~~state virtual school network~~]. The administering authority may provide the additional resources only if the commissioner receives an appropriation, gift, or grant sufficient to pay the costs of providing those resources.

SECTION 28. Section 30A.151, Education Code, is transferred to Subchapter C, Chapter 30B, Education Code, as added by this Act, redesignated as Section 30B.121, Education Code, and amended to read as follows:

Sec. 30B.121 [~~30A.151~~]. COSTS TO BE BORNE BY STATE. (a) Except as authorized by Sections 30B.007, 30B.107, [~~Section~~

1 ~~30A.152~~] or this section, the state shall pay the cost of operating
2 the state virtual school network.

3 (b) Except as provided by Section 30B.107, the ~~[The]~~
4 operating costs of the state virtual school network may not be
5 charged to a school district or open-enrollment charter school.

6 (c) The costs of providing electronic professional
7 development courses may be paid by state funds appropriated by the
8 legislature or federal funds that may be used for that purpose.

9 (d) ~~[(e)]~~ State funds provided in connection with the state
10 virtual school network may not be used in a manner that violates
11 Section 7, Article I, Texas Constitution.

12 ~~[(f) For a full-time electronic course program offered~~
13 ~~through the state virtual school network for a grade level at or~~
14 ~~above grade level three but not above grade level eight, a school~~
15 ~~district or open-enrollment charter school is entitled to receive~~
16 ~~federal, state, and local funding for a student enrolled in the~~
17 ~~program in an amount equal to the funding the district or school~~
18 ~~would otherwise receive for a student enrolled in the district or~~
19 ~~school. The district or school may calculate the average daily~~
20 ~~attendance of a student enrolled in the program based on:~~

21 ~~[(1) hours of contact with the student,~~

22 ~~[(2) the student's successful completion of a course,~~

23 ~~or~~

24 ~~[(3) a method approved by the commissioner.]~~

25 SECTION 29. Section 30A.153, Education Code, is transferred
26 to Subchapter C, Chapter 30B, Education Code, as added by this Act,
27 redesignated as Section 30B.122, Education Code, and amended to

1 read as follows:

2 Sec. 30B.122 [~~30A.153~~]. FOUNDATION SCHOOL PROGRAM FUNDING.

3 (a) A [~~Subject to the limitation imposed under Subsection (a-1), a~~]
4 school district or open-enrollment charter school in which a
5 student is enrolled is entitled to funding under Chapter 42 or in
6 accordance with the terms of a charter granted under Section 12.101
7 for the student's enrollment in an electronic course offered
8 through the statewide course catalog [~~state virtual school network~~]
9 in the same manner that the district or school is entitled to
10 funding for the student's enrollment in courses provided in a
11 traditional classroom setting, provided that the student
12 successfully completes the electronic course.

13 (b) For purposes of funding to a school district or
14 open-enrollment charter school that provides access to an
15 electronic course provided to a student described by Section
16 30B.111(c) who would be entitled to the benefits of the Foundation
17 School Program under Section 42.003 if enrolled in a school
18 district, the agency shall aggregate up to three courses offered
19 during the year to such students at the district or school and
20 divide by five to establish the number of possible students in
21 average daily attendance, rounding up to the half-day average daily
22 attendance.

23 [~~(a-1) For purposes of Subsection (a), a school district or~~]
24 ~~open-enrollment charter school is limited to the funding described~~
25 ~~by that subsection for a student's enrollment in not more than three~~
26 ~~electronic courses during any school year, unless the student is~~
27 ~~enrolled in a full-time online program that was operating on~~

1 ~~January 1, 2013.~~]

2 (c) [~~(b)~~] The commissioner[, ~~after considering comments~~
3 ~~from school district and open-enrollment charter school~~
4 ~~representatives,~~] shall adopt a standard agreement that governs the
5 costs, payment of funds, and other matters relating to a student's
6 enrollment in an electronic course offered through the statewide
7 course catalog [~~state virtual school network~~]. The agreement may
8 not require a school district or open-enrollment charter school to
9 pay the provider the full amount until the student has successfully
10 completed the electronic course[, ~~and the full amount may not~~
11 ~~exceed the limits specified by Section 30A.105(b)~~].

12 (d) [~~(e)~~] A school district or open-enrollment charter
13 school shall use the standard agreement adopted under Subsection
14 (c) [~~(b)~~] unless:

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

17 (2) the commissioner authorizes the modification.

18 (e) [~~(d)~~] The commissioner shall adopt rules necessary to
19 implement this section, including rules regarding attendance
20 accounting.

21 SECTION 30. Section 30A.155, Education Code, is transferred
22 to Subchapter C, Chapter 30B, Education Code, as added by this Act,
23 redesignated as Section 30B.123, Education Code, and amended to
24 read as follows:

25 Sec. 30B.123 [~~30A.155~~]. FEES. (a) A school district or
26 open-enrollment charter school may charge a fee for enrollment in
27 an electronic course provided through the statewide course catalog

~~[state virtual school network]~~ to a student who resides in this state and~~+~~

~~[(1)]~~ is enrolled in a school district or open-enrollment charter school as a full-time student with a course load greater than that normally taken by students in the equivalent grade level in other school districts or open-enrollment charter schools~~+~~~~or~~

~~[(2) elects to enroll in an electronic course provided through the network for which the school district or open-enrollment charter school in which the student is enrolled as a full-time student declines to pay the cost, as authorized by Section 26.0031(e-1)].~~

(b) ~~[(a-1)]~~ A school district or open-enrollment charter school may charge a fee for enrollment in an electronic course provided through the statewide course catalog ~~[state virtual school network]~~ during the summer.

(c) ~~[(b)]~~ A school district or open-enrollment charter school shall charge a fee for enrollment in an electronic course provided through the statewide course catalog ~~[state virtual school network]~~ to a student who does not satisfy the criteria of Section 30B.002(1) ~~[who resides in this state and is not enrolled in a school district or open-enrollment charter school as a full-time student]~~.

(d) ~~[(e)]~~ The amount of a fee charged a student under Subsection (a), ~~[(a-1), or]~~ (b), or (c) for each electronic course in which the student enrolls through the statewide course catalog ~~[state virtual school network]~~ may not exceed the lesser of:

(1) the cost of providing the course; or

(2) an amount set by the commissioner [~~\$400~~].

(e) [~~(c-1)~~] A school district or open-enrollment charter school that is not the course provider may charge a student enrolled in the district or school a nominal fee, not to exceed the amount specified by the commissioner, if the student enrolls in an electronic course provided through the statewide course catalog [~~state virtual school network~~] that exceeds the course load normally taken by students in the equivalent grade level. A juvenile probation department or state agency may charge a comparable fee to a student under the supervision of the department or agency.

(f) [~~(d)~~] Except as provided by this section, the state virtual school network may not charge a fee to students for electronic courses provided through the statewide course catalog [~~network~~].

~~[(c) This chapter does not entitle a student who is not enrolled on a full-time basis in a school district or open-enrollment charter school to the benefits of the Foundation School Program.]~~

SECTION 31. Chapter 30B, Education Code, as added by this Act, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. FULL-TIME VIRTUAL SCHOOL

Sec. 30B.201. ELIGIBILITY TO OPERATE FULL-TIME VIRTUAL SCHOOL. (a) The commissioner may establish criteria and authorize the operation of a full-time virtual school under this chapter.

(b) A school district or open-enrollment charter school is

eligible to operate as a full-time virtual school under this chapter only if the district or school receives an overall performance rating of C or higher under Section 39.054.

(c) A public or private institution of higher education, nonprofit entity, or private entity or corporation is eligible to operate a full-time virtual school under this chapter only if the institution, entity, or corporation:

(1) complies with all applicable federal and state laws prohibiting discrimination;

(2) demonstrates financial solvency;

(3) provides evidence of prior successful experience offering online courses to middle or high school students, with demonstrated student success in course completion and performance, as determined by the commissioner;

(4) has either:

(A) a charter granted under Subchapter D or E, Chapter 12, authorized to provide a full-time virtual school if the entity is a public or private institution of higher education or a nonprofit entity; or

(B) a charter granted under Subchapter D, Chapter 12, authorized to provide a full-time virtual school if the entity is a private entity or corporation; and

(5) has not been subject to contract revocation under Section 30B.210.

Sec. 30B.202. FULL-TIME VIRTUAL SCHOOL LIST. (a) The administering authority shall:

(1) create a list of full-time virtual schools

1 authorized by the administering authority;

2 (2) publish in a prominent location on the state
3 virtual school network's Internet website a list of and contact
4 information for all authorized full-time virtual schools;

5 (3) provide access to the accountability ratings of
6 each full-time virtual school; and

7 (4) include any other information the commissioner
8 determines necessary to inform student choice.

9 (b) The administering authority shall provide students who
10 have completed or withdrawn from a full-time virtual school and
11 their parents with a method for providing comments regarding the
12 school. The comment method must include a quantitative rating
13 system and a list of verbal descriptors that a student or parent may
14 select as appropriate.

15 (c) The administering authority shall provide public access
16 to the comments submitted by students and parents under this
17 section.

18 Sec. 30B.203. INDUCEMENTS FOR ENROLLMENT PROHIBITED. (a)
19 A full-time virtual school may not promise or provide equipment or
20 any other thing of value to a student or a student's parent as an
21 inducement for the student to enroll in the full-time virtual
22 school.

23 (b) The commissioner shall revoke approval of a full-time
24 virtual school that violates this section.

25 (c) The commissioner's action under this section is final
26 and may not be appealed.

27 Sec. 30B.204. COMPULSORY ATTENDANCE. The commissioner by

rule shall adopt procedures for reporting and verifying the attendance of a student enrolled in a full-time virtual school. The rules may modify the application of Sections 25.085, 25.086, and 25.087 for a student enrolled in a full-time virtual school but must require participation in an educational program equivalent to the requirements prescribed by those sections.

Sec. 30B.205. APPLICABILITY OF ACCOUNTABILITY REQUIREMENTS. (a) Chapter 39 applies to a full-time virtual school in the same manner that the chapter applies to a school district or open-enrollment charter school.

(b) Each student enrolled in a full-time virtual school must take each assessment instrument under Section 39.023 that is administered to students who are provided instruction in the course material in the traditional classroom setting. The administration of the assessment instrument to the student enrolled in the full-time virtual school must be supervised by a proctor.

Sec. 30B.206. TEACHER AND INSTRUCTOR QUALIFICATIONS. (a) Each teacher at a full-time virtual school must:

(1) be certified under Subchapter B, Chapter 21, to teach that course and grade level; and

(2) successfully complete the appropriate professional development course provided under Section 30B.116(a) or 30B.117 before teaching at a full-time virtual school.

(b) The commissioner by rule shall establish procedures for verifying successful completion by a teacher of the appropriate professional development course required by Subsection (a)(2).

(c) The commissioner by rule shall establish qualifications

1 and professional development requirements applicable to college
2 instructors providing instruction in dual credit courses through a
3 full-time virtual school that allow a student to earn high school
4 credit and college credit or other credit.

5 Sec. 30B.207. FUNDING. (a) A full-time virtual school in
6 which a student described by Section 30B.002(1) is enrolled is
7 entitled to funding under Chapter 42 or in accordance with the terms
8 of a charter granted under Section 12.101 for the student's
9 enrollment in electronic courses in a full-time virtual school in
10 the same manner that the district or school is entitled to funding
11 for the student's enrollment in courses provided in a traditional
12 classroom setting, provided that the student successfully
13 completes the electronic course.

14 (b) A full-time virtual school may charge a fee for a
15 student who does not qualify under Section 30B.002(1).

16 Sec. 30B.208. ORIENTATION COURSE. Each full-time virtual
17 school shall offer a student orientation course and notify each
18 student of the opportunity to participate in the orientation
19 course. The agency shall provide guidance regarding the development
20 and delivery of an orientation course.

21 Sec. 30B.209. PARENT-TEACHER CONFERENCE. (a) Each
22 full-time virtual school, on a periodic basis throughout each
23 school year, shall communicate with each parent of or person
24 standing in parental relation to an enrolled student regarding the
25 performance and progress of the student. The school shall:

26 (1) provide opportunities for parent-teacher
27 conferences;

1 (2) document any requests for parent-teacher
2 conferences; and

3 (3) permit students to participate in the
4 parent-teacher conferences.

5 (b) Parent-teacher conferences may be conducted in person
6 or through electronic means.

7 Sec. 30B.210. CONTRACTING FOR FULL-TIME VIRTUAL SCHOOL
8 SERVICES. (a) A school district or open-enrollment charter school
9 that contracts with an entity to operate a full-time virtual school
10 for the district or school shall report to the agency the identity
11 of the contracted entity each year the contracted entity operates
12 the full-time virtual school.

13 (b) A school district or open-enrollment charter school
14 shall revoke a contract with an entity to operate a full-time
15 virtual school for the district or school if the accountability
16 rating for its full-time virtual school campus has three years of
17 consecutive overall ratings of D or F under Section 39.054. A
18 school district or open-enrollment charter school shall include a
19 contract revocation provision in each contract entered into with an
20 entity to operate a full-time virtual school for the district or
21 school under this section.

22 (c) The agency shall notify a district or school that the
23 district or school is subject to Subsection (b) if its full-time
24 virtual school campus has three years of consecutive overall
25 ratings of D or F under Section 39.054. Failure to receive notice
26 under this subsection does not affect the requirement imposed on
27 the district or school under Subsection (b).

1 (d) A school district or open-enrollment charter school may
2 not contract with an entity to operate a full-time virtual school
3 for the district or school if the contracted entity operated a
4 full-time virtual school for a district or school and the
5 contracting entity was subject to a contract revocation under
6 Subsection (b) within the preceding 10 years.

7 (e) The agency shall include a list of entities subject to a
8 contract revocation under Subsection (b) on the state virtual
9 school network Internet website.

10 (f) An entity under this section includes a corporate
11 affiliate or an entity that is substantially related to the entity.

12 (g) The commissioner may adopt rules to implement this
13 section.

14 SECTION 32. Section 33.009(d), Education Code, is amended
15 to read as follows:

16 (d) An academy developed under this section must provide
17 counselors and other postsecondary advisors with knowledge and
18 skills to provide counseling to students regarding postsecondary
19 success and productive career planning and must include information
20 relating to:

21 (1) each endorsement described by Section
22 28.025(c-1), including:

23 (A) the course requirements for each
24 endorsement; and

25 (B) the postsecondary educational and career
26 opportunities associated with each endorsement;

27 (2) available methods for a student to earn credit for

1 a course not offered at the school in which the student is enrolled,
2 including enrollment in an electronic course provided through the
3 state virtual school network under Chapter 30B [~~30A~~];

4 (3) general academic performance requirements for
5 admission to an institution of higher education, including the
6 requirements for automatic admission to a general academic teaching
7 institution under Section 51.803;

8 (4) regional workforce needs, including information
9 about the required education and the average wage or salary for
10 careers that meet those workforce needs; and

11 (5) effective strategies for engaging students and
12 parents in planning for postsecondary education and potential
13 careers, including participation in mentorships and business
14 partnerships.

15 SECTION 33. Section 42.152(b-1), Education Code, is amended
16 to read as follows:

17 (b-1) A student receiving a full-time virtual education
18 [~~through the state virtual school network~~] may be included in
19 determining the number of educationally disadvantaged students
20 under Subsection (b) if the school district or full-time virtual
21 school submits to the commissioner a plan detailing the enhanced
22 services that will be provided to the student and the commissioner
23 approves the plan.

24 SECTION 34. The following provisions of the Education Code
25 are repealed:

26 (1) Section 30A.006;

27 (2) Section 30A.053;

- (3) Section 30A.055;
- (4) Section 30A.056;
- (5) Section 30A.1042; and
- (6) Section 30A.152.

SECTION 35. This Act applies beginning with the 2019-2020 school year.

SECTION 36. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.