



Testimony

SB 15

Delivered to the Texas Senate Education Committee

by Emily Sass, Distinguished Senior Fellow, K-12 Policy

Chairman Taylor and Members:

A short time ago, virtual education was a niche offering in Texas public education, serving fewer than 1% of Texas students. However, the past 2 year's pandemic-related closures have plunged the nation and state into an extended experiment in emergency remote education. The Texas Legislature now has an opportunity to [update state policy on virtual and hybrid education](#) to encourage a more robust, resilient education landscape that empowers both districts to create programs that serve the needs of their students and students with the ability to select the virtual offerings that will meet their needs.

Recent polling conducted by the Texas Public Policy Foundation shows that Texans agree that [flexibility in virtual programming should be available to both districts and parents](#):

- 74% of polled registered voters agree that Texas school districts should have the authority to decide whether or not to provide virtual education options.
- 84% of polled registered voters agree that, if a school district decides not to provide virtual education, parents in Texas should have the ability to enroll their child in a school district that does provide a virtual education option.

Notably, agreement with the second point was even higher among minority respondents, reaching 90% among African American respondents.

The Foundation is pleased to support this bill. Below are observations on several of its key points, including two suggestions for further consideration.

Senate Bill 15 rightly allows districts more **flexibility in determining their approach** to virtual instruction. Current statute, necessarily waived during the pandemic, [limits providers](#) of full-time virtual education to only eight districts in the state. This preempts locally developed solutions and the beneficial effects of healthy competition. The bill also allows students in local programs to take more than the maximum three courses set in statute, giving more flexibility in the creation of hybrid programs of instruction.

SB 15 also wisely includes a stipulation that the district offering a local remote learning program must offer an **in-person option** to students and their families as well. This ensures that families' options are expanded, not limited. Families who are ready for and prefer in-person instruction should not be forced into another format any more than families who prefer to learn remotely should be forced back into a classroom.

The bill also leaves the determination of the use of **synchronous and asynchronous instruction** up to the providing district. This ensures that districts can tailor programs to the needs of their students. Synchronous instruction ensures students have dedicated time to interact with their instructors and peers; asynchronous instruction provides the capacity to accommodate students' scheduling needs, allows for flipped classroom environments, lessens screen time for younger and active students, and accommodates students with limited connectivity.

SB 15 also addresses **accountability**, providing that students taking classes virtually are included in the accountability system and even generate specific reporting. This ensures that students are still included in districts' accountability processes and [aligns with TEA practice](#) from the 2020-21 year.

This bill grants districts and families the short-term flexibility that they need to navigate present challenges. Long-term solutions (including those recommended by the newly created [Texas Commission on Virtual Education](#)) should be informed by the lessons learned through implementation of these programs.

In determining policy, the state should ensure that both districts and families retain **decision-making rights over enrollment**. SB 15 includes a provision that a student must have “reasonable access to in-person services for the course at a district or school facility”; an overly prescriptive interpretation of this clause could unnecessarily limit a district’s latitude to accept transfer students and families’ ability to request transfers. Families should retain the right to determine with the district what “reasonable access” is based on their own circumstances. Ultimately, the state’s oversight should extend only to ensuring that a clear discussion of available and provided services is included in the application and enrollment process, with parents having the right to accept those services or not.

This recommended approach [aligns with existing TEA guidance](#) instituted for school year 2020-21, which established that “any parent may request that their student be offered virtual instruction from any school system that offers such instruction” (see p. 19).

The bill requires that each teacher providing virtual instruction must have completed a **professional development** course on virtual instruction. This ensures that teachers are prepared to maximize the benefits and address any shortcomings of their virtual instructional model. However, because this bill’s consideration now coincides with the beginning of the school year, this requirement may cause a logistical hurdle. If districts need more time to secure this development for their teachers, the effective date for this specific clause could be delayed until the end of the fall 2021 semester.

Thank you for your consideration and for your service to the state of Texas.

ABOUT THE AUTHOR



Emily Sass is a distinguished senior fellow in K-12 policy for Next Generation Texas at the Texas Public Policy Foundation. Emily has researched education policy topics such as school finance, teacher compensation, expanded family opportunities, and virtual education. She has served on legislative taskforces regarding education mandate relief and teacher professional development.

Before coming to the Foundation, Emily served on Sen. Ted Cruz’s state staff as deputy regional director for North Texas, functioning as the senator’s liaison on all policy topics to a 14-county region. She has worked as staff in the Texas House of Representatives and on multiple campaigns.

Emily holds a BA in music from Thomas Edison State University and a certificate in education finance from Georgetown University. She is a trained classical musician and a former teacher.

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