

**POLICY**

**Texas Virtual School Network**

**Enrolled Students**

A student who is enrolled in a Texas school district or open-enrollment charter school as a full-time student may take one or more electronic courses through the Texas Virtual School Network (TxVSN). Education Code 30A.107(b).

**Unenrolled Students**

A student who resides in Texas but is not enrolled in a school district or open-enrollment charter school as a full-time student may, subject to Education Code 30A.155, enroll in electronic courses through the TxVSN. The student:

1. May not in any semester enroll in more than two electronic courses offered through the TxVSN;
2. Is not considered to be a public school student;
3. Must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides;
4. Is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network; and
5. Is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

Education Code 30A.107(c).

**“Electronic Course”**

For purposes of this policy, “electronic course” means a course in which:

1. Instruction and content are delivered primarily over the Internet;
2. A student and teacher are in different locations for a majority of the student’s instructional period;
3. Most instructional activities take place in an online environment;
4. The online instructional activities are integral to the academic program;
5. Extensive communication between a student and a teacher and among students is emphasized; and
6. A student is not required to be located on the physical premises of the school district or the School.

Education Code 30A.001(4).

**Prohibition on Required Enrollment**

The School shall not require a student to enroll in an electronic course. Education Code 30A.107(d).

**Student Eligibility**

A student is eligible to enroll in a course provided through the TxVSN only if the student:

1. Is younger than 21 years of age or younger than 26 years of age and entitled to the benefits of the Foundation School Program under Education Code 42.003 on September 1 of the school year;
2. Has not graduated from high school; and
3. Is otherwise eligible to enroll in a Texas public school.

A student is eligible to enroll full-time in courses provided through the TxVSN only if the student:

1. Was enrolled in a Texas public school in the preceding school year; or
2. Has been placed in substitute care in Texas, regardless of whether the student was enrolled in a Texas public school in the preceding school year.

**Exception for Military Dependents**

A student is eligible to enroll in one or more courses provided through the TxVSN or enroll full-time in courses provided through the network if the student:

1. Is a dependent of a member of the United States military;
2. Was previously enrolled in high school in Texas; and
3. Does not reside in this state due to a military deployment or transfer.

Education Code 30A.002.

The Chief Executive Officer or designee shall establish procedures for students to enroll in courses provided by the TxVSN.

**Notice**

At the time and in the manner that the School informs students and parents about courses that are offered in the School's traditional classroom setting, the School shall notify parents and students of the option to enroll in an electronic course offered through the TxVSN.

**Requests to Enroll**

The School may not unreasonably deny the request of a parent of a full-time student to enroll the student in an electronic course offered through the TxVSN. The School shall make all reasonable efforts to accommodate the enrollment of a student in the course under special circumstances.

The School is not considered to have unreasonably denied a request to enroll a student in an electronic course if:

1. The School can demonstrate that the course does not meet state standards or standards of the School that are of equivalent rigor as the School's standards for the same course provided in a traditional classroom setting;
2. A student attempts to enroll in a course load that:
  - a. Is inconsistent with the student's high school graduation plan; or
  - b. Could reasonably be expected to negatively affect the student's performance on an assessment instrument administered under Education Code 39.023; or
3. The student requests permission to enroll in an electronic course at a time that is not consistent with the enrollment period established by the district or open-enrollment charter school providing the course.

### **Students with Disabilities**

The determination of whether or not an electronic course will meet the needs of a student with a disabilities shall be made by the student's ARD committee in a manner consistent with state and federal law, including the Individuals with Disabilities Education Act and Section 504, Rehabilitation Act of 1973.

### **Appeals**

A parent may appeal to the Commissioner the School's decision to deny a request to enroll a student in an electronic course offered through the TxVSN. The Commissioner's decision is final and may not be appealed.

Education Code 26.0031, 30A.007.

### **Electronic Course Portability**

A student who transfers from one educational setting to another after beginning enrollment in an electronic course is entitled to continue enrollment in the course. Education Code 30A.1051.

### **Student Assessment**

Each student enrolled in an electronic course through the TxVSN must take any assessment instrument under Education Code 39.023 that is administered to students who are provided instruction in the course material in the traditional classroom setting. A proctor must supervise the administration of the assessment instrument to the student enrolled in the electronic course.

The School shall report to the Commissioner through the Public Education Information Management System (PEIMS) the results of assessment instruments administered to

students enrolled in an electronic course offered through the TxVSN separately from the results of assessment instruments administered to other students. Education Code 30A.110.

**Fees**

The School may charge a fee for enrollment in an electronic course provided through the TxVSN to a student who resides in Texas and:

1. Is enrolled in a school district or open-enrollment charter school as a full-time student; and
2. Is enrolled in a course load greater than that normally taken by students in the equivalent grade level in other school districts or open-enrollment charter schools.

The School may charge a fee for enrollment in an electronic course provided through the TxVSN during the summer.

The School shall charge a fee for enrollment in an electronic course provided through the TxVSN to a student who resides in Texas and is not enrolled in a school district or open-enrollment charter school as a full-time student.

The amount of a fee charged a student for an electronic course in which the student enrolls through the TxVSN may not exceed the lesser of:

1. The cost of providing the course; or
2. \$400.

If the School is not the provider school, the School may charge a student enrolled in the School a nominal fee, not to exceed the amount specified by the Commissioner, if the student enrolls in an electronic course provided through the TxVSN that exceeds the course load normally taken by students in the equivalent grade level. Education Code 30A.155.

**Teacher and Instructor Qualifications**

Each teacher of an electronic course offered by the School through the TxVSN must:

1. Be certified to teach that course and grade level under Education Code Chapter 21, Subchapter B; and
2. Successfully complete the appropriate professional development course provided under Education Code 30A.112(a) or 30A.1121 before teaching an electronic course through the TxVSN.

The School may provide professional development courses to teachers seeking to become authorized to teach electronic courses provided through the TxVSN. Such

professional development courses may be provided to any interested teacher, regardless of whether the teacher is employed by the School. The TEA must review each professional development course provided by the School. Education Code 30A.111, 30A.1121.

### **Provision of Computer Equipment and Internet Service**

This policy does not:

1. Require the School to provide a student with home computer equipment or Internet access for a course provided through the TxVSN; or
2. Prohibit the School from providing a student with home computer equipment or Internet access for a course provided through the TxVSN.

Education Code 30A.003.

### **Applicability**

This policy does not affect the provision of a course to a student while the student is located on the physical premises of the School, unless the School chooses to participate in providing an electronic course or an electronic diagnostic assessment under Education Code Chapter 30A to a student who is located on the physical premises of the School.

This policy does not apply to a virtual course provided by the School only to students enrolled in the School if the course is not provided as part of the TxVSN. Education Code 30A.004.

### **The School as Provider**

A school campus is eligible to act as a provider school of the Texas Virtual School Network (TxVSN) if the campus is rated acceptable or higher under Education Code 39.054, except that a campus may act as a provider school to students receiving educational services under the supervision of a juvenile probation department, the Texas Youth Commission, or the Texas Department of Criminal Justice if the campus is rated academically acceptable or higher.

A campus may serve as a provider school only:

1. To a student within the school district in which the campus is located or within its service area, whichever is smaller; or
2. To another student in the state:
  - a. Through an agreement with the school district in which the student resides; or
  - b. If the student receives educational services under the supervision of a juvenile probation department, the Texas Youth Commission, or the

Texas Department of Criminal Justice, through an agreement with the applicable agency.

Education Code 30A.101(b).

**Contracts with Virtual School Service Providers**

Each contract between the School and an administering authority (as that term is defined by Education Code 30A.001(1)) must:

1. Provide that the administering authority may cancel the contract without penalty if legislative authorization for the School through the TxVSN is revoked; and
2. Be submitted to the Commissioner.

A contract submitted under this provision is public information for purposes of Chapter 552, Government Code. Education Code 30A.056.