

By: Shapiro

S.B. No. 1483

A BILL TO BE ENTITLED

AN ACT

relating to the state virtual school network and virtual high schools.

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

SECTION 1. Subchapter A, Chapter 30A, Education Code, is amended by adding Section 30A.007 to read as follows:

Sec. 30A.007. SCHOOL DISTRICT POLICY ON ELECTRONIC COURSES.

A school district shall adopt a policy that provides district students with the opportunity to enroll in electronic courses provided through the state virtual school network.

SECTION 2. Section 30A.104, Education Code, is amended to read as follows:

Sec. 30A.104. COURSE ELIGIBILITY IN GENERAL. (a) A course offered through the state virtual school network must:

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

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

(3) be the equivalent in instructional rigor and scope to a course that is provided in a traditional classroom setting during:

(A) a semester of 90 instructional days; and

(B) a school day that meets the minimum length of

1 a school day required under Section 25.082.

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

9 SECTION 3. Section 30A.105, Education Code, is amended by
10 adding Subsections (a-1) and (a-2) and amending Subsection (d) to
11 read as follows:

12 (a-1) The administering authority shall publish the
13 schedule established under Subsection (a)(1), including any
14 deadlines specified in that schedule, and any guidelines applicable
15 to the submission and approval process for electronic courses.

16 (a-2) The evaluation required by Subsection (a)(2) must
17 include review of each electronic course component, including
18 off-line material proposed to be used in the course.

19 (d) If the agency determines that the costs of evaluating
20 and approving a submitted electronic course will not be paid by the
21 agency due to a shortage of funds available for that purpose, the
22 school district, open-enrollment charter school, or public or
23 private institution of higher education that submitted the course
24 for evaluation and approval may pay a fee equal to the amount of the
25 costs in order to ensure that evaluation of the course occurs. The
26 agency shall establish and publish a fee schedule for purposes of
27 this subsection.

1 SECTION 4. Subchapter D, Chapter 30A, Education Code, is
2 amended by adding Section 30A.153 to read as follows:

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

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

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

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

24 (2) the commissioner authorizes the modification.

25 SECTION 5. Subtitle F, Title 2, Education Code, is amended
26 by adding Chapter 30B to read as follows:

27 CHAPTER 30B. VIRTUAL HIGH SCHOOLS

1 Sec. 30B.001. CREATION OF VIRTUAL HIGH SCHOOLS. (a) The
2 commissioner by rule shall establish a process under which an
3 eligible entity, as determined by the commissioner, may submit an
4 application to the commissioner for authorization to operate a
5 virtual high school.

6 (b) A virtual high school authorized by the commissioner
7 may:

- 8 (1) enroll eligible students on a full-time basis; and
9 (2) grant high school diplomas to students who meet
10 the requirements for a diploma imposed under this title.

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

14 (b) A virtual high school may also elect to admit:

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

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

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

23 (b) A virtual high school may develop a community-based
24 course in physical education or fine arts. A course developed under
25 this subsection must be approved by the agency before the virtual
26 high school may offer the class to a student for academic credit.

27 Sec. 30B.004. FUNDING. (a) For each student described by

1 Section 30B.002(a) enrolled in the school, a virtual high school is
2 entitled to allotments under Chapter 42 as if the school were a
3 school district without a tier one local share for purposes of
4 Section 42.253.

5 (b) A virtual high school is not entitled to allotments
6 under Chapter 42 for students described by Section 30B.002(b). A
7 virtual high school may:

8 (1) charge a fee for enrollment to students described
9 by Section 30B.002(b); or

10 (2) use adult basic education funds to pay the costs of
11 enrollment of students described by Section 30B.002(b)(2), if those
12 funds are available for that purpose.

13 SECTION 6. Section 42.003(a), Education Code, is amended to
14 read as follows:

15 (a) A student is entitled to the benefits of the Foundation
16 School Program if, on September 1 of the school year, the student is
17 5 years of age or older and under 21 years of age and has not
18 graduated from high school, or is at least 21 years of age and under
19 26 years of age and has been admitted by a virtual high school under
20 Chapter 30B or a school district to complete the requirements for a
21 high school diploma.

22 SECTION 7. Section 42.302(a), Education Code, is amended to
23 read as follows:

24 (a) Each school district is guaranteed a specified amount
25 per weighted student in state and local funds for each cent of tax
26 effort over that required for the district's local fund assignment
27 up to the maximum level specified in this subchapter. The amount

1 of state support, subject only to the maximum amount under Section
2 42.303, is determined by the formula:

$$3 \quad \text{GYA} = (\text{GL} \times \text{WADA} \times \text{DTR} \times 100) - \text{LR}$$

4 where:

5 "GYA" is the guaranteed yield amount of state funds to be
6 allocated to the district;

7 "GL" is the dollar amount guaranteed level of state and local
8 funds per weighted student per cent of tax effort, which is an
9 amount described by Subsection (a-1) or a greater amount for any
10 year provided by appropriation;

11 "WADA" is the number of students in weighted average daily
12 attendance, which is calculated by dividing the sum of the school
13 district's allotments under Subchapters B and C, less any allotment
14 to the district for transportation, any allotment under Section
15 42.158 [~~42.159~~] or 42.160, and 50 percent of the adjustment under
16 Section 42.102, by the basic allotment for the applicable year;

17 "DTR" is the district enrichment tax rate of the school
18 district, which is determined by subtracting the amounts specified
19 by Subsection (b) from the total amount of maintenance and
20 operations taxes collected by the school district for the
21 applicable school year and dividing the difference by the quotient
22 of the district's taxable value of property as determined under
23 Subchapter M, Chapter 403, Government Code, or, if applicable,
24 under Section 42.2521, divided by 100; and

25 "LR" is the local revenue, which is determined by multiplying
26 "DTR" by the quotient of the district's taxable value of property as
27 determined under Subchapter M, Chapter 403, Government Code, or, if

1 applicable, under Section 42.2521, divided by 100.

2 SECTION 8. Section 42.159, Education Code, is repealed.

3 SECTION 9. This Act takes effect September 1, 2011.