Sec. 1. TEXAS VIRTUAL SCHOOL NETWORK

The Texas Virtual School Network ("TxVSN") is a state-led initiative for online learning authorized by Education Code Chapter 30A. The TxVSN is a partnership network administered by the Texas Education Agency ("TEA") in coordination with regional education service centers (ESCs), Texas public school districts and charter schools, institutions of higher education, and other eligible entities.

19 TAC 70.1001(4).

Sec. 2. PROHIBITION ON REQUIRED ENROLLMENT

Each Raul Yzaguirre Schools for Success ("RYSS") shall not require a student to enroll in an electronic course.

Education Code 30A.107(d).

Sec. 3. STUDENT ELIGIBILITY FOR TXVSN COURSES

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

1. On September 1 of the school year 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 48.003;
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;
2. Is a dependent of a member of the United States military who has been deployed or transferred to the State of Texas and was enrolled in a publicly funded school outside of Texas in the preceding school year; or
3. 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.

a) *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 TxVSN 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

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3. No longer resides in the State of Texas due to a military deployment or transfer.

Education Code 30A.002; *19 TAC 70.1013*.

b) *Enrolled Students*

A student who is enrolled in RYSS as a full-time student may take one or more electronic courses through the TxVSN.

Education Code 30A.107(b).

c) *Unenrolled Students*

A student who resides in Texas but is not enrolled in RYSS 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 TxVSN 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 TxVSN; 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).

d) *Compulsory Attendance*

Students are not required to be in physical attendance while participating in a TxVSN course. Students are considered to have met attendance requirements for a course upon successful completion of a TxVSN course. A student who has successfully completed the grade level or course is eligible to receive any weighted funding for which the student is eligible. RYSS shall maintain documentation to support a student's successful completion to support verification of compulsory attendance.

19 TAC 70.1001(9), .1017.

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Sec. 4. STUDENT PARTICIPATION IN THE TXVSN

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

Enrollment in courses through the TxVSN shall not be subject to limitations RYSS may impose for other distance learning courses.

Sec. 5. NOTICE

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

Education Code 26.0031(a).

Sec. 6. REQUESTS TO ENROLL

Except as provided below, RYSS may not deny the request of a parent of a full-time student to enroll the student in an electronic course offered through the TxVSN.

RYSS may deny a request to enroll a student in an electronic course if:

1. A student attempts to enroll in a course load that is inconsistent with the student's high school graduation plan or requirements for college admission or earning an industry certification;
2. The student requests permission to enroll in an electronic course at a time that is not consistent with the enrollment period established by the course provider; or
3. RYSS offers a substantially similar course.

The course provider shall make all reasonable efforts to accommodate the enrollment of a student in the course under special circumstances.

If a parent of a student requests permission to enroll the student in a TxVSN course, RYSS has discretion to select a course provider approved by TEA for the course in which the student will enroll based on factors including the informed choice report required by Education Code 30A.108(b).

Education Code 26.0031.

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a) *Appeals*

A parent may appeal to the Commissioner of Education (the "Commissioner") RYSS'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; *19 TAC 70.1008, .1035*.

b) *Students with Disabilities*

The determination of whether or not an electronic course will meet the needs of a student with a disability shall be made by the student's admission, review, and dismissal ("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.

Education Code 30A.007(b).

Sec. 7. STUDENT ASSESSMENT

All students enrolled in the TxVSN are required to take the statewide assessments as required in Education Code 39.023. The administration of the assessment instrument to the student enrolled in the electronic course must be supervised by a proctor.

RYSS 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; *19 TAC 70.1023*.

Sec. 8. FEES

RYSS 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 RYSS as a full-time student with a course load greater than that normally taken by students in the equivalent grade level in other public schools; or
2. Elects to enroll in a TxVSN course for which RYSS declines to pay the cost as authorized by Education Code 26.0031(c-1).

RYSS may charge a fee for enrollment in a TxVSN course during the summer.

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RYSS 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.

A TxVSN course cost may not exceed the lesser of the cost of providing the course or $400.

If RYSS is not the provider school, RYSS may charge a student enrolled in RYSS 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.

RYSS may decline to pay the course costs for a student who chooses to enroll in more than three year-long electronic courses, or the equivalent, during any school year. This does not limit the ability of the student to enroll in additional electronic courses offered through the TxVSN at the student's expense.

RYSS, if it is not the course provider, may charge a student enrolled in RYSS a nominal fee, not to exceed $50, if the student enrolls in a TxVSN course that exceeds the course load normally taken by students in the equivalent grade level.

Education Code 30A.155(a)–(c-1); *19 TAC 70.1025*.

Sec. 9. PROVISION OF COMPUTER EQUIPMENT AND INTERNET SERVICE

This policy does not:

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

Education Code 30A.003.

Sec. 10. APPLICABILITY

This policy does not affect the provision of a course to a student while the student is located on the physical premises of RYSS, unless RYSS 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 RYSS.

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This policy does not apply to a virtual course provided by RYSS only to students enrolled in RYSS if the course is not provided as part of the TxVSN.

Education Code 30A.004.

Sec. 11. RYSS AS PROVIDER

RYSS is eligible to act as a course provider only if RYSS is rated acceptable under Education Code 39.054. Additionally, RYSS may serve as a course provider only:

1. To a student within its service area; 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(a).

Sec. 12. CONTRACTS WITH VIRTUAL SCHOOL SERVICE PROVIDERS

Each contract between RYSS 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 RYSS 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.

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