

SENATE AMENDMENTS

2nd Printing

By: King of Hemphill, Deshotel, Villarreal,
Farney, Ratliff, et al.

H.B. No. 1926

A BILL TO BE ENTITLED

AN ACT

relating to the operation of the state virtual school network and
courses provided through other distance learning arrangements.

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

SECTION 1. Section 26.0031, Education Code, is amended by
amending Subsections (b), (c), and (d) and adding Subsection (c-1)
to read as follows:

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

(c) A ~~[For purposes of Subsection (b), a]~~ school district or
open-enrollment charter school may deny ~~[is not considered to have~~
~~unreasonably denied]~~ a request to enroll a student in an electronic
course if:

(1) ~~[the district or school can demonstrate that the~~
~~course does not meet state standards or standards of the district or~~
~~school that are of equivalent rigor as the district's or school's~~
~~standards for the same course provided in a traditional classroom~~
~~setting,~~

~~[(2)]~~ a student attempts to enroll in a course load
that ~~[+~~

1 ~~[(A)]~~ is inconsistent with the student's high
2 school graduation plan or requirements for college admission or
3 earning an industry certification; ~~or~~

4 ~~[(B) could reasonably be expected to negatively~~
5 ~~affect the student's performance on an assessment instrument~~
6 ~~administered under Section 39.023; or]~~

7 (2) ~~[(3)]~~ the student requests permission to enroll in
8 an electronic course at a time that is not consistent with the
9 enrollment period established by the entity ~~[school district or~~
10 ~~open-enrollment charter school]~~ providing the course; or

11 (3) the district or school offers a substantially
12 similar course.

13 (c-1) A school district or open-enrollment charter school
14 may decline to pay the cost for a student of more than three
15 yearlong electronic courses, or the equivalent, during any school
16 year. This subsection does not limit the ability of the student to
17 enroll in additional electronic courses at the student's cost.

18 (d) Notwithstanding Subsection (c)(2) ~~[(c)(3)]~~, an entity
19 ~~[a school district or open-enrollment charter school]~~ that provides
20 an electronic course through the state virtual school network under
21 Chapter 30A shall make all reasonable efforts to accommodate the
22 enrollment of a student in the course under special circumstances.

23 SECTION 2. Subchapter Z, Chapter 29, Education Code, is
24 amended by adding Section 29.909 to read as follows:

25 Sec. 29.909. DISTANCE LEARNING COURSES. (a) A school
26 district that provides a course through distance learning and seeks
27 to inform other school districts of the availability of the course

1 may submit information to the agency regarding the course,
2 including the number of positions available for student enrollment
3 in the course. The district may submit updated information at the
4 beginning of each semester.

5 (b) The agency shall make information submitted under this
6 section available on the agency's Internet website.

7 (c) The commissioner may adopt rules necessary to implement
8 this section, including rules governing student enrollment. The
9 commissioner may not adopt rules governing course pricing, and the
10 price for a course shall be determined by the school districts
11 involved.

12 SECTION 3. Section 30A.001(7), Education Code, is amended
13 to read as follows:

14 (7) "Course provider [~~Provider school district or~~
15 ~~school~~]" means:

16 (A) a school district or open-enrollment charter
17 school that provides an electronic course through the state virtual
18 school network to:

19 (i) students enrolled in that district or
20 school; or

21 (ii) students enrolled in another school
22 district or school; [~~or~~]

23 (B) a public or private institution of higher
24 education, nonprofit entity, or private entity that provides a
25 course through the state virtual school network; or

26 (C) a corporation that provides an electronic
27 professional development course through the state virtual school

1 network.

2 SECTION 4. Subchapter A, Chapter 30A, Education Code, is
3 amended by adding Section 30A.0011 to read as follows:

4 Sec. 30A.0011. ELIGIBILITY OF CERTAIN COURSE PROVIDERS. A
5 nonprofit entity, private entity, or corporation is not eligible to
6 act as a course provider under this chapter unless at least 51
7 percent of the ownership of the nonprofit entity, private entity,
8 or corporation is controlled by United States citizens.

9 SECTION 5. Section 30A.003, Education Code, is amended to
10 read as follows:

11 Sec. 30A.003. PROVISION OF COMPUTER EQUIPMENT OR INTERNET
12 SERVICE. This chapter does not:

13 (1) require a school district, an open-enrollment
14 charter school, a course provider [~~school district or school~~], or
15 the state to provide a student with home computer equipment or
16 Internet access for a course provided through the state virtual
17 school network; or

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

22 SECTION 6. Section 30A.056(a), Education Code, is amended
23 to read as follows:

24 (a) Each contract between a course provider [~~school~~
25 ~~district, an open-enrollment charter school, or a public or private~~
26 ~~institution of higher education~~] and the administering authority
27 must:

1 (1) provide that the administering authority may
2 cancel the contract without penalty if legislative authorization
3 for the course provider [~~district, school, or institution~~] to offer
4 an electronic course through the state virtual school network is
5 revoked; and

6 (2) be submitted to the commissioner.

7 SECTION 7. The heading to Section 30A.101, Education Code,
8 is amended to read as follows:

9 Sec. 30A.101. ELIGIBILITY TO ACT AS COURSE PROVIDER [~~SCHOOL~~
10 ~~DISTRICT OR SCHOOL~~].

11 SECTION 8. Section 30A.101, Education Code, is amended by
12 amending Subsection (a) and adding Subsections (b) and (c) to read
13 as follows:

14 (a) A school district is eligible to act as a course
15 provider [~~school district~~] under this chapter only if the district
16 is rated acceptable [~~or higher~~] under Section 39.054.

17 **(b) An open-enrollment charter school is eligible to act as**
18 **a course provider under this chapter only if the school is rated**
19 **acceptable or higher under Section 39.054, except that a school may**
20 **act as a course provider to students receiving educational services**
21 **under the supervision of a juvenile probation department, the Texas**
22 **Youth Commission, or the Texas Department of Criminal Justice if**
23 **the school is rated academically acceptable or higher. An**
24 **open-enrollment charter school may serve as a course provider only:**

25 **(1) to a student within its service area; or**

26 **(2) to another student in the state:**

27 **(A) through an agreement with the school district**

1 in which the student resides; or

2 (B) if the student receives educational services
3 under the supervision of a juvenile probation department, the Texas
4 Youth Commission, or the Texas Department of Criminal Justice,
5 through an agreement with the applicable agency.

6 (c) A nonprofit entity, private entity, or corporation is
7 eligible to act as a course provider under this chapter only if the
8 nonprofit entity, private entity, or corporation:

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

11 (2) possesses prior experience offering online
12 courses to elementary, middle, junior high, or high school
13 students, with demonstrated student success in course completion
14 and performance, as determined by the commissioner; and

15 (3) demonstrates financial solvency.

16 SECTION 9. Section 30A.102, Education Code, is amended to
17 read as follows:

18 Sec. 30A.102. LISTING OF ELECTRONIC COURSES. (a) The
19 administering authority shall:

20 (1) publish the criteria required by Section 30A.103
21 for electronic courses that may be offered through the state
22 virtual school network;

23 (2) using the criteria required by Section 30A.103,
24 evaluate electronic courses submitted by a course provider [~~school~~
25 ~~district or school~~] to be offered through the network;

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

1 (4) provide public access to the list of approved
2 electronic courses offered through the network and a detailed
3 description of the courses that complies with Section 30A.108.

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

7 (1) shall create a list of those subjects and courses
8 designated by the board under Subchapter A, Chapter 28, for which
9 the board has identified essential knowledge and skills or for
10 which the board has designated content requirements under
11 Subchapter A, Chapter 28;

12 (2) shall enter into agreements with school districts,
13 open-enrollment charter schools, ~~[and]~~ public or private
14 institutions of higher education, and other eligible entities for
15 the purpose of offering the courses through the state virtual
16 school network; and

17 (3) may develop or authorize the development of
18 additional electronic courses that:

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

21 (B) are not otherwise available through the state
22 virtual school network.

23 SECTION 10. Section 30A.1021(c), Education Code, is amended
24 to read as follows:

25 (c) The administering authority shall provide public access
26 to the comments submitted by students and parents under this
27 section. The comments must be in a format that permits a person to

1 sort the comments by teacher, electronic course, and course
2 provider [~~school district or school~~].

3 SECTION 11. Section 30A.103(a), Education Code, is amended
4 to read as follows:

5 (a) The board by rule shall establish an objective standard
6 criteria for an electronic course to ensure alignment with the
7 essential knowledge and skills requirements identified or content
8 requirements established under Subchapter A, Chapter 28. The
9 criteria may not permit the administering authority to prohibit a
10 course provider [~~school districts or schools~~] from applying for
11 approval for an electronic course for a course for which essential
12 knowledge and skills have been identified.

13 SECTION 12. Section 30A.104, Education Code, is amended by
14 amending Subsection (b) and adding Subsection (c) to read as
15 follows:

16 (b) If the essential knowledge and skills with which an
17 approved course is aligned in accordance with Subsection (a)(2) are
18 modified, the course provider [~~school district or school~~] must be
19 provided the same time period to revise the course to achieve
20 alignment with the modified essential knowledge and skills as is
21 provided for the modification of a course provided in a traditional
22 classroom setting.

23 (c) This subsection applies to a course provider other than
24 a school district, open-enrollment charter school, or public
25 institution of higher education. The board shall maintain
26 oversight of the services and products relating to public student
27 curriculum offered in this state by a course provider, and the

1 course provider may not provide a service or product relating to
2 public student curriculum in this state without board approval,
3 including approval of the form and content of the service or
4 product, and regardless of whether the service or product is
5 provided online, in print, or in person.

6 SECTION 13. Sections 30A.1041(a) and (b), Education Code,
7 are amended to read as follows:

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

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

19 SECTION 14. Subchapter C, Chapter 30A, Education Code, is
20 amended by adding Section 30A.1042 to read as follows:

21 Sec. 30A.1042. RECIPROCITY AGREEMENTS WITH OTHER STATES.

22 (a) The administering authority may enter into a reciprocity
23 agreement with one or more other states to facilitate expedited
24 course approval.

25 (b) An agreement under this section must ensure that any
26 course approved in accordance with the agreement:

27 (1) is evaluated to ensure compliance with Sections

1 30A.104(a)(1) and (2) before the course may be offered through the
2 state virtual school network; and

3 (2) meets the requirements of Section 30A.104(a)(3).

4 SECTION 15. Section 30A.105, Education Code, is amended by
5 amending Subsection (d) and adding Subsection (e) to read as
6 follows:

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

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

21 SECTION 16. Subchapter C, Chapter 30A, Education Code, is
22 amended by adding Section 30A.1052 to read as follows:

23 Sec. 30A.1052. INDUCEMENTS FOR ENROLLMENT PROHIBITED. (a)
24 A course provider may not promise or provide equipment or any other
25 thing of value to a student or a student's parent as an inducement
26 for the student to enroll in an electronic course offered through
27 the state virtual school network.

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

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

6 SECTION 17. Section 30A.106(a), Education Code, is amended
7 to read as follows:

8 (a) A course provider [~~school district or school~~] may appeal
9 to the commissioner the administering authority's refusal to
10 approve an electronic course under Section 30A.105.

11 SECTION 18. Section 30A.107(a), Education Code, is amended
12 to read as follows:

13 (a) A course provider [~~school district or school~~] may offer
14 electronic courses to:

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

18 SECTION 19. Section 30A.108(b), Education Code, is amended
19 to read as follows:

20 (b) Each report under this section must describe each
21 electronic course offered through the state virtual school network
22 and include the following information:

- 23 (1) [~~such as~~] course requirements;
24 (2) [~~and~~] the school year calendar for the course,
25 including any options for continued participation outside of the
26 standard school year calendar;
27 (3) the entity that developed the course;

1 (4) the entity that provided the course;

2 (5) the course completion rate;

3 (6) aggregate student performance on an assessment
4 instrument administered under Section 39.023 to students enrolled
5 in the course;

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

9 (8) other information determined by the commissioner.

10 SECTION 20. Section 30A.114, Education Code, is amended to
11 read as follows:

12 Sec. 30A.114. REGIONAL EDUCATION SERVICE CENTERS. The
13 commissioner by rule shall allow regional education service centers
14 to participate in the state virtual school network in the same
15 manner as course providers [~~provider school districts and schools~~].

16 SECTION 21. Section 30A.153, Education Code, is amended by
17 amending Subsections (a), (b), and (c) and adding Subsection (a-1)
18 to read as follows:

19 (a) Subject to the limitation imposed under Subsection
20 (a-1), a [A] school district or open-enrollment charter school in
21 which a student is enrolled is entitled to funding under Chapter 42
22 or in accordance with the terms of a charter granted under Section
23 12.101 for the student's enrollment in an electronic course offered
24 through the state virtual school network in the same manner that the
25 district or school is entitled to funding for the student's
26 enrollment in courses provided in a traditional classroom setting,
27 provided that the student successfully completes the electronic

1 course.

2 (a-1) For purposes of Subsection (a), a school district or
 3 open-enrollment charter school is limited to the funding described
 4 by that subsection for a student's enrollment in not more than three
 5 electronic courses during any school year.

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

17 (c) A school district or open-enrollment charter school
 18 shall use the applicable [standard] agreement negotiated [adopted]
 19 under Subsection (b) unless:

20 (1) the district or school requests from the
 21 commissioner permission to modify the ~~[standard]~~ agreement; and

22 (2) the commissioner authorizes the modification.

23 SECTION 22. Sections 30A.155(a) and (c-1), Education Code,
 24 are amended to read as follows:

25 (a) A school district or open-enrollment charter school may
 26 charge a fee for enrollment in an electronic course provided
 27 through the state virtual school network to a student who resides in

1 this state and:

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

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

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

21 SECTION 23. Section 30A.101(b), Education Code, as amended
22 by Chapters 895 (H.B. 3) and 1328 (H.B. 3646), Acts of the 81st
23 Legislature, Regular Session, 2009, is repealed.

24 SECTION 24. This Act applies beginning with the 2013-2014
25 school year.

26 SECTION 25. This Act takes effect immediately if it
27 receives a vote of two-thirds of all the members elected to each

H.B. No. 1926

1 house, as provided by Section 39, Article III, Texas Constitution.
2 If this Act does not receive the vote necessary for immediate
3 effect, this Act takes effect September 1, 2013.

ADOPTED

MAY 22 2013

Atty Gen
Secretary of the Senate

By:

Steve Hegar

H.B. No. 1926

Substitute the following for H.B. No. 1926:

By:

Robert Duncan

C.S.H.B. No. 1926

A BILL TO BE ENTITLED

AN ACT

relating to the operation of the state virtual school network and courses provided through other distance learning arrangements.

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

SECTION 1. Section 26.0031, Education Code, is amended by amending Subsections (b), (c), and (d) and adding Subsection (c-1) to read as follows:

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

(c) A ~~[For purposes of Subsection (b), a]~~ school district or open-enrollment charter school may deny ~~[is not considered to have unreasonably denied]~~ a request to enroll a student in an electronic course if:

(1) ~~[the district or school can demonstrate that the course does not meet state standards or standards of the district or school that are of equivalent rigor as the district's or school's standards for the same course provided in a traditional classroom setting,~~

~~[(2)]~~ a student attempts to enroll in a course load that ~~[+]~~

1 ~~[(A)]~~ is inconsistent with the student's high
2 school graduation plan or requirements for college admission or
3 earning an industry certification; ~~or~~

4 ~~[(B) could reasonably be expected to negatively~~
5 ~~affect the student's performance on an assessment instrument~~
6 ~~administered under Section 39.023,]~~ or

7 (2) [(3)] the student requests permission to enroll in
8 an electronic course at a time that is not consistent with the
9 enrollment period established by the school district or
10 open-enrollment charter school providing the course.

11 (c-1) A school district or open-enrollment charter school
12 may decline to pay the cost for a student of more than four yearlong
13 electronic courses, or the equivalent, during any school year.
14 This subsection does not:

15 (1) limit the ability of the student to enroll in
16 additional electronic courses at the student's cost; or

17 (2) apply to a student enrolled in a full-time online
18 program.

19 (d) Notwithstanding Subsection (c)(2) ~~[(c)(3)]~~, a school
20 district or open-enrollment charter school that provides an
21 electronic course through the state virtual school network under
22 Chapter 30A shall make all reasonable efforts to accommodate the
23 enrollment of a student in the course under special circumstances.

24 SECTION 2. Subchapter Z, Chapter 29, Education Code, is
25 amended by adding Section 29.909 to read as follows:

26 Sec. 29.909. DISTANCE LEARNING COURSES. (a) A school
27 district or open-enrollment charter school that provides a course

1 through distance learning and seeks to inform other districts or
2 schools of the availability of the course may submit information to
3 the agency regarding the course, including the number of positions
4 available for student enrollment in the course. The district or
5 school may submit updated information at the beginning of each
6 semester.

7 (b) The agency shall make information submitted under this
8 section available on the agency's Internet website.

9 (c) The commissioner may adopt rules necessary to implement
10 this section, including rules governing student enrollment. The
11 commissioner may not adopt rules governing course pricing, and the
12 price for a course shall be determined by the school districts or
13 open-enrollment charter schools involved.

14 SECTION 3. Section 30A.001(7), Education Code, is amended
15 to read as follows:

16 (7) "Course provider [~~Provider school district or~~
17 ~~school~~]" means:

18 (A) a school district or open-enrollment charter
19 school that provides an electronic course through the state virtual
20 school network to:

21 (i) students enrolled in that district or
22 school; or

23 (ii) students enrolled in another school
24 district or school; [~~or~~]

25 (B) a public or private institution of higher
26 education, nonprofit entity, or private entity that provides a
27 course through the state virtual school network; or

1 (C) an entity that provides an electronic
2 professional development course through the state virtual school
3 network.

4 SECTION 4. Section 30A.003, Education Code, is amended to
5 read as follows:

6 Sec. 30A.003. PROVISION OF COMPUTER EQUIPMENT OR INTERNET
7 SERVICE. This chapter does not:

8 (1) require a school district, an open-enrollment
9 charter school, a course provider [~~school district or school~~], or
10 the state to provide a student with home computer equipment or
11 Internet access for a course provided through the state virtual
12 school network; or

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

17 SECTION 5. Section 30A.007, Education Code, is amended by
18 amending Subsection (a) and adding Subsection (a-1) to read as
19 follows:

20 (a) A school district or open-enrollment charter school
21 shall adopt a written policy that provides district or school
22 students with the opportunity to enroll part-time or full-time in
23 electronic courses provided through the state virtual school
24 network. The policy must be consistent with the requirements
25 imposed by Section 26.0031.

26 (a-1) A school district or open-enrollment charter school
27 shall, at least two times per school year, send to a parent of each

1 district or school student in grades three through 12 a copy of the
2 policy adopted under Subsection (a).

3 SECTION 6. Section 30A.056(a), Education Code, is amended
4 to read as follows:

5 (a) Each contract between a course provider [~~school~~
6 ~~district, an open-enrollment charter school, or a public or private~~
7 ~~institution of higher education~~] and the administering authority
8 must:

9 (1) provide that the administering authority may
10 cancel the contract without penalty if legislative authorization
11 for the course provider [~~district, school, or institution~~] to offer
12 an electronic course through the state virtual school network is
13 revoked; and

14 (2) be submitted to the commissioner.

15 SECTION 7. The heading to Section 30A.101, Education Code,
16 is amended to read as follows:

17 Sec. 30A.101. ELIGIBILITY TO ACT AS COURSE PROVIDER [~~SCHOOL~~
18 ~~DISTRICT OR SCHOOL~~].

19 SECTION 8. Section 30A.101, Education Code, is amended by
20 amending Subsection (a) and adding Subsections (c) and (d) to read
21 as follows:

22 (a) A school district or open-enrollment charter school is
23 eligible to act as a course provider [~~school district~~] under this
24 chapter only if the district or school is rated acceptable [~~or~~
25 ~~higher~~] under Section 39.054. An open-enrollment charter school
26 may serve as a course provider only:

27 (1) to a student within its service area; or

1 (2) to another student in the state:

2 (A) through an agreement with the school district
3 in which the student resides; or

4 (B) if the student receives educational services
5 under the supervision of a juvenile probation department, the Texas
6 Juvenile Justice Department, or the Texas Department of Criminal
7 Justice, through an agreement with the applicable agency.

8 (c) A nonprofit entity, private entity, or corporation is
9 eligible to act as a course provider under this chapter only if the
10 nonprofit entity, private entity, or corporation:

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

13 (2) demonstrates financial solvency; and

14 (3) provides evidence of prior successful experience
15 offering online courses to elementary, middle, or high school
16 students as determined by the commissioner.

17 (d) An entity other than a school district or
18 open-enrollment charter school is not authorized to award course
19 credit or a diploma for courses taken through the state virtual
20 school network.

21 SECTION 9. Section 30A.102, Education Code, is amended to
22 read as follows:

23 Sec. 30A.102. LISTING OF ELECTRONIC COURSES. (a) The
24 administering authority shall:

25 (1) publish the criteria required by Section 30A.103
26 for electronic courses that may be offered through the state
27 virtual school network;

1 (2) using the criteria required by Section 30A.103,
2 evaluate electronic courses submitted by a course provider [~~school~~
3 ~~district or school~~] to be offered through the network;

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

6 (4) publish in a prominent location on the network's
7 Internet website [~~provide public access to~~] the list of approved
8 electronic courses offered through the network and a detailed
9 description of the courses that complies with Section 30A.108.

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

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

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

23 (3) may develop or authorize the development of
24 additional electronic courses that:

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

27 (B) are not otherwise available through the state

1 virtual school network.

2 (c) The administering authority shall develop a
3 comprehensive course numbering system for all courses offered
4 through the state virtual school network to ensure, to the greatest
5 extent possible, consistent numbering of similar courses offered
6 across all course providers.

7 SECTION 10. Section 30A.1021(c), Education Code, is amended
8 to read as follows:

9 (c) The administering authority shall provide public access
10 to the comments submitted by students and parents under this
11 section. The comments must be in a format that permits a person to
12 sort the comments by teacher, electronic course, and course
13 provider [~~school district or school~~].

14 SECTION 11. Section 30A.103(a), Education Code, is amended
15 to read as follows:

16 (a) The board by rule shall establish an objective standard
17 criteria for an electronic course to ensure alignment with the
18 essential knowledge and skills requirements identified or content
19 requirements established under Subchapter A, Chapter 28. The
20 criteria may not permit the administering authority to prohibit a
21 course provider [~~school districts or schools~~] from applying for
22 approval for an electronic course for a course for which essential
23 knowledge and skills have been identified.

24 SECTION 12. Section 30A.104(b), Education Code, is amended
25 to read as follows:

26 (b) If the essential knowledge and skills with which an
27 approved course is aligned in accordance with Subsection (a)(2) are

1 modified, the course provider [~~school district or school~~] must be
2 provided the same time period to revise the course to achieve
3 alignment with the modified essential knowledge and skills as is
4 provided for the modification of a course provided in a traditional
5 classroom setting.

6 SECTION 13. Sections 30A.1041(a) and (b), Education Code,
7 are amended to read as follows:

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

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

19 SECTION 14. Subchapter C, Chapter 30A, Education Code, is
20 amended by adding Section 30A.1042 to read as follows:

21 Sec. 30A.1042. RECIPROCITY AGREEMENTS WITH OTHER STATES.

22 (a) The administering authority may enter into a reciprocity
23 agreement with one or more other states to facilitate expedited
24 course approval.

25 (b) An agreement under this section must ensure that any
26 course approved in accordance with the agreement:

27 (1) is evaluated to ensure compliance with Sections

1 30A.104(a)(1) and (2) before the course may be offered through the
2 state virtual school network; and

3 (2) meets the requirements of Section 30A.104(a)(3).

4 SECTION 15. Section 30A.105, Education Code, is amended by
5 amending Subsections (a), (a-1), and (d) and adding Subsection (e)
6 to read as follows:

7 (a) The administering authority shall:

8 (1) establish a ~~[schedule for an annual]~~ submission
9 and approval process for electronic courses that occurs on a
10 rolling basis; and

11 (2) evaluate electronic courses to be offered through
12 the state virtual school network~~[, and~~

13 ~~[(3) not later than August 1 of each year, approve~~
14 ~~electronic courses that:~~

15 ~~[(A) meet the criteria established under Section~~
16 ~~30A.103, and~~

17 ~~[(B) provide the minimum instructional rigor and~~
18 ~~scope required under Section 30A.104].~~

19 (a-1) The administering authority shall publish the
20 submission and approval process for electronic courses ~~[schedule]~~
21 established under Subsection (a)(1), including any deadlines
22 ~~[specified in that schedule,]~~ and ~~[any]~~ guidelines applicable to
23 the ~~[submission and approval]~~ process ~~[for electronic courses]~~.

24 (d) If the agency determines that the costs of evaluating
25 and approving a submitted electronic course will not be paid by the
26 agency due to a shortage of funds available for that purpose, the
27 school district, open-enrollment charter school, ~~[or]~~ public or

1 private institution of higher education, or other eligible entity
2 that submitted the course for evaluation and approval may pay a fee
3 equal to the amount of the costs in order to ensure that evaluation
4 of the course occurs. The agency shall establish and publish a fee
5 schedule for purposes of this subsection.

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

11 SECTION 16. Subchapter C, Chapter 30A, Education Code, is
12 amended by adding Section 30A.1052 to read as follows:

13 Sec. 30A.1052. INDUCEMENTS FOR ENROLLMENT PROHIBITED. (a)
14 A course provider may not promise or provide equipment or any other
15 thing of value to a student or a student's parent as an inducement
16 for the student to enroll in an electronic course offered through
17 the state virtual school network.

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

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

23 SECTION 17. Section 30A.106(a), Education Code, is amended
24 to read as follows:

25 (a) A course provider [~~school district or school~~] may appeal
26 to the commissioner the administering authority's refusal to
27 approve an electronic course under Section 30A.105.

1 SECTION 18. Section 30A.107(a), Education Code, is amended
2 to read as follows:

3 (a) A course provider [~~school district or school~~] may offer
4 electronic courses to:

- 5 (1) students and adults who reside in this state; and
- 6 (2) students who reside outside this state and who
- 7 meet the eligibility requirements under Section 30A.002(c).

8 SECTION 19. Section 30A.108(b), Education Code, is amended
9 to read as follows:

10 (b) Each report under this section must describe each
11 electronic course offered through the state virtual school network
12 and include the following information:

- 13 (1) [~~such as~~] course requirements;
- 14 (2) [~~and~~] the school year calendar for the course,
15 including any options for continued participation outside of the
16 standard school year calendar;
- 17 (3) the entity that developed the course;
- 18 (4) the entity that provided the course;
- 19 (5) the course completion rate;
- 20 (6) aggregate student performance on an assessment
21 instrument administered under Section 39.023 to students enrolled
22 in the course;
- 23 (7) aggregate student performance on all assessment
24 instruments administered under Section 39.023 to students who
25 completed the course provider's courses; and
- 26 (8) other information determined by the commissioner.

27 SECTION 20. Section 30A.1121, Education Code, is amended to

1 read as follows:

2 Sec. 30A.1121. ALTERNATIVE EDUCATOR PROFESSIONAL
3 DEVELOPMENT. (a) Subject to Subsection (b), a course provider
4 ~~[school district or open-enrollment charter school]~~ may provide
5 professional development courses to teachers seeking to become
6 authorized to teach electronic courses provided through the state
7 virtual school network. A course provider ~~[district or school]~~ may
8 provide a professional development course that is approved under
9 Subsection (b) to any interested teacher, regardless of ~~[whether]~~
10 the teacher's employer ~~[teacher is employed by the district or~~
11 ~~school]~~.

12 (b) The agency shall review each professional development
13 course sought to be provided by a course provider ~~[school district~~
14 ~~or open-enrollment charter school]~~ under Subsection (a) to
15 determine if the course meets the quality standards established
16 under Section 30A.113. If a course meets those standards, the
17 course provider ~~[district or school]~~ may provide the course for
18 purposes of enabling a teacher to comply with Section
19 30A.111(a)(2).

20 SECTION 21. Section 30A.114, Education Code, is amended to
21 read as follows:

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

26 SECTION 22. Section 30A.153, Education Code, is amended by
27 amending Subsections (a) and (b) and adding Subsection (a-1) to

1 read as follows:

2 (a) Subject to the limitation imposed under Subsection
3 (a-1), a [A] school district or open-enrollment charter school in
4 which a student is enrolled is entitled to funding under Chapter 42
5 or in accordance with the terms of a charter granted under Section
6 12.101 for the student's enrollment in an electronic course offered
7 through the state virtual school network in the same manner that the
8 district or school is entitled to funding for the student's
9 enrollment in courses provided in a traditional classroom setting,
10 provided that the student successfully completes the electronic
11 course and without respect to the setting in which the student
12 participates in the course.

13 (a-1) For purposes of Subsection (a), a school district or
14 open-enrollment charter school is limited to the funding described
15 by that subsection for a student's enrollment in not more than four
16 electronic courses during any school year, unless the student is
17 enrolled in a full-time online program.

18 (b) The commissioner, after considering comments from
19 school district and open-enrollment charter school
20 representatives, shall adopt a standard agreement that governs the
21 costs, payment of funds, and other matters relating to a student's
22 enrollment in an electronic course offered through the state
23 virtual school network. The agreement may not require a school
24 district or open-enrollment charter school to pay the provider the
25 full amount until the student has successfully completed the
26 electronic course, and the full amount may not exceed the limits
27 specified by Section 30A.105(b).

1 SECTION 23. Section 30A.155, Education Code, is amended by
2 amending Subsections (a) and (c-1) and adding Subsection (e) to
3 read as follows:

4 (a) A school district or open-enrollment charter school may
5 charge a fee for enrollment in an electronic course provided
6 through the state virtual school network to a student who resides in
7 this state and:

8 (1) is enrolled in a school district or
9 open-enrollment charter school as a full-time student with~~[, and~~

10 ~~[(2) is enrolled in]~~ a course load greater than that
11 normally taken by students in the equivalent grade level in other
12 school districts or open-enrollment charter schools; or

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

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

27 (e) This chapter does not entitle a student who is not

1 enrolled on a full-time basis in a school district or
2 open-enrollment charter school to the benefits of the Foundation
3 School Program.

4 SECTION 24. Subchapter A, Chapter 32, Education Code, is
5 amended by adding Section 32.005 to read as follows:

6 Sec. 32.005. STUDY ON SCHOOL DISTRICT NETWORK CAPABILITIES.

7 (a) The commissioner shall conduct a study to assess the network
8 capabilities of each school district. The study must gather
9 sufficient information to determine whether the network
10 connections of a district and school campuses in the district meet
11 the following targets:

12 (1) an external Internet connection to a campus's
13 Internet service provider featuring a bandwidth capable of a
14 broadband speed of at least 100 megabits per second for every 1,000
15 students and staff members; and

16 (2) an internal wide area network connection between
17 the district and each of the school campuses in the district
18 featuring a bandwidth capable of a broadband speed of at least one
19 gigabit per second for every 1,000 students and staff members.

20 (b) The commissioner may solicit and accept gifts and grants
21 from any public or private source to conduct the study. The
22 commissioner may also cooperate or collaborate with national
23 organizations conducting similar studies.

24 (c) The commissioner shall complete the study not later than
25 December 1, 2015. This section expires December 1, 2016.

26 SECTION 25. Section 30A.101(b), Education Code, as amended
27 by Chapters 895 (H.B. 3) and 1328 (H.B. 3646), Acts of the 81st

1 Legislature, Regular Session, 2009, is repealed.

2 SECTION 26. This Act applies beginning with the 2013-2014
3 school year.

4 SECTION 27. This Act takes effect immediately if it
5 receives a vote of two-thirds of all the members elected to each
6 house, as provided by Section 39, Article III, Texas Constitution.
7 If this Act does not receive the vote necessary for immediate
8 effect, this Act takes effect September 1, 2013.

ADOPTED

MAY 22 2013

FLOOR AMENDMENT NO. 1

Letay Spaul
Secretary of the Senate

BY: *[Signature]*

1 Amend C.S.H.B. No. 1926 (senate committee report) as
2 follows:

3 (1) In the recital of SECTION 1 of the bill (page 1, line
4 26), strike "Subsection (c-1)" and substitute "Subsections (c-1)
5 and (f)".

6 (2) In SECTION 1 of the bill, in amended Section
7 26.0031(c)(1), Education Code (page 1, line 50), strike
8 "~~39.023;]~~ or" and substitute "~~39.023; or]~~".

9 (3) In SECTION 1 of the bill, in amended Section
10 26.0031(c)(2), Education Code (page 1, line 54), strike the
11 period and substitute the following:

12 ; or

13 (3) the district or school offers a substantially
14 similar course.

15 (4) In SECTION 1 of the bill, after amended Section
16 26.0031(d), Education Code (page 2, between lines 7 and 8),
17 insert the following:

18 (f) A school district or open-enrollment charter school
19 from which a parent of a student requests permission to enroll
20 the student in an electronic course offered through the state
21 virtual school network under Chapter 30A has discretion to
22 select a course provider approved by the network's administering
23 authority for the course in which the student will enroll based
24 on factors including the informed choice report in section
25 30.108(b).

26 (5) Strike the recital of SECTION 3 of the bill (page 2,
27 lines 25 and 26) and substitute the following:

28 SECTION 3. Sections 30A.001(7) and (8), Education Code,
29 are amended to read as follows:

(6) In SECTION 3 of the bill, after amended Section 30A.001(7), Education Code (page 2, between lines 41 and 42), insert the following:

(8) "Public or private institution of higher education" means[+]

[~~(A)~~] an institution of higher education, as defined by 20 U.S.C. Section 1001 [~~Section 61.003; or~~

~~[(B) a private or independent institution of higher education, as defined by Section 61.003].~~

(7) In SECTION 5 of the bill, in amended Section 30A.007(a), Education Code (page 2, line 60), strike "part-time or full-time".

(8) In SECTION 5 of the bill, in added Section 30A.007(a-1), Education Code (page 2), strike lines 65 through 67 and substitute the following:

shall, at least once per school year, send to a parent of each district or school student enrolled at the middle or high school level a copy of the policy adopted under Subsection (a). A district or school may send the policy with any other information that the district or school sends to a parent.

(9) In SECTION 8 of the bill, in added Section 30A.101(c)(3), Education Code, strike "elementary, middle, or high school students" (page 3, lines 38 and 39), and substitute "middle or high school students, with demonstrated student success in course completion and performance,".

(10) In SECTION 22 of the bill, in amended Section 30A.153(a), Education Code (page 6, lines 43 and 44), strike "and without respect to the setting in which the student participates in the course".

ADOPTED

FLOOR AMENDMENT NO. 2

MAY 22 2013

Latoy Spaul
Secretary of the Senate

BY: *[Signature]*

1 Amend C.S.H.B. 1926 (senate committee report) as follows:

2 (1) In SECTION 1 of the bill, page 1, line 56, strike
3 "four" and insert "three"

4 (2) In SECTION 22 of the bill, page 6, line 47, strike
5 "four" and insert "three"
6

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 23, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1926 by King, Ken (Relating to the operation of the state virtual school network and courses provided through other distance learning arrangements.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would expand the list of eligible course providers through the state virtual school network (VSN) to include nonprofit entities, private entities, and entities that provide an electronic professional development course. The bill would prohibit an entity other than a school district or open-enrollment charter school from awarding course credit or a diploma for courses taken through the VSN.

The bill would authorize the state virtual school network to enter into a reciprocity agreement with one or more states to facilitate expedited course approval.

The bill would authorize a charter to receive funding for the student's enrollment in a state virtual school network course in accordance with the terms of its charter. The bill would require the standard VSN agreement adopted by the commissioner to address course costs. The full amount for courses could not exceed \$400 per course or \$4,800 for a full-time student.

The bill would allow a school district or open-enrollment charter school to decline to pay for more than three yearlong electronic courses for a student or the equivalent during a school year, unless the student is enrolled in a full-time online program. Students could enroll in additional electronic courses at their own cost. The bill would allow a district or charter school to charge a fee to an enrolled full-time student who elected to enroll in the VSN and the district declined to pay the cost for the course.

The bill would require the Texas Education Agency (TEA) to make district distance learning courses available on the TEA website.

The bill would require course providers to apply for renewal of previously approved courses coinciding with revisions to the required curriculum or the 10th anniversary of the previous approval.

The bill would limit FSP funding for a student's enrollment to a maximum of three electronic courses during a school year, unless the student is enrolled in a full-time online program.

The bill would prohibit course providers from promising or providing equipment or other items of value to a student or their parent as an inducement to enroll in courses in the virtual school

network. The commissioner of education would be required to revoke approval of courses offered by the course provider that violated these provisions.

The bill would require the Informed Choice Report on the VSN website to include the following information: the entity that developed the course, the entity that provided the course, the course completion rate, the aggregate student performance on state-required assessment instruments administered to students enrolled in the course, the aggregate student performance on all state-required assessment instruments administered to students who completed the provider's courses, and any other information determined by the commissioner of education.

The bill would require the commissioner of education to conduct a study of school district network capabilities to determine whether district and campus network connections met certain targets. The commissioner could solicit and accept gifts and grants from any public or private source to conduct the study and could cooperate or collaborate with any national organizations conducting similar studies. The study would have to be completed by December 1, 2015.

Based on information provided by the Texas Education Agency, this analysis assumes that any costs associated with implementing the provisions of this bill could be absorbed within existing resources.

Local Government Impact

A school district or open-enrollment charter school would be required to pay course providers for a student's enrollment in an electronic course offered through the state virtual school network under the terms negotiated by the Commissioner of Education. The district or charter could decline payment for more than three yearlong electronic courses, or the equivalent, during a school year.

A school district or open-enrollment charter school would be required to annually send its VSN policy to parents.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AH

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 19, 2013

TO: Honorable Dan Patrick, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1926 by King, Ken (Relating to the operation of the state virtual school network and courses provided through other distance learning arrangements.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would expand the list of eligible course providers through the state virtual school network (VSN) to include nonprofit entities, private entities, and entities that provide an electronic professional development course. The bill would prohibit an entity other than a school district or open-enrollment charter school from awarding course credit or a diploma for courses taken through the VSN.

The bill would authorize the state virtual school network to enter into a reciprocity agreement with one or more states to facilitate expedited course approval.

The bill would authorize a charter to receive funding for the student's enrollment in a state virtual school network course in accordance with the terms of its charter. The bill would require the standard VSN agreement adopted by the commissioner to address course costs. The full amount for courses could not exceed \$400 per course or \$4,800 for a full-time student.

The bill would allow a school district or open-enrollment charter school to decline to pay for more than four yearlong electronic courses for a student or the equivalent during a school year, unless the student is enrolled in a full-time online program. Students could enroll in additional electronic courses at their own cost. The bill would allow a district or charter school to charge a fee to an enrolled full-time student who elected to enroll in the VSN and the district declined to pay the cost for the course.

The bill would require the Texas Education Agency (TEA) to make district distance learning courses available on the TEA website.

The bill would require course providers to apply for renewal of previously approved courses coinciding with revisions to the required curriculum or the 10th anniversary of the previous approval.

The bill would limit FSP funding for a student's enrollment to a maximum of four electronic courses during a school year, unless the student is enrolled in a full-time online program.

The bill would prohibit course providers from promising or providing equipment or other items of

value to a student or their parent as an inducement to enroll in courses in the virtual school network. The commissioner of education would be required to revoke approval of courses offered by the course provider that violated these provisions.

The bill would require the Informed Choice Report on the VSN website to include the following information: the entity that developed the course, the entity that provided the course, the course completion rate, the aggregate student performance on state-required assessment instruments administered to students enrolled in the course, the aggregate student performance on all state-required assessment instruments administered to students who completed the provider's courses, and any other information determined by the commissioner of education.

The bill would require the commissioner of education to conduct a study of school district network capabilities to determine whether district and campus network connections met certain targets. The commissioner could solicit and accept gifts and grants from any public or private source to conduct the study and could cooperate or collaborate with any national organizations conducting similar studies. The study would have to be completed by December 1, 2015.

Based on information provided by the Texas Education Agency, this analysis assumes that any costs associated with implementing the provisions of this bill could be absorbed within existing resources.

Local Government Impact

A school district or open-enrollment charter school would be required to pay course providers for a student's enrollment in an electronic course offered through the state virtual school network under the terms negotiated by the Commissioner of Education. The district or charter could decline payment for more than four yearlong electronic courses, or the equivalent, during a school year.

A school district or open-enrollment charter school would be required to send its VSN policy to parents twice a year.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AH

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 8, 2013

TO: Honorable Dan Patrick, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1926 by King, Ken (Relating to the operation of the state virtual school network and courses provided through other distance learning arrangements.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would expand the list of eligible course providers through the state virtual school network to include nonprofit entities, private entities, and corporations that provide an electronic professional development course.

The bill would authorize the state virtual school network to enter into a reciprocity agreement with one or more states to facilitate expedited course approval.

The bill would authorize a charter to receive funding for the student's enrollment in a state virtual school network course in accordance with the terms of its charter. The bill would require the Commissioner of Education to negotiate an agreement with each eligible course provider that governs the costs of each course. The full amount for courses could not exceed \$400 per course or \$4,800 for a full-time student.

The bill would allow a school district or open-enrollment charter school to decline to pay for more than three yearlong electronic courses for a student or the equivalent during a school year. Students could enroll in additional electronic courses at their own cost. The bill would allow a district or charter school to charge a fee to an enrolled full-time student who elected to enroll in the VSN and the district declined to pay the cost for the course.

The State Board of Education (SBOE) would be required to maintain oversight of services and products relating to public student curriculum regardless of the whether the product or service was online, in print, or in person. No products or services relating to public school curriculum could be offered without board approval including the form and content of the product or service.

The bill would require the Texas Education Agency (TEA) to make district distance learning courses available on the TEA website.

The bill would require course providers to apply for renewal of previously approved courses coinciding with revisions to the required curriculum or the 10th anniversary of the previous approval.

The bill would limit FSP funding for a student's enrollment to a maximum of three electronic courses during a school year.

The bill would prohibit course providers from promising or providing equipment or other items of value to a student or their parent as an inducement to enroll in courses in the virtual school network. The commissioner of education would be required to revoke approval of courses offered by the course provider that violated these provisions.

Based on information provided by the Texas Education Agency, this analysis assumes that any costs associated with implementing the provisions of this bill could be absorbed within existing resources.

Local Government Impact

A school district or open-enrollment charter school would be required to pay course providers for a student's enrollment in an electronic course offered through the state virtual school network under the terms negotiated by the Commissioner of Education. The district or charter could decline payment for more than three yearlong electronic courses, or the equivalent, during a school year.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AH

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 26, 2013

TO: Honorable Jimmie Don Aycock, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1926 by King, Ken (Relating to the operation of the state virtual school network and courses provided through other distance learning arrangements.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would expand the list of eligible course providers through the state virtual school network to include nonprofit entities, private entities, and corporations that provide an electronic professional development course.

The bill would authorize the state virtual school network to enter into a reciprocity agreement with one or more states to facilitate expedited course approval.

The bill would authorize a charter to receive funding for the student's enrollment in a state virtual school network course in accordance with the terms of its charter. The bill would require the Commissioner of Education to negotiate an agreement with each eligible course provider that governs the costs of each course. The full amount for courses could not exceed \$400 per course or \$4,800 for a full-time student.

The bill would allow a school district or open-enrollment charter school to decline to pay for more than three yearlong electronic courses for a student or the equivalent during a school year. Students could enroll in additional electronic courses at their own cost. The bill would allow a district or charter school to charge a fee to an enrolled full-time student who elected to enroll in the VSN and the district declined to pay the cost for the course.

The bill would require the Texas Education Agency (TEA) to make district distance learning courses available on the TEA website.

The bill would require course providers to apply for renewal of previously approved courses coinciding with revisions to the required curriculum or the 10th anniversary of the previous approval.

The bill would prohibit course providers from promising or providing equipment or other items of value to a student or their parent as an inducement to enroll in courses in the virtual school network. The commissioner of education would be required to revoke approval of courses offered by the course provider that violated these provisions.

Based on information provided by the Texas Education Agency, this analysis assumes that any

costs associated with implementing the provisions of this bill could be absorbed within existing resources.

Local Government Impact

A school district or open-enrollment charter school would be required to pay course providers for a student's enrollment in an electronic course offered through the state virtual school network under the terms negotiated by the Commissioner of Education.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AH

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 15, 2013

TO: Honorable Jimmie Don Aycock, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1926 by King, Ken (Relating to the provision of electronic courses by a school district or open-enrollment charter school.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would expand the list of eligible course providers through the state virtual school network to include nonprofit entities, private entities, and corporations that provide an electronic professional development course.

The bill would authorize the state virtual school network to enter into a reciprocity agreement with one or more states to facilitate expedited course eligibility approval.

The bill would authorize a charter to receive funding for the student's enrollment in a state virtual school network course as provided under the terms of its charter.

The bill would require the Commissioner of Education to negotiate an agreement with each eligible course provider that governs the costs of each course. The bill would require a school district or open-enrollment charter school to pay the course provider no more than 50 percent of the course cost prior to the student successfully completing the electronic course.

Based on information provided by the Texas Education Agency, this analysis assumes that any costs associated with implementing the provisions of this bill could be absorbed within existing resources.

Local Government Impact

A school district or open-enrollment charter school would be required to pay course providers for a student's enrollment in an electronic course offered through the state virtual school network under the terms negotiated by the Commissioner of Education.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AH