

Amend CSSB 1108 by adding the following appropriately numbered SECTIONS and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 29.903, Education Code, as added by Chapter 944, Acts of the 77th Legislature, Regular Session, 2001, is renumbered as Section 29.909, Education Code, and is amended to read as follows:

Sec. 29.909 [~~29.903~~]. ELECTRONIC COURSES. (a) In this section, "electronic course" means an educational program or course:

(1) that includes use of [~~available to students primarily through~~] the Internet or other electronic media; and

(2) in which a student and a teacher are in different locations for a majority of the student's instructional period [~~enrolled in the course is not physically present in the classroom for all or part of the course~~].

(b) The commissioner shall implement a program under which a school district may offer [~~an~~] electronic courses [~~course~~] to students enrolled in the district or to students enrolled in another district, as provided by an agreement between the districts. A district may not require a student to enroll in an electronic course. The district may offer the electronic courses through a designated campus or through a full-time program serving students throughout the district.

(c) The commissioner shall select school districts to participate in the program based on applications submitted by the districts. The commissioner may not require a district to participate in the program. The commissioner may determine the number of districts permitted to participate in the program, provided that the commissioner shall to the extent possible permit the participation of rural and urban districts with a higher than average:

(1) number of at-risk students, as determined by the commissioner;

(2) dropout rate; or

(3) population of underserved gifted and talented students, as determined by the commissioner.

(d) A school district seeking to participate in the program must submit a written application to the commissioner not later than July 1 preceding the school year the district proposes to begin participation [~~participate~~] in the program, or an earlier date set by the commissioner. The application must include:

- (1) a proposed budget for the program;
- (2) a method to be used to verify student attendance;
- (3) [~~an accountability plan,~~
- ~~[(4) a description of each electronic course to be offered by the district,~~
- ~~[(5) a description of the students expected to be enrolled in each electronic course,~~
- ~~[(6)] any requested waiver of a requirement, restriction, or prohibition imposed by this code or by a rule of the State Board of Education or the commissioner, [+] and~~
- ~~[(7)] the period for which any requested waiver [under Subdivision (6)] is proposed to be in effect; and~~
- (4) the information required under Subsection (f).

(e) The commissioner may collect from each district that submits an application under Subsection (d) a reasonable fee sufficient to pay the costs of administering this section.

(f) Not later than a date determined by the commissioner, each school district participating in the program shall create and maintain on the district's Internet website an "informed choice" report in a format determined by the commissioner. The agency shall maintain on its Internet website a link to each district report under this subsection. Each report must include a description of:

- (1) each course of instruction offered to students in the program, including the number of lessons, the expected duration of each lesson, and a description of each lesson that requires use of a computer;
- (2) all materials required for each course offered in the program;
- (3) the process used to ensure that each course meets the essential knowledge and skills requirements under Subchapter A, Chapter 28, including any consultation with a district curriculum specialist;

(4) the process used to place students in the appropriate academic levels of the program, including:

(A) sample placement evaluations;

(B) information related to each person responsible for placement of a student;

(C) the circumstances in which a student may be placed in different academic levels for different course subjects during a school year; and

(D) the circumstances in which a student may complete more than one course level during a school year;

(5) any technology provided by the program to each student enrolled in the program, including any computer, computer software, or Internet access;

(6) the method used to report attendance in the program;

(7) the method used to authenticate student course work and attendance;

(8) the location and content of each scheduled meeting between parents or guardians of students enrolled in the program and teachers or other school officials, and the method used to notify parents and guardians of the time and location of each meeting;

(9) the program policies relating to:

(A) computer security and privacy; and

(B) truancy, absences, discipline, withdrawal, and expulsion of students;

(10) any extracurricular activities provided by the program, including activities held on a campus in the school district;

(11) the teaching model used by the program, including:

(A) each teacher's responsibilities;

(B) minimum teacher qualifications;

(C) minimum hours of training provided to teachers;

(D) average and maximum student/teacher ratios;

(E) hours of teacher availability; and

(F) for each grade level, minimum and expected amounts of contact between teachers and parents and between teachers and students;

(12) any academic services that the program expects a student's parent or guardian to provide to the student;

(13) each standardized assessment instrument, in addition to any assessment instrument required under Chapter 39, that the student is required to complete during the school year and, if available, the location for administration of the instrument;

(14) a summary of the results of each assessment instrument administered to students in the program during the school year preceding the year the report is submitted; and

(15) the school year calendar for the program, including any options for continued participation outside of the standard school district calendar.

(g) A school district is entitled to receive federal, state, and local funding for a student enrolled in an electronic course in an amount equal to the funding the district is otherwise entitled to receive for a student enrolled in the district. A school district may calculate the average daily attendance of a student enrolled in an electronic course based on:

(1) hours of contact with the student;

(2) the student's successful completion of a course;

or

(3) a method approved by the commissioner.

(h) [~~(e)~~] The commissioner may waive any requirement, restriction, or prohibition imposed by this code [~~relating to the computation of daily attendance~~] to the extent necessary to implement a program under this section.

(i) [~~(f)~~] The commissioner may cooperate with the comptroller, the Department of Information Resources, or any other state agency or commission in adopting technical standards for auditing or verifying student attendance in an electronic course.

(j) [~~(g)~~] Not later than December 1, 2006 [~~2002~~], the commissioner shall submit a report to the lieutenant governor and the speaker of the house of representatives. The report must include:

(1) [~~proposed~~] methods proposed by school districts for funding electronic courses, including an evaluation of the fiscal costs or benefits of each method;

(2) available methods of verifying student attendance in an electronic course, including biometric attendance methods;

(3) any security or privacy issues involved in providing an electronic course;

(4) the educational benefits of an electronic course;

(5) a list of any waiver requests submitted to the commissioner by school districts under Subsection (d)(3) [~~(d)(6)~~]; and

(6) a list of any provisions waived by the commissioner in the implementation of a program under this section.

(k) [~~(h)~~] This subsection and Subsection (j) expire January [~~section expires September~~] 1, 2007 [~~2003~~].

SECTION _____. Section 29.909(e), Education Code, as added by this Act, applies only to a district that applies for participation in the electronic course program under Section 29.909, Education Code, as renumbered by this Act, on or after the effective date of this Act.