May 4, 2020

The Honorable Mike Morath
Commissioner of Education
Texas Education Agency
1701 N. Congress Avenue
Austin, Texas 78701

Dear Commissioner Morath:

Members of The Coalition for Public Schools, which includes more than 40 organizations representing over three-million Texans, respectfully wishes to address recent suggestions that Texas make sweeping executive and administrative changes to the Texas Virtual Schools Network (TXVSN).

Some of the suggested changes include: lifting the current moratorium for new online schools; allowing courses to exceed the current three-course limit; extending virtual schools to all grade levels; waiving the "substantially similar" course prohibition; waiving the "prior-year public education" requirement for full-time virtual education, and; in general, opening up the TXVSN for much more expansive use.

While we understand the need to address virtual opportunities due to current circumstances surrounding instructional continuity for students during the critical COVID-19 pandemic, there are several reasons why such changes to the requirements governing the TXVSN are problematic:

1. The TXVSN does not have the capacity nor is it designed to have the capacity to meet these suggestions. As the Texas Education Agency indicated in an April 2, 2020 release in answer to the question "Is it possible to open TXVSN for all students?":

    The TXVSN catalog and online schools do not have capacity for all Texas public school students. The TXVSN is only authorized to serve students in grades 3-12. Some TXVSN catalog course providers will, however, be able to open additional seats and sections in the supplemental high school-level 3 courses available in their spring and summer 2020 offerings. More information will be provided as determinations are made regarding additional capacity. Some full-time TXVSN online schools also have capacity to add additional students. Parents interested in enrolling an eligible student in grades 3-12 into a full-time TXVSN online school may reach out to any of the online schools directly through the TXVNS online school's own website.

2. There is an enormous digital divide that prohibits the effectiveness of unrestricted virtual access. According to the Texas Comptroller's office (2019), more than 2 million Texas households are currently without high-speed Internet. In addition, only 69% of rural

Texans have access to high-speed connectivity.[1] Urban areas are also affected. Due to economic and other issues, only 42% of Dallas residents have high-speed Internet.[2] Communities along the Texas-Mexico border have similar issues with Laredo and Brownsville holding the top two spots for the worst connected cities.[3]

3. According to the data, full-time virtual schools do not perform as well as brick-and-mortar schools or schools that employ a blended learning approach. Expansion of this program at this time would likely be counterproductive for student learning.

Full-Time Virtual School State Accountability Ratings by School Year (Source: TEA AEIS & TAPR)

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Texas Connections Academy *(Houston ISD)* CDC# 101-912-100 Opened 2006	IR	No rating assigned by TEA	Met Standard	Met Standard	IR	IR Enrollment: 5,106	IR Enrollment: 5,931	Met Std Enrollment: 5,675	C Enrollment: 5,680
IQ Academy / Texas Virtual Academy/ Responsive Education Virtual Learning / Name changed to iSchool Virtual Academy of Texas *(Charter Holder: Responsive Education Solutions)* CDC# 221-801-022 Opened 2009	Met Standard	No rating assigned by TEA	IR	IR	Met Standard	IR Enrollment: 3,324	IR Enrollment: 3,419	IR Enrollment: 2,283	D Enrollment: 784
Texarkana Virtual Academy / eSchool Prep *(Texarkana ISD | CDC # 019-907-006)* Opened 2011-12 through 2014-15; reopened 2019-2020		No rating assigned by TEA	IR	Met Standard	Met Standard	CLOSED*			
iUniversity Prep *(Grapevine-Colleyville ISD | CDC# 220-906-007)* Opened 2013			Met Standard	Met Standard	Met Standard	Met Standard	Met Standard	Met Std Enrollment: 615	A Enrollment: 759
Texas Online Prep EL *(Huntsville ISD | CDC# 236-902-108)* Opened 2013			Met Standard	Met Standard	Met Standard	Met Standard	Met Standard	IR Enrollment: 454	D Enrollment: 425
Texas Online Prep Middle *(Huntsville ISD | CDC# 236-902-048)* Opened 2013			IR	Met Standard	Met Standard	Met Standard	Met Standard	Met Std Enrollment: 764	C Enrollment: 1,054
Texas Online Prep HS *(Huntsville ISD | CDC# 236-902-008)* Opened 2013			Met Standard	Met Standard	Met Standard	Met Standard	Met Standard	Met Std Enrollment: 853	C Enrollment: 1,311
Texas Virtual Academy / Premier High School Online *(Charter Holder: Responsive Education Solutions)* CDC# 072-801-145 Opened 2015						Met AEA** Enrollment: 2,729	Met AEA** Enrollment: 2,980	Met AEA** Enrollment: 3,508	B** Enrollment: 1,501
Texas Virtual Academy at Hallsville *(Hallsville ISD and K12 Inc | CDC# 102-904-010)* Established in 2014-15 / Opened Fall 2018									D Enrollment: 4,438

4. Proposed changes to lessen the requirements and expectations for virtual schools would overturn years of legislative action. Many provisions of the TXVSN have been "hammered out" throughout the legislative process since the network was created by the Texas Legislature in 2007. We believe that the circumvention of the legislative process in

[1] Fiscal Notes. (October, 2019). *Texas digital divide: The state of broadband in Texas' rural communities.* Online at https://comptroller.texas.gov/economy/fiscal-notes/2019/oct/divide.php .

[2] Dallas Fed Communities. (December, 2019). *Dallas faces a gaping digital divide when it comes to economic inclusion.* Online at https://www.dallasfed.org/cd/communities/2019/1904 .

[3] National Digital Inclusion Alliance (2017). *Worst connected cities 2017.* Online at https://www.digitalinclusion.org/wp-content/uploads/2018/10/25-Worst-2017.pdf

this instance is unnecessary due to Governor Abbott's recent waiver, which provides districts additional flexibility to implement online learning.

5. Texas public school educators are doing a tremendous job investing in and implementing online instructional resources that best meet the needs of their students during this unprecedented COVID-19 crisis. Any weakening of TXVSN requirements would likely disrupt instructional continuity as districts with quality remote systems have already implemented their curriculum and are capable of moving into the future with such instruction.

6. We believe recommendations that dilute the TXVSN system are intended to open the network to vendors who are eager to receive funding directly from the state which would result in a virtual voucher system. These types of virtual voucher school systems have been consistently rejected by the Texas Legislature as recently as the 86th Legislative Session (2019) and represent a shift of taxpayer dollars from the public good to private interests.

As an alternative, we offer the following recommendations:

- The Texas Education Agency should convene a broad group of stakeholders to consider solutions before the next legislative session.

- Extend the waiver that is currently in place, which allows public school districts to implement online learning for the remainder of the current school year, and through the 2020-21 school year. A waiver extension would continue to allow school districts additional flexibility with online course offerings, maintain continuity of instruction for students, and cause the least disruption for students that are already experiencing unprecedented and difficult times.

- Direct more extensive time and effort into the development and implementation of blended learning approaches with funds flowing directly through public-school districts. Both rural and urban districts that are utilizing blended learning programs have seen measurable results in student learning as evidenced in Cisco ISD and Pasadena ISD.[4]

- Explore federal and state funding methods for the expansion of broadband capabilities in areas with limited high-speed Internet capabilities. Ensure broadband connectivity for all.

- Continue current policy that disallows virtual schools from serving students below grade three, where STAAR assessments are not administered. Full time virtual learning is not

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[4] Texas Education Agency (2018). *Blended learning in Texas public schools.* Online at
https://tea.texas.gov/sites/default/files/Dodson%20and%20Hickman%20presentation.pdf .

an age-appropriate avenue of learning for our youngest students, especially those who have reading difficulties and who are in need of more explicit instruction.

- Maintain current reporting and accountability requirements for virtual schools under state statute as required for all other public schools in Texas.

- Prohibit virtual schools from being evaluated under the State's weaker alternative accountability system.

- Preserve the established funding system, in which all funds flow directly through the school district or charter and students must successfully complete the online course in order for the provider to receive full funding. Do not permit public funds to be paid directly to private providers.

- Maintain the prohibition against opening new full-time virtual education programs until there is evidence of improvement in the performance of those programs.

- Prohibit existing full-time programs from creating additional "campuses" that hide prior low performance.

In summary, the members of the Coalition for Public Schools do not support the suggested changes to the TXVSN and we offer our recommendations as an alternative. We welcome any communication with you or your staff to discuss these issues. Please feel free to contact me, as the Coordinator for the Coalition by phone or email with any questions.

Sincerely,

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cc: Senate Committee on Education
        House Committee on Public Education
        House Appropriations Committee
        Senate Finance Committee
        Office of the Governor, Greg Abbott
        Office of the Lt. Governor, Dan Patrick
        Office of the Speaker, Dennis Bonnen

Members

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