

## **BILL ANALYSIS**

Senate Research Center  
82S10037 EAH-D

S.B. 30  
By: Shapiro  
Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, school districts do not have a policy bridge between their brick 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.

S.B. 30 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. The bill allows course reviewers to consider all materials when checking for TEKS alignment and requires TEA 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. 30 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.

As proposed, S.B. 30 amends current law relating to the state virtual school network.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the commissioner of education is rescinded in SECTION 7 of this bill.

Rulemaking authority is expressly granted to the commissioner of education in SECTION 5 (Section 30A.153, 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. LOCAL POLICY ON ELECTRONIC COURSES. (a) Requires a school district or open-enrollment charter school to adopt a policy that provides district or school students with the opportunity to enroll in electronic courses provided through the state virtual school network. Requires that the policy be consistent with the requirements imposed by Section 26.0031 (Rights Concerning State Virtual School Network).

(b) Requires that for purposes of a policy adopted under Subsection (a), the determination of whether or not an electronic course will meet the needs of a student with a disability be made by the student's admission, review, and dismissal committee in a manner consistent with state and federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) and Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

SECTION 2. Amends Subchapter C, Chapter 30A, Education Code, by adding Section 30A.1021, as follows:

Sec. 30A.1021. PUBLIC ACCESS TO USER COMMENTS REGARDING ELECTRONIC COURSES. (a) Requires the administering authority to provide students who have completed or withdrawn from electronic courses offered through the virtual

school network and their parents with a mechanism for providing comments regarding the courses.

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

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

SECTION 3. Amends Section 30A.104, Education Code, as follows:

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

(b) Provides that for purposes of Subsection (a)(2), a course is considered in compliance with the requirement imposed under that subdivision if:

(1) the course contains at least 80 percent of the applicable essential knowledge and skills; and

(2) the provider school district or school provides written documentation that the remaining 20 percent of the applicable essential knowledge and skills will be provided by the teacher of the course.

(c) 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) are modified, to provide 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 4. 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), 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) include review of each electronic course component, including off-line material proposed to be used in the course.

(d) Authorizes an open-enrollment charter school, or public or private institution of higher education that submitted the course for evaluation, if the Texas Education Agency (TEA) determines that the costs of evaluating and approving a submitted electronic course will not be paid by the 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 5. 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 the commissioner of education (commissioner), after considering comments from school district and open-enrollment charter school representatives, to adopt a standard agreement 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. Prohibits the agreement from requiring a school district or open-enrollment charter school from paying the provider the full amount until the student has successfully completed the electronic course.

(c) Requires the school district or open-enrollment charter school to use the standard agreement adopted under Subsection (b) unless:

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

(2) the commissioner authorizes the modification.

(d) Requires the commissioner to adopt rules necessary to implement this section, including rules regarding attendance accounting.

SECTION 6. Amends Section 42.302(a), Education Code, as follows:

(a) Provides that the amount of state support, subject only to the maximum amount under Section 42.303, is determined by the formula:

$$GYA = (GL \times WADA \times DTR \times 100) - LR$$

where "WADA" is the number of students in weighted average daily attendance, which is calculated by dividing the sum of the school district's allotments under Subchapters B (Basic Entitlement), and C (Special Allotments), less any allotment to the district for transportation, any allotment under Section 42.158 (New Instructional Facility Allotment) or 42.160 (High School Allotment), rather than Section 42.158, 42.159, or 42.160, and 50 percent of the adjustment under Section 42.12, by basic allotment for the applicable year.

SECTION 7. Repealer: Section 42.159 (State Virtual School Network Allotments), Education Code.

SECTION 8. Effective date: September 1, 2011, or the 91st day after the last day of the legislative session.