

By: Madden, Grusendorf, Delisi, Eissler,
Hochberg, et al.

H.B. No. 1445

Substitute the following for H.B. No. 1445:

By: Hochberg

C.S.H.B. No. 1445

A BILL TO BE ENTITLED

AN ACT

relating to the creation and operation of a state virtual school network to provide education to students through electronic means.

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

SECTION 1. Subtitle F, Title 2, Education Code, is amended by adding Chapter 30A to read as follows:

CHAPTER 30A. STATE VIRTUAL SCHOOL NETWORK

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 30A.001. DEFINITIONS. In this chapter:

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

(2) "Course" means a one-semester course of study in a subject that is the equivalent of 90 days of study as determined under Section 30A.104.

(3) "Electronic course or program" means an educational course or program:

(A) that includes use of the Internet, computer software, online services, another electronic medium, or another means of conveying information;

(B) in which a student and teacher are in different locations for a majority of the student's instructional period; and

(C) in which a student is not required to be located on the physical premises of a school district or open-enrollment charter school.

1 (4) "Electronic diagnostic assessment" means a
2 formative or instructional assessment used in conjunction with an
3 electronic course or program to ensure that:

4 (A) a teacher of an electronic course or program
5 has information related to the academic performance of a student
6 enrolled in that course or program; and

7 (B) a student enrolled in an electronic course or
8 program makes documented progress in mastering the content of the
9 course or program.

10 (5) "Electronic professional development course"
11 means a professional development course that includes use of the
12 Internet, computer software, online services, another electronic
13 medium, or another means of conveying information.

14 (6) "Program" means a full load of courses.

15 (7) "Provider school district or school" means a
16 school district or open-enrollment charter school that provides an
17 electronic course or program to:

18 (A) students enrolled in that district or school;
19 or

20 (B) students enrolled in another school district
21 or school through an agreement with the other district or school.

22 Sec. 30A.002. MISSION. The board shall ensure high-quality
23 education for students in this state who are being educated through
24 electronic courses or programs.

25 Sec. 30A.003. APPLICABILITY OF CHAPTER. (a) Except as
26 provided by Subsection (c), this chapter does not affect the
27 provision of a course or program to a student while the student is

1 located on the physical premises of a school district or
2 open-enrollment charter school.

3 (b) This chapter does not affect the provision of distance
4 learning courses offered under other law.

5 (c) A school district or open-enrollment charter school may
6 choose to participate in providing an electronic course or program
7 or an electronic diagnostic assessment under this chapter to a
8 student who is located on the physical premises of a school district
9 or open-enrollment charter school.

10 [Sections 30A.004-30A.050 reserved for expansion]

11 SUBCHAPTER B. ADMINISTRATIVE PROVISIONS

12 Sec. 30A.051. GOVERNANCE OF NETWORK. The board shall
13 govern the state virtual school network.

14 Sec. 30A.052. GENERAL POWERS AND DUTIES OF BOARD. (a) The
15 board shall prepare or provide for preparation of a biennial budget
16 request for the state virtual school network for presentation to
17 the legislature.

18 (b) The board has exclusive jurisdiction over the physical
19 assets of the network and shall administer and spend appropriations
20 made for the benefit of the network.

21 (c) The board shall:

22 (1) employ or contract with the agency to employ a
23 limited number of administrative employees to operate the network;
24 or

25 (2) contract with a regional education service center
26 for the service center to operate the network.

27 Sec. 30A.053. REPORTS. (a) The board shall prepare a

1 report for each fiscal year documenting activities of the state
2 virtual school network in accordance with this chapter. Not later
3 than January 31 of each year, the board shall file the report for
4 the preceding fiscal year with the governor, the lieutenant
5 governor, and the speaker of the house of representatives.

6 (b) The report shall include:

7 (1) an evaluation of the performance under Chapter 39
8 of provider school districts and schools; and

9 (2) to the extent permitted under the Family
10 Educational Rights and Privacy Act of 1974 (20 U.S.C. Section
11 1232g), the results of assessments administered to students
12 enrolled in electronic courses or programs under this chapter.

13 (c) To the extent permitted under the Family Educational
14 Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), the
15 commissioner shall make information relating to the performance of
16 students enrolled in electronic courses or programs under this
17 chapter available to school districts, open-enrollment charter
18 schools, and the public.

19 Sec. 30A.054. LIMITATIONS ON NETWORK POWERS. The state
20 virtual school network may not:

21 (1) develop its own curriculum, courses, or programs;

22 or

23 (2) provide educational services directly to a
24 student.

25 Sec. 30A.055. CONTRACTS WITH VIRTUAL SCHOOL SERVICE
26 PROVIDERS. (a) Each contract between a school district or
27 open-enrollment charter school and a virtual school service

1 provider must:

2 (1) provide that the district or school may cancel the
3 contract without penalty if legislative authorization for the
4 district or school to offer an electronic course or program through
5 the state virtual school network is revoked; and

6 (2) be submitted to the commissioner.

7 (b) A contract submitted under this section is public
8 information for purposes of Chapter 552, Government Code.

9 [Sections 30A.056-30A.100 reserved for expansion]

10 SUBCHAPTER C. PROVISION OF ELECTRONIC COURSES AND PROGRAMS

11 Sec. 30A.101. ELIGIBILITY TO ACT AS PROVIDER DISTRICT OR
12 SCHOOL. (a) A school district is eligible to act as a provider
13 district under this chapter only if the school district is rated
14 academically acceptable or higher under Section 39.072.

15 (b) An open-enrollment charter school is eligible to act as
16 a provider school under this chapter only if the school is rated
17 recognized or higher under Section 39.072, and may only serve as a
18 provider school:

19 (1) to any student within the school district in which
20 the school is located or within its service area, whichever is
21 smaller; or

22 (2) to any other student in the state through an
23 agreement with the enrolling school under Section 30A.153.

24 Sec. 30A.102. LISTING OF ELECTRONIC COURSES AND PROGRAMS.

25 (a) The board shall:

26 (1) establish criteria as provided by Section 30A.103
27 for electronic courses and programs that a provider school district

1 or school may offer through the state virtual school network;

2 (2) using the criteria established under Section
3 30A.103, evaluate electronic courses and programs offered by a
4 provider school district or school;

5 (3) place electronic courses and programs offered by a
6 provider school district or school on an approved list; and

7 (4) provide public access to the list of approved
8 electronic courses and programs offered by provider school
9 districts and schools, and a detailed description of the courses
10 and programs that complies with Section 30A.108.

11 (b) To ensure that a full range of electronic courses and
12 programs, including advanced placement courses, are offered to
13 students in this state, the board:

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

19 (2) shall note each course for which an electronic
20 course is not available;

21 (3) shall determine the level of interest of students
22 and parents in courses for which an electronic course is not
23 available;

24 (4) shall make publicly available the interest level
25 for those courses; and

26 (5) if the board determines sufficient interest
27 exists, may solicit provider school districts or schools to offer

1 such a course.

2 Sec. 30A.103. CRITERIA FOR ELECTRONIC COURSES AND PROGRAMS.

3 (a) The board by rule shall establish an objective standard
4 criteria for quality of an electronic course or program.

5 (b) The criteria must include the essential knowledge and
6 skills requirements identified or content requirements established
7 under Subchapter A, Chapter 28. The criteria may not permit the
8 board to prohibit provider school districts or schools from
9 applying for approval for an electronic course for a course for
10 which essential knowledge and skills have been identified.

11 (c) The criteria may not include:

12 (1) requirements for or prohibitions against use of
13 particular kinds of technology; or

14 (2) any requirements that are developmentally
15 inappropriate for students.

16 (d) The criteria must be in place at least six months before
17 the board uses the criteria in evaluating an electronic course or
18 program under Section 30A.105.

19 (e) In establishing criteria under this section, the board
20 shall review and consider quality-related criteria established in
21 this state for existing virtual or distance learning courses or
22 programs.

23 Sec. 30A.104. MINIMUM NUMBER OF INSTRUCTIONAL HOURS. An
24 electronic course offered through the state virtual school network
25 must provide for at least the same number of instructional hours as
26 required for a course offered in a program that meets the required
27 minimum number of instructional days under Section 25.081 and the

1 required length of school day under Section 25.082.

2 Sec. 30A.105. APPROVAL OF ELECTRONIC COURSES AND PROGRAMS.

3 (a) The board shall:

4 (1) establish a schedule for an annual submission and
5 approval process for electronic courses and programs;

6 (2) evaluate electronic courses or programs submitted
7 by provider school districts and schools; and

8 (3) not later than August 1 of each year, approve
9 electronic courses or programs that:

10 (A) meet the criteria established under Section
11 30A.103; and

12 (B) provide the minimum number of instructional
13 hours required under Section 30A.104.

14 (b) The board shall establish the cost of providing an
15 electronic course or program approved under Subsection (a), which
16 may not exceed \$400 per student per course or \$4,800 per full-time
17 student.

18 (c) A school district or open-enrollment charter school
19 that submits an electronic course or program to the board for
20 approval must pay a fee in an amount established by the commissioner
21 as sufficient to recover the reasonable costs to the board in
22 evaluating and approving electronic courses and programs.

23 (d) The board shall waive the fee required by Subsection (c)
24 if a school district or open-enrollment charter school applies for
25 approval of an electronic course or program that:

26 (1) was developed under:

27 (A) Section 29.909;

1 (B) Subchapter D, Chapter 32, as added by Chapter
2 834, Acts of the 78th Legislature, Regular Session, 2003; or

3 (C) any other pilot project for the provision of
4 electronic courses or programs established before January 1, 2005;
5 or

6 (2) was developed independently by the district or
7 school.

8 (e) For purposes of Subsection (d)(2), an electronic course
9 or program is developed independently by a school district or
10 open-enrollment charter school if a district or school employee is
11 responsible for developing substantially each aspect of the course
12 or program, including:

13 (1) determining the curriculum elements to be included
14 in the course or program;

15 (2) selecting any instructional materials for the
16 course or program;

17 (3) determining the manner in which instruction is to
18 be delivered;

19 (4) creating a lesson plan or similar description of
20 the instructional aspects of the course or program;

21 (5) determining any special projects or assignments a
22 student in the course or program must complete; and

23 (6) determining the manner in which a student's
24 progress in the course or program will be measured.

25 Sec. 30A.106. APPEAL TO COMMISSIONER. (a) Before an
26 evaluation under Section 30A.105 begins, a provider school district
27 or school may appeal to the commissioner on the grounds that the

1 criteria is not objective or does not otherwise comply with this
2 chapter.

3 (b) A provider school district or school may appeal to the
4 commissioner the board's refusal to approve an electronic course or
5 program.

6 (c) If the commissioner determines that the criteria is not
7 objective or does not otherwise comply with this chapter or that the
8 evaluation did not follow the criteria or was otherwise irregular,
9 the commissioner may overrule the board and place the course or
10 program on a list of approved courses or programs. The
11 commissioner's decision under this section is final and may not be
12 appealed.

13 Sec. 30A.107. OPTIONS FOR PROVIDERS AND STUDENTS. (a) A
14 provider school district or school may offer electronic courses and
15 programs to students in this state and outside this state.

16 (b) A student who is enrolled in a school district or
17 open-enrollment charter school in this state as a full-time student
18 and who wishes to take an electronic course or program through the
19 state virtual school network may take one or more electronic
20 courses from:

21 (1) the district or school in which the student is
22 enrolled, if the district or school is a provider school district or
23 school;

24 (2) a provider school district or school other than
25 the district or school in which the student is enrolled, under an
26 agreement under Section 30A.153; or

27 (3) any combination of provider school districts and

1 schools described by Subdivisions (1) and (2).

2 (c) A student who resides in this state but who is not
3 enrolled in a school district or open-enrollment charter school in
4 this state as a full-time student and who wishes to take an
5 electronic course or program may, subject to Section 30A.156,
6 enroll in electronic courses from one or more provider school
7 districts or schools. A student to whom this subsection applies:

8 (1) may not in any semester enroll in more than two
9 electronic courses offered through the state virtual school
10 network; and

11 (2) is not considered to be a public school student.

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

14 Sec. 30A.108. INFORMED CHOICE REPORTS. (a) Not later than
15 a date determined by the commissioner, each provider school
16 district or school that offers an electronic course or program
17 through the state virtual school network shall create and maintain
18 on the district's or school's Internet website an "informed choice"
19 report in a format determined by the commissioner. The agency shall
20 maintain on its Internet website a link to each district or school
21 report under this section.

22 (b) Each report by a provider school district or school
23 under this section must include a description of:

24 (1) each electronic course the district or school
25 offers to students, including the number of lessons, the expected
26 duration of each lesson, and a description of each lesson that
27 requires use of a computer;

1 (2) all materials that a student is required to
2 provide for an electronic course the district or school offers;

3 (3) the process used to ensure that each electronic
4 course meets the essential knowledge and skills requirements under
5 Subchapter A, Chapter 28, including any consultation with a
6 district or school curriculum specialist;

7 (4) the process used to place students at the
8 appropriate academic level, including:

9 (A) sample placement evaluations;

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

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

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

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

20 (6) the method used to report attendance in the
21 electronic course;

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

24 (8) the location and content of each scheduled meeting
25 between parents or guardians of students enrolled in the electronic
26 course and teachers or other district or school officials, and the
27 method used to notify parents and guardians of the time and location

1 of each meeting;

2 (9) the district or school policies relating to:

3 (A) computer security and privacy; and

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

6 (10) any extracurricular activities provided,
7 including activities held on a campus in the school district, if
8 applicable;

9 (11) the teaching model used in the electronic course,
10 including:

11 (A) each teacher's responsibilities;

12 (B) minimum teacher qualifications;

13 (C) minimum hours of training provided to
14 teachers;

15 (D) average and maximum student/teacher ratios;

16 (E) hours of teacher availability; and

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

20 (12) any academic services that the district or school
21 expects a student's parent or guardian to provide to the student;

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

26 (14) a summary of the results of each assessment
27 instrument administered to students in the electronic course during

1 the school year preceding the year the report is submitted; and

2 (15) the school year calendar for the electronic
3 course, including any options for continued participation outside
4 of the standard school year calendar.

5 Sec. 30A.109. COMPULSORY ATTENDANCE. The board by rule
6 shall adopt procedures for verifying the attendance of a student
7 enrolled in an electronic course or program provided by a provider
8 school district or school. The rules may modify:

9 (1) the application of Sections 25.085, 25.086, and
10 25.087 for a student enrolled in an electronic course or program;
11 and

12 (2) any other law inconsistent with the provision of
13 electronic courses or programs.

14 Sec. 30A.110. APPLICABILITY OF ACCOUNTABILITY
15 REQUIREMENTS. (a) Chapter 39 applies to an electronic course or
16 program offered by a school district or open-enrollment charter
17 school through the state virtual school network in the same manner
18 that that chapter applies to any other course or program offered by
19 the district or school.

20 (b) A school district or open-enrollment charter school
21 shall report to the commissioner through the Public Education
22 Information Management System (PEIMS) the results of assessments
23 administered to students enrolled in an electronic course or
24 program offered through the state virtual school network separately
25 from the results of assessments administered to other students.

26 Sec. 30A.111. TEACHER QUALIFICATIONS. Each teacher of an
27 electronic course offered through the state virtual school network

1 must be certified under Subchapter B, Chapter 21, to teach that
2 course and grade level.

3 Sec. 30A.112. EDUCATOR PROFESSIONAL DEVELOPMENT. The state
4 virtual school network may provide or authorize providers of
5 electronic professional development courses or programs to provide
6 professional development for:

7 (1) teachers who are teaching electronic courses or
8 programs;

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

11 (3) teachers who must become highly qualified under
12 Section 1119, No Child Left Behind Act of 2001 (20 U.S.C. Section
13 6319); or

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

17 Sec. 30A.113. CRITERIA FOR ELECTRONIC PROFESSIONAL
18 DEVELOPMENT COURSES. The board by rule shall establish objective
19 standard criteria for quality of an electronic professional
20 development course provided under Section 30A.112.

21 Sec. 30A.114. REGIONAL EDUCATION SERVICE CENTERS. The
22 board by rule shall allow regional education service centers to
23 participate in the state virtual school network in the same manner
24 as provider school districts and schools.

25 Sec. 30A.115. ADDITIONAL RESOURCES. The board by rule may
26 establish procedures for providing additional resources, such as an
27 online library, to students and educators served through the state

1 virtual school network. The board may provide the additional
2 resources only if the board receives an appropriation, gift, or
3 grant sufficient to pay the costs of providing those resources.

4 [Sections 30A.116-30A.150 reserved for expansion]

5 SUBCHAPTER D. FUNDING

6 Sec. 30A.151. COSTS TO BE BORNE BY STATE. (a) Except as
7 authorized by Section 30A.152 or this section, the state shall pay
8 the cost of operating the state virtual school network.

9 (b) The operating costs of the state virtual school network
10 may not be charged to a school district or open-enrollment charter
11 school.

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

15 (d) State funds provided in connection with the state
16 virtual school network may not be used in a manner that violates
17 Section 7, Article I, Texas Constitution.

18 Sec. 30A.152. GRANTS AND FEDERAL FUNDS. (a) The board may
19 accept a grant for purposes of this chapter from a public or private
20 person and shall use those funds in accordance with the board's
21 duties regarding the state virtual school network.

22 (b) The board may accept federal funds for purposes of this
23 chapter and shall use those funds in compliance with applicable
24 federal law, regulations, and guidelines.

25 Sec. 30A.153. ALLOCATION OF FUNDS FOR STUDENTS ENROLLED IN
26 SCHOOL DISTRICTS AND OPEN-ENROLLMENT CHARTER SCHOOLS. (a) A
27 school district or open-enrollment charter school in which a

1 student is enrolled is entitled to receive state and local funding
2 for a student enrolled in an electronic course or program offered
3 through the state virtual school network in an amount equal to the
4 cost of providing the electronic course or program, as established
5 by the State Board of Education, plus 20 percent.

6 (b) As determined by the State Board of Education for each
7 approved course, a school district or open-enrollment charter
8 school may receive payment for a student enrolled in an electronic
9 course or program based on:

10 (1) hours of contact with the student, based on
11 successful progress on or completion of modules of the course or
12 program; or

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

14 (c) A provider school district or school and the school
15 district or open-enrollment charter school in which a student is
16 enrolled shall enter into an agreement related to the payment of the
17 cost of the student's enrollment in an electronic course or
18 program. The payment to a provider school district or school under
19 this subsection may not exceed the cost of providing the electronic
20 course or program, as established by the State Board of Education.

21 (d) The agreement under Subsection (c) must:

22 (1) permit the school district or open-enrollment
23 charter school in which the student is enrolled as a full-time
24 student to retain, for the district's or school's administrative
25 costs, an amount not to exceed 20 percent of the amount of funds the
26 district or school receives under Subsection (a) in connection with
27 the student; and

1 (2) identify the services each school district or
2 open-enrollment charter school is required to provide to the
3 student.

4 (e) The board, with the advice of the commissioner, shall
5 adopt a standard agreement under Subsection (c) that governs
6 payment of funds and other matters relating to a student's
7 enrollment in an electronic course or program offered through the
8 state virtual school network. Each school district or
9 open-enrollment charter school participating in the state virtual
10 school network shall use the standard agreement as provided by
11 Subsection (c) unless:

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

14 (2) the board authorizes the modification.

15 Sec. 30A.154. ALLOCATION OF FUNDS FOR STUDENTS NOT ENROLLED
16 IN SCHOOL DISTRICT OR OPEN-ENROLLMENT CHARTER SCHOOL. (a) For a
17 student enrolled in an electronic course or program under Section
18 30A.107(c), the commissioner by rule shall allocate to the school
19 district or open-enrollment charter school funds from the
20 foundation school fund based on an amount established by the board
21 for that course or program. The amount established by the board may
22 not exceed \$350 for any electronic course.

23 (b) For the 2006-2007 school year, the commissioner may not
24 provide funding for more than 6,000 electronic courses offered
25 through the state virtual school network to students to whom this
26 section applies. For the 2007-2008 school year, the commissioner
27 may not provide funding for more than 15,000 electronic courses

1 offered through the state virtual school network to students to
2 whom this section applies. This subsection expires August 1, 2008.

3 Sec. 30A.155. FUNDING FOR ACCELERATED STUDENTS. (a) A
4 provider school district or school may apply for additional funding
5 for an accelerated student who is enrolled in more than the course
6 load taken by a student in the equivalent grade level in other
7 school districts or open-enrollment charter schools.

8 (b) The board by rule shall set a limit on the total amount
9 of funding for which an accelerated student is eligible.

10 (c) The legislature in the General Appropriations Act may
11 limit the amount of funding and the number of hours or courses
12 eligible for funding under this section.

13 Sec. 30A.156. FEES. (a) A provider school district or
14 school may charge a fee for enrollment in an electronic course or
15 program provided by the district or school to:

16 (1) a student who does not reside in this state;

17 (2) a student who resides in this state and:

18 (A) is enrolled in a school district or
19 open-enrollment charter school as a full-time student;

20 (B) is enrolled in a course load greater than
21 that normally taken by students in the equivalent grade level in
22 other school districts or open-enrollment charter schools; and

23 (C) does not qualify for accelerated funding
24 under Section 30A.155; or

25 (3) a student who resides in this state and is not
26 enrolled in a school district or open-enrollment charter school as
27 a full-time student.

1 (b) The amount of a fee charged a student under Subsection
2 (a)(3) may not exceed \$50 for each electronic course in which the
3 student enrolls through the state virtual school network.

4 (c) Except as provided by Subsection (a), the state virtual
5 school network may not charge a fee to students for electronic
6 courses or programs provided by a provider school district or
7 school.

8 SECTION 2. Chapter 26, Education Code, is amended by adding
9 Section 26.0031 to read as follows:

10 Sec. 26.0031. RIGHTS CONCERNING STATE VIRTUAL SCHOOL
11 NETWORK. (a) A school district or open-enrollment charter school
12 in which a student is enrolled as a full-time student may not
13 unreasonably deny the request of a parent of a student to enroll the
14 student in an electronic course or program offered through the
15 state virtual school network under Chapter 30A.

16 (b) For purposes of Subsection (a), a school district or
17 open-enrollment charter school is not considered to have
18 unreasonably denied a request to enroll a student in an electronic
19 course or program if:

20 (1) the district or school determines that the course
21 or program does not meet state standards or the standards of the
22 district or school;

23 (2) a student attempts to enroll in a course load that:

24 (A) is inconsistent with the student's high
25 school graduation plan; or

26 (B) could reasonably be expected to negatively
27 affect the student's performance on an assessment instrument

1 administered under Section 39.023; or

2 (3) the student requests permission to enroll in an
3 electronic course or program at a time that is not consistent with
4 the enrollment period established by the school district or
5 open-enrollment charter school providing the course or program,
6 provided that school districts or open-enrollment charter schools
7 shall make all reasonable efforts to accommodate the enrollment of
8 a student under special circumstances.

9 (c) A parent may appeal to the commissioner from a school
10 district's or open-enrollment charter school's decision to deny a
11 request to enroll a student in an electronic course or program
12 offered through the state virtual school network. The
13 commissioner's decision under this subsection is final and may not
14 be appealed.

15 SECTION 3. The State Board of Education shall ensure that
16 the state virtual school network under Chapter 30A, Education Code,
17 as added by this Act, begins operations in a manner that allows
18 students to enroll in electronic courses and programs offered
19 through the network beginning with the 2006-2007 school year.

20 SECTION 4. This Act takes effect September 1, 2005.