



Testimony

SB 27

Strengthening Texas's Virtual Education Framework While Empowering Families and Students

Testimony Before the Texas Senate Education Committee

by Kimberly Richey, Senior Education Fellow

Chairman Taylor and Members:

My name is Kimberly Richey, and I am a senior education fellow at the Texas Public Policy Foundation (TPPF). Thank you for the opportunity to provide written testimony in support of Senate Bill 27.

TPPF has long noted that the state of Texas's limitations on virtual education have led to unexpected and unintended consequences that have intensified with the recent COVID-19 pandemic. The limitations on a district's ability to develop virtual education systems have significantly impacted the provision of virtual education, rendering districts unprepared to meet the needs of students in pandemic-like situations. As referenced in TPPF's November 2020 report, [Virtual Education in Texas](#), "allowing the development of flexible school models can allow more students to learn in the way they prefer and create a more resilient public education system."

Although TPPF has not yet had an opportunity to evaluate the full committee substitute for SB 27, several reported aspects of the bill align with our key recommendations to increase the availability and flexibility of virtual programs and expand the ability of school districts and charter schools to better serve their students—while providing opportunities for students to pursue a customized public education. Based on our current understanding of the structure of the committee substitute, we are pleased to hear that the bill:

- **Empowers students to pursue the educational programs of their choice**

SB 27 gives students the ability to apply to the virtual program of their choice, regardless of geographic location. This provision gives parents and families needed flexibility to access educational programs that best meet their individual needs. It is important to note that this practice is [consistent and aligns with how school districts have operated over the past year](#) based on TEA guidance.

- **Eliminates enrollment limits and provides admissions flexibility**

SB 27 is expected to eliminate existing enrollment caps that have been applied to some full-time education programs—thereby ensuring that *every* student in the state of Texas has the opportunity to access the education program that meets their individual needs, interests, and abilities. Provisions of the bill ensure that all students—at all grade levels—may access high-quality virtual education programs. Separately, districts, charters, and higher education institutions have the autonomy to determine whether to limit program enrollment to existing student populations—or allow for statewide enrollment.

- **Vests sponsorship and design authority with community leaders closest to the students**

SB 27 will empower public school districts, charter schools, and institutions of higher education to be the sole authorizers of full-time virtual education programs. The bill also should create flexibility within attendance guidelines for districts to incorporate synchronous instruction, asynchronous instruction, and a hybrid education model into their program design in accordance with student needs. This will enable local leaders to have direct input and oversight of virtual educational programs within their jurisdictions—and will establish a framework that fosters local collaboration.

- **Lifts moratorium on statewide establishment of full-time virtual education programs**

SB 27 expands the Texas Virtual School Network (TXVSN) Online Schools program (OLS) to establish full-time virtual education programs—at the discretion of the district or institution of higher education—without limitation. This approach equips school districts with additional flexibility and options to better ensure continuity of services—while providing additional opportunities for students to obtain access to a high-quality education.

- **Establishes parent engagement and orientation**

SB 27 is reported to recognize the importance of parent engagement and involvement in the provision of virtual education by requiring full-time education providers to establish mandatory orientation for parents wishing to enroll their students in full-time virtual education programs. This includes the requirement that the virtual institution adopt and implement an engagement policy that ensures continued parental involvement. Specifically, the sponsor is required to adopt and implement an engagement policy which details student engagement expectations and clearly provides information on intervention strategies, as well as the timeline for those strategies in order to get the student on track. It will be important to ensure that such policies do not disadvantage students with disabilities or historically underserved students.

- **Ensures informed parental decision-making**

SB 27 will require TEA to establish a parent dashboard that includes information on virtual education programs and tools for parents to access as they determine whether and which full-time virtual education programs may be appropriate for their child. This includes information on academic and financial accountability ratings, information on the virtual school's specific mission or program goals, enrollment policy details—including information on whether students are served within a specified area or statewide, grade levels served, academic mobility of students, and student progress toward graduation. The dashboard will also include information on the virtual education vendor, if applicable, including the history of that vendor within Texas.

- **Prioritizes accountability to ensure the effective provision of virtual education**

SB 27 ensures that full-time virtual education programs will be subject to applicable state accountability standards—and considered a site within the sponsoring district or charter school. Specifically, each full-time online program will be a separate site/campus within the school—and will receive its own accountability grade. The grade of the virtual campus will be factored into the overall grade of the hosting school district or charter school. This ensures that online programs are held to vigorous accountability standards, thus ensuring that parents, students, and families have accurate information on the provision of full-time virtual education programs throughout the state.

TPPF supports the key principles listed above. Based on current information and again recognizing that TPPF has not evaluated the committee substitute itself, we believe the proposed bill will foster the creation of a high-quality virtual learning network across the state of Texas to ensure that families have access to additional public school options, and we look forward to seeing these principles reflected in the pending language. The proposed legislation should build upon the lessons learned by educators through the COVID-19 pandemic experience—and establish a foundation for a virtual education system that all students can access.

ABOUT THE AUTHOR



Kimberly M. Richey is a senior education fellow with the Texas Public Policy Foundation. Richey has held several positions at the U.S. Department of Education, including acting assistant secretary in both the Office for Civil Rights and the Office of Special Education and Rehabilitative Services. Ms. Richey previously served as managing director of federal advocacy and public policy at the National School Boards Association, and was general counsel for the Oklahoma State Department of Education and the Oklahoma Council on Law Enforcement Education and Training. She is a certified teacher and holds a J.D. from the University of Oklahoma and a bachelor's degree in education from Southern Nazarene University. Richey is a native of Corpus Christi, Texas.

About Texas Public Policy Foundation

The Texas Public Policy Foundation is a 501(c)3 nonprofit, nonpartisan research institute. The Foundation promotes and defends liberty, personal responsibility, and free enterprise in Texas and the nation.

