



Texas Public Policy Foundation  
**LEGISLATOR'S GUIDE  
TO THE ISSUES  
2021-2022**

## Serving Students Through Virtual and Blended Learning

### The Issue

Virtual and blended learning offers valuable services to Texas students and the teachers and schools working to help them grow. Texas's response to these developments has been mixed, leaving portions of state statute out of touch with current family needs.

“Virtual education” usually refers to education services that are primarily or completely delivered online. Virtual education can be provided as single courses or an all-inclusive curriculum. “Blended learning” blends in-person education at a physical school and the use of virtual tools and digital data to customize a student's education.

“Hybrid schools” are a relatively new type of blended learning model that more fully incorporates both virtual education as defined above and traditional classroom instruction. Students in hybrid schools spend time taking classes in both virtual and in-person environments.

Every student has their own unique set of circumstances in life. Having the option to receive their education entirely online is the preferred scenario for many students in Texas and may become the preferred scenario for many more. Regardless of the reason for why a student may benefit from full-time or part-time online education, virtual education gives public school students another option for learning.

While other states (such as Florida and Utah) have encouraged the development of virtual education services, Texas has chosen to severely limit these offerings to its students.

In 2007, the Texas Legislature created a framework for virtual education in the form of the Texas Virtual Schools Network (TXVSN). Today, the TXVSN consists of two separate programs that offer limited opportunities for Texas students to engage in online education.

One of those programs, the TXVSN Course Catalog, allows approved providers to offer supplemental courses to high school students. Students currently attending district and charter public schools may take up to three yearlong courses per year funded by the state. In 2018-19, more than 8,000 students enrolled in at least one supplemental course through the statewide catalog.

The TXVSN Online Schools program (OLS) offers the opportunity for students in grades 3-12 to enroll in full-time online education through a school district or charter school operating an online school. During the 2018-19 school year, 15,952 students were enrolled full time in nine approved online campuses.

However, continued development of the TXVSN has been hindered by the Legislature. In 2013, a moratorium on the approval of new full-time programs was passed. Only the eight programs in operation before January 1, 2013, are now allowed to operate, and only six of those are still running their programs. Since then, multiple attempts to lift the moratorium have been

rejected, despite support from some school districts that would like to operate an OLS program for the benefit of their students. This forces students who might otherwise want to stay in their home district to transfer to another district, possibly even a district across the state, to receive full-time virtual education.

In addition to the moratorium, other laws also limit the development of an accessible, high-quality virtual education system. For instance, current statute allows districts to deny students the ability to enroll in an online course if the student's home district offers a “substantially similar” course. Online courses are only available for high school students, and virtual schools are not permitted to serve K-2 students. Obtaining approval to offer courses is burdensome for districts; so is navigating the current TXVSN platform and reporting structure. A requirement that students must be enrolled in a brick-and-mortar Texas public school the year before enrolling in a public virtual program prevents students who move to Texas from enrolling in a similar program here. Lifting this restriction could allow school districts to bring back students who have chosen to attend another alternative such as a private school (virtual or otherwise) or homeschool.

Hybrid schools, because of their virtual component, are also impacted by these statutes. According to current law, state funding can only apply to up to three virtual courses per high school student per year, or to virtual campuses run by the eight districts mentioned above. This significantly limits the ability of districts to design programs that meet the needs of all their students.

Waivers issued by the Texas Education Agency for the 2020-21 school year will temporarily mitigate some of these barriers. But permanent reforms will be the responsibility of the Legislature.

Blended learning has offered an opportunity to encourage innovative teaching practices in Texas education. Participating districts can create programs that use online services to augment in-person education and provide teachers with helpful tools to increase their students' outcomes. Blended learning, though some of its practices can be applied to online education, is still usually based in a physical classroom.

The Legislature approved a series of grants for blended learning as part of House Bill 3 in 2019. These grants are intended to help school districts establish Math Innovation Zones (MIZs, blended learning math programs previously authorized by the Legislature) and create new blended learning pilot programs in non-math subjects.

The goal of education in Texas should be to accomplish “a general diffusion of knowledge ... essential to the preservation of the liberties and rights of the people”—wherever a student is placed and whatever their circumstances may be. To achieve this goal, education should be the most innovative profession in our state. Allowing Texas to lag behind other states and the nation in

online education tools for our students is a missed opportunity. Texas should embrace ways to develop virtual classrooms alongside (and in combination with) brick-and-mortar classrooms in order to provide a variety of options to students with a variety of needs.

## **The Facts**

- The TXVSN offers options to families and students who need or prefer access to alternative education formats.
- In the absence of temporary waivers, all but eight Texas districts and charters are prohibited from offering a full-time virtual school option to their students, or even partial virtual education to students outside of high school.
- TEA has had to issue waivers for this school year to allow districts more flexibility, but the Legislature must enact permanent reforms.
- The Texas Legislature has encouraged development of blended learning programs in math (Math Innovation Zones) and blended learning pilot programs in non-math subjects.

## **Recommendations**

- Lift the moratorium on new virtual education providers, allowing interested school districts to offer virtual options.
- Remove the “brick-and-mortar” provision, giving more discretion to students on how they receive education services.
- Allow virtual services to be offered in all grades.
- Allow funding to go to more than three virtual courses per year.
- Remove the prior-year enrollment requirement for students who want to enroll in or return to Texas public schools in a virtual setting.
- Revise the course approval process and modernize the TXVSN online platform.

## **Resources**

[\*Virtual Education in Texas\*](#), by Emily Sass and Austin Griesinger, Texas Public Policy Foundation (Nov. 2020).

[\*Snapshot 2020: A review of K-12 online, blended, and digital learning\*](#), by the Digital Learning Collaborative (Feb. 2020).

[\*SY 20-21 Attendance and Enrollment FAQ\*](#), Texas Education Agency (July 9, 2020)

[\*Florida's Public Virtual Education Programs\*](#), Florida Department of Education (Sept. 2019)

[\*“Blended Learning Planning Grants for Math Innovation Zones and Non-Math Blended Learning Pilots,”\*](#) Texas Education Agency (2019)