



## Input on HB 2196

Regarding expansion of full-time virtual education

The **Association of Texas Professional Educators (ATPE)** offers the following input on **House Bill (HB) 2196**, which would expand full-time virtual education in Texas. While ATPE supports curated access to individual virtual courses as reasonable means of expanding access to course offerings that would otherwise be inaccessible to some Texas students, our members oppose placing students outside of optimal learning environments. Full-time virtual learning options, both nationally and in Texas, have generally proven to be a poor learning environment for far too many Texas students to make them broadly available without significant safeguards and restrictions.

HB 2196 has some laudable aspects, including training requirements and assignment protections for teachers. However, the bill has three serious flaws that prevent us from being able to support it as drafted. First, the bill fails to ensure that a student's enrollment is tied to a geographically accessible home campus. Second, it allows for fully asynchronous full-time virtual programs. And finally, it lacks statutory specificity around denying low quality vendors access to Texas students.

Requiring geographic proximity to a physical campus—operated by the enrolling LEA—simply has too many positive benefits both to individual students and the system writ large not to be part of systemic rewrite of Texas virtual school law. For the student, ready access to a physical campus ensures that students in need of live hands-on technical, educational, or therapeutic assistance or intervention can receive it. It allows for in-person check in and an apples-to-apples testing experience that ensures students are staying on track with their non-virtual peers. From a systems standpoint, restricting enrollment to students within reasonable range of a physical campus prevents a situation where every local education agency (LEA) in the state functions as a statewide virtual provider with a financial incentive to pursue maximizing statewide enrollment over ensuring that students receive the educational quality they deserve. This does not mean that ISDs or charter schools wishing to specialize in virtual education cannot do so. They should simply be required to partner as virtual providers with enrolling districts who will be responsible for providing access to in-person support and accountability, as opposed to directly enrolling remote students themselves. This will allow for innovation and specialization while still ensuring a higher level of unbiased quality control for Texas students.

While access to a single fully asynchronous course, the equivalent of a virtual correspondence course, may be a reasonable offering for enough students to be worthwhile, full-time, fully asynchronous programs are not. Too few students have proven successful when undertaking

*The Association of Texas Professional Educators (ATPE) has been a strong voice for Texas educators since 1980. It is the leading educators' association in Texas. With its strong collaborative philosophy, ATPE speaks for classroom teachers, administrators, future, retired and para-educators and works to create better opportunities for more than 5 million public schoolchildren. ATPE is the ally and the voice of Texas public school educators.*

this model to put them at risk by making it broadly available, especially at the students own discretion. Considering our state's dubious history with allowing students to access virtual education programs that have failed to educate them, we should move forward only with full-time models that have at least a reasonable chance of success.

While we applaud the inclusion of Section 30B.152. (Private or Third-Party Accountability) as a step in the right direction, simply punting to the commissioner to determine which, if any, private or third-party providers might be considered so terrible as to be ineligible to receive access to Texas students or taxpayer funding—without setting any statutory floor for minimum performance or quality—is simply not enough. This is especially true when the provision goes on to allow the commissioner to grant otherwise ineligible providers continued access to students at taxpayer expense. We are fully aware as a state of the cumulative performance of students served by any private or third-party vendors. There is no good reason why the legislature cannot define a minimum standard for such a provider to operate or continue to operate in the state.

We appreciate that HB 2196 seeks to wipe away the old statutory framework that, regarding full-time virtual programs, has poorly served Texas students for far too long. However, considering the generally negative impacts of virtual education to date, it would seem more prudent to begin a new system of Texas virtual education more cautiously. As such, we simply cannot support a bill that both fails to do so while also greatly expanding access to virtual education.

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