



The following TASA bill summary is for Senate Bill 15, passed during the Second Special Session of the 87th Legislature. TASA will share additional bill summaries from the special sessions as soon as possible. The final bill report for the 87th Regular Session is available; [download the report](#).

SB 15 Local Remote Learning Programs

Taylor

Local Remote Learning Program Overview

Allows school districts and open-enrollment charter schools that have an overall performance rating of C or higher in the prior school year or the most recent school year to operate a local remote learning program to offer virtual courses outside the state virtual school network to eligible students. Expires September 1, 2023.

Requires the full-time remote learning programs to include: (1) at least one grade level in which a state assessment is required to be administered, including each subject for which the assessment is required or a complete high school program, including each course for which an end-of-course assessment is required by the state; and (2) offer the option for a student's parent or person standing in parental relation to select in-person instruction for the student.

Prohibits school districts and open-enrollment charter schools operating a local remote learning program from enrolling more than 10 percent of the total number of students enrolled in the district or school during the 2021-22 school year. Allows the commissioner to waive this provision by application of the district or charter school or in response to a public health emergency. Requires districts and charter schools, in calculating the percentage, to count a student who spends at least half of their instructional time during the 2021-22 or 2022-23 school year (as applicable) enrolled in virtual courses or was receiving remote instruction, other than by enrollment in electronic courses offered through the state virtual school network. The calculation must also include a student who is enrolled in virtual courses or who received remote instruction during the 2021-22 or 2022-23 school year (as applicable) because the student was medically fragile, was placed in a virtual setting by an ARD committee or was receiving 504 accommodations.

Allows virtual courses to be provided through synchronous, asynchronous, or a combination of synchronous and asynchronous instruction to meet the needs of individual students. Permits virtual courses to be provided in combination with in-person instruction as appropriate to meet the needs of students.

Requires a student seeking to enroll in a virtual course under this program to: (1) be enrolled in a school district or open-enrollment charter school; (2) have reasonable access to in-person services for the courses at a school district or school facility; (3) meet any additional criteria, including minimum academic standards established by the school district or charter school in which the student is enrolled. Requires school districts and charter schools operating a virtual program to periodically assess the performance of students enrolled in virtual courses.

Allows a student to be removed from virtual course offerings and returned to in-person learning if the school district or open-enrollment charter school determines the student does not meet the above eligibility requirements. Mandates that removal of a student can occur only if the school district or charter

school establishes a process that ensures each student and the student's parent or person standing in parental relation have sufficient notice and an opportunity to provide input prior to the student's removal from the courses.

Prohibits a student who has 10 or more unexcused absences in the program in a six-month period from being counted for purposes of calculating the districts or school's ADA.

Allows a school district or open-enrollment charter school to adopt a policy to exempt students from TEC 25.092 (minimum attendance for class credit or grade) for one or more courses identified by the policy that are offered under a local remote learning program. This provision expires September 1, 2023. Authorizes school districts and open-enrollment charter schools to contract with another school district or charter school to allow a student enrolled in the sending district or school to enroll in virtual courses offered under the program of the receiving district or school. Provides that a student enrolled in virtual courses under an agreement is considered enrolled in the sending district or school for ADA and accountability purposes.

Requires state assessments to be administered to a student enrolled in a virtual course in the same manner as the assessment is administered to other school district or charter school students.

Requires school districts or open-enrollment charter schools offering virtual courses under this program for students receiving special education services to ensure the courses meet the needs of a participating student in the same manner consistent with state and federal law.

Prohibits a teacher from providing virtual instruction unless the teacher has completed a professional development course on virtual instruction. Prohibits a school district from directly or indirectly coercing a teacher to agree to an assignment to teach a full-time local remote learning program.

Prohibits school districts and open-enrollment charter schools from requiring a teacher to provide both virtual and in-person instruction for a course during the same class period. Permits the commissioner to waive this requirement for courses included in the enrichment curriculum.

UIL & Extracurricular Activities

Allows a student enrolled in virtual courses to participate in UIL or extracurricular activities in the same manner as other students in the district or school in which the student is enrolled.

Funding

Requires that a student enrolled in virtual courses be counted toward the district's or open-enrollment charter school's ADA in the same manner as other students in the district or school. Requires the commissioner to adopt rules providing for a method of taking attendance once each school day for a student enrolled in a virtual course.

Authorizes a school district or open-enrollment charter school that operated during the 2020-21 school year a full-time virtual program outside the state virtual school network with at least 10 percent of the enrollment for the program, including students who resided outside the district's geographic boundaries or school to: (1) continue to operate the virtual program on a full-time basis; (2) apply the same enrollment and transfer criteria used during the 2020-21 school year; and (3) offer the program to students in any grade level or combination of grade levels from K-12 as long as the program includes at least one grade level for which a state required assessment instrument is administered.

Subject to rules adopted by the commissioner, time that a student participates in a course or a program under TEC 48.0071(b) Off Campus Programs Approved for ADA must be counted as part of the minimum number of instructional hours required for a student to be considered a full-time student for ADA purposes.

Prohibits school districts or open-enrollment charter schools from counting for ADA purposes a student (except for students enrolled in the virtual school network or in certain special purpose districts) who received virtual or remote instruction for a majority of the instructional days for the preceding school year if the student: (1) did not achieve satisfactory performance or higher or the equivalent in the preceding school year on: (a) each state required assessment instrument; or (b) if the student was not administered a state assessment that was required to be administered during the prior school year, an assessment instrument designed to show grade-level proficiency in TEKS for the student's grade level; (2) had a number of unexcused absences that exceeds 10 percent of the number of instructional days in the preceding year; or (3) did not earn a grade of C or higher or the equivalent in each of the foundation courses taken virtually or remotely in the preceding school year.

Entitles a school district or open-enrollment charter school that operates a full-time local remote program during the 2021-22 school year that meets state requirements to funding in the manner prescribed by this Act regardless of whether the district or school began operating the program before, on, or after the effective date of the Act.

State Virtual School Network

Allows a student enrolled in a school district or open-enrollment charter school virtual program to also enroll in courses offered through the state virtual school network.

Evaluating Virtual and Local Remote Programs

Requires the commissioner, in evaluating the performance of a school district or open-enrollment charter school that operates a full-time local remote program, to assign the program separate overall and domain performance ratings as if the program were a campus of the district or school. Provides that for purposes of assigning performance ratings, a student who spends at least half of the student's instructional time receiving virtual or remote instruction are considered enrolled in the program including a student: (1) enrolled in virtual courses offered under a local remote learning program; or (2) receiving remote instruction, regardless of whether the student is enrolled in a remote learning program and including a student receiving remote instruction who is medically fragile, placed in a virtual setting by an ARD committee, or receiving 504 accommodations. Establishes that the performance ratings are not required to be made publicly available or to be used for purposes of performance in community and student engagement of overall district and campus ratings. Prohibits performance ratings assigned for this program from being used for local accountability purposes or for determining whether to impose any interventions or sanctions.

Requires the indicators for reporting purposes include, for each school district and campus, the performance of students who spend at least half of their instructional time: (1) in virtual courses offered under a local remote program; or (2) receiving remote instruction regardless of whether the student is enrolled in a remote learning program and including a student receiving remote instruction who is medically fragile, placed in a virtual setting by an ARD committee, or receiving 504 accommodations.

Field Based Experience and Internships for Teachers

Allows a teacher candidate to satisfy certification requirements through an internship that provides the candidate employment as a teacher for courses offered through a local remote learning program or the state virtual school network. This provision expires September 1, 2023.

Earliest effective date: Immediate (this Act applies beginning with the 2021-22 school year)