

## **BILL ANALYSIS**

H.B. 1678  
By: Jetton  
Youth Health & Safety, Select  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

A superintendent and member of the board of trustees of a school district in House District 26 shared a concern for the unique needs of students who are at risk of dropping out of school but cannot attend school during traditional hours due to their life circumstances, including the need to create options for those students to graduate successfully. H.B. 1678 seeks to address this concern by authorizing a public school district or open-enrollment charter school to operate a local remote learning program to offer virtual courses outside the state virtual school network to eligible students at risk of dropping out of school and setting out requirements relating to such a program.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

### **ANALYSIS**

H.B. 1678 amends the Education Code to authorize a public school district or open-enrollment charter school to operate a local remote learning program to offer virtual courses outside the state virtual school network to eligible high school students at risk of dropping out of school. A student is eligible to enroll in such a virtual course if they are enrolled at the high school level at a district or charter school and a student at risk of dropping out of school as defined by statutory provisions relating to compensatory, intensive, and accelerated instruction and if the district or charter school at which the student is enrolled determines under the bill that participation in the program is suitable for the student. The bill establishes the following requirements relating to such a program:

- requires a virtual course offered under the program to be provided through asynchronous instruction and to meet a district's requirement for minimum number of minutes of operation;
- requires a district or charter school that operates the program to develop a process to identify students who are potentially eligible to enroll in a course offered under the program and to screen those students for suitability based on the student's academic needs and access to necessary technology;
- requires a student enrolled in a course offered under the program to be counted toward the district's or charter school's average daily attendance in the same manner as other district or school students; and
- requires the commissioner of education to adopt rules providing for a method of taking daily attendance for students enrolled in a course offered under the program.

The bill authorizes but expressly does not require a district or charter school to provide technological equipment to students who enroll in a course under the program.

H.B. 1678 establishes that statutory provisions governing the state virtual school network do not apply to a virtual course offered under a local remote learning program under the bill's provisions. The bill expressly does not prohibit a student enrolled in a district or charter school that operates such a program from enrolling in courses offered through the state virtual school network. The bill's provisions apply beginning with the 2023-2024 school year.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.