

LOCAL REMOTE LEARNING PROGRAMS SIDE-BY-SIDE: SB 15 (87-2CS) AND HB 1468 (87-R)

	SB 15 (87-2CS) by Senator Taylor (as passed by the Senate)	HB 1468 (87-R) by Representative Bell (Conference Committee Report)
Teacher Certification	SECTION 1. Adds 21.051 (g) to allow SBEC rules to allow a teacher certification candidate to meet certification requirements through local remote learning or the state virtual school network. Expires 9/1/23.	SECTION 1. Same as SB15 except for expiring 9/1/27.
90% Attendance Rule	SECTION 2. Adds 25.092(a-4) allowing local policy to exempt students in local remote learning from the "90% rule". Expires 9/1/23.	SECTION 2. Same as SB15 except for expiring 9/1/27 and designating the subsection (a-3).
Statewide Programs Outside 30A "C" or Higher Accountability Rating	SECTION 3. Adds Section 29.901. Subsection (a) authorizes local remote learning programs in a district or charter with a "C" or higher rating outside of the Chapter 30A virtual network.	SECTION 3. Subsection 29.901(a) same as SB15.
Statewide Programs Outside 30A Grade Level Offering	(b) requires local remote learning programs to include at least one grade with a state assessment or a complete high school program; allows a parent to opt into in-person instruction.	Subsection (b) does not include parent option for in-person instruction; otherwise identical to SB 15 with some formatting differences.
Synchronous or Asynchronous Instruction	(c) allows local remote courses to be provided through synchronous or asynchronous instruction, and be provided in combination with in-person instruction as appropriate.	Subsection (c) same as SB15.
Student Enrollment Requirements and Access to Physical Campus	(d) students eligible for local remote instruction must be enrolled in the district or charter, have reasonable access to a physical campus of the district or charter, and meet additional local requirements for participation.	Subsection (d) same as SB15.
Assessment of Student Performance and Continued Enrollment in Remote Programs	(e) requires a district or charter offering local remote learning to periodically assess the performance of students in the program; allows removal from the program to in-person instruction if the student no longer meets the requirements of subsection (d).	Subsection (e) same as SB15.

Notification of Student Removal from Remote Instruction	(f) requires a local process for notification and input by parents when a student is removed from a local virtual program.	Subsection (f) same as SB15 except for referencing only “parent” without SB15’s addition of “or person standing in parental relation”.
MOU and Contracting Provisions	(g) allows a district or charter to contract with another LEA to provide local remote learning to students who remain enrolled in the contracting district or charter for funding and accountability.	Subsection (g) same as SB15.
State Assessment Requirements	(h) requires state assessments to be administered to students in local remote learning in the same manner as for other students.	Subsection (h) same as SB15.
IDEA and 504 Requirements	(i) requires students enrolled in local remote programs to be served in a manner consistent with federal requirements under the Individuals with Disabilities education Act and Section 504 of the Rehabilitation act.	Subsection (i) same as SB15.
Professional Development Requirements for Teachers	(j) requires teachers providing local remote instruction to have completed professional development in virtual instruction.	Subsection (j) same as SB15.
Teacher Assignment	(k) prohibits assignment of a teacher to full-time local remote learning unless the teacher agrees in writing or the teacher’s employment contract provides for that assignment; prohibits coercing a teacher to agree to assignment to a full-time local remote program.	Subsection (k) same as SB15, subsection (l). No equivalent provision to SB15’s subsection (k).
Prohibition of Assigning Teacher both Virtual and In-Person	(l) prohibits assigning a teacher to both virtual and in-person instruction during the same class.	Subsection (l) same as SB15, subsection (m).
Student Participation in Extracurricular	(m) allows a student enrolled in a local remote learning to participate in extracurricular activities in the same manner as other students.	Subsection (m) same as SB15, subsection (n).
Funding and ADA Provisions	(n) requires a student in local remote learning to be counted towards average daily attendance in the same manner as in-person students; requires the commissioner to provide by rule for taking attendance once a day.	Subsection (n) same as SB15, subsection (o).

Exemption from TXVSN Requirements	(o) exempts local remote learning programs from Chapter 30A requirements.	Subsection (o) same as SB15, subsection (p).
Students Access to TXVSN	(p) clarifies that a student in a local remote learning program may enroll in a state virtual school network course.	Subsection (p) similar to SB15, subsection (q) but does not have the additional language limiting the evaluation subset to students who are at least half-time.
Accountability Ratings	(q) requires the commissioner to assign a separate accountability rating based on students enrolled at least half-time in local remote learning programs in the same manner as a campus.	Subsection (q) similar to SB 15, subsection (r) but allows a general commissioner waiver of the 10% limit rather than the application/public health limits in SB15.
Student Enrollment Cap for Local Remote Learning	(r) Limits local remote learning enrollment to 10% of the district or charter enrollment in the 20-21 school year; allows commissioner waiver of that limit on application of a district or charter or in response to a public health emergency. Expires 9/1/23.	Subsection (r) expires 9/1/27 rather than SB15's 2023.
Performance Indicators	SECTION 4. Adds subsection 39.301(c-1) to require a performance indicator based on the performance of students enrolled at least half time in a local remote learning program; expires 9/1/23.	Same as SB15 except for 2027 expiration.
Off-Campus Instructional Programs	SECTION 5. Amends Section 48.005 (h) to authorize funding for off-campus instructional programs; does not expire.	Same as SB 15 except expires 2027.
Program Outside of TXVSN	Adds 48.007(d) to allow a district or charter that operated a full-time virtual program outside of the state virtual school network during 2020-21 to continue to operate the program using the same enrollment and transfer criteria and offer any combination of grades so long as at least one grade is subject to a state assessment. Adds 48.007(e) to expire itself and subsection (d) as of 9/1/23.	Same as SB 15 except for a subsection (e) that limits full-time virtual programs authorized in 2020-21 to the enrollment during that school year and a 2027 expiration.
Special Purpose District Funding	SECTION 8. Adds subsections 48.053(b-1) and (b-2) to require the commissioner an asynchronous progression funding method for virtual programs offered by a special-purpose school district that existed before 9/1/19; expires 9/1/23.	SECTION 8. Same as SB 15 except expires 2027.