



# Opposition to SB 15

Expanding full-time virtual programs

August 24, 2021

As the largest educator association in Texas, the **Association of Texas Professional Educators (ATPE)** appreciates this opportunity to provide input on **SB 15** proposing to expand options for full-time virtual schools. **ATPE believes addressing virtual education during the current COVID-19 surge is an issue of funding, not policy.**

Educators recognize that virtual instruction was necessary during the 2020-21 school year to prioritize the health and safety of Texas students, teachers, and communities during the COVID-19 pandemic, and that it may be temporarily necessary to address the current surge. However, evidence has already shown disastrous consequences for student learning. Although many health care professionals found temporary remote learning to be necessary to safeguard public health prior to availability of a COVID-19 vaccine, sustained remote instruction has been an academic disaster that will take years to remediate. STAAR results show that Texas students who attended school remotely during most of the 2020-21 school year scored significantly worse than their peers who attended school in person.

The American Academy of Pediatrics (AAP), U.S. Centers for Disease Control (CDC), and U.S. Department of Education recommend that children of all grade levels should return to in-person instruction for the 2021-22 school year. We nonetheless recognize that parents, especially of children under age 12 who are currently ineligible for immunization, are concerned about the safety of in-person instruction at this time.

Texas school districts may already offer full-time virtual education. It is within the governor's authority to fully fund all students receiving virtual instruction without the need for legislation. The limitations placed on this authority by HB 1525 (86-R) do not take effect until September 1, 2021, and would therefore not preclude an ADA waiver issued for the 2021-22 school year. If the governor chooses not to issue such a waiver, the legislature is vested with the authority to appropriate funds specifically for this purpose. Doing so could be accomplished through the appropriations process without the need for policymaking legislation. **ATPE believes the supplemental appropriations bill is the appropriate mechanism for providing access to funding for any temporary remote learning necessitated by the COVID-19.**

During the regular session, the legislature passed HB 3643 that will establish a commission to study virtual education over the next two years and make recommendations for the 88th Texas Legislature to consider in 2023. It would be both premature and wasteful of state resources to implement new virtual school policy before this commission has time to study the issue. Furthermore, it is highly unlikely that SB 15 would provide a remedy soon enough for use at the beginning of the 2021-22 school year.

Based on the learning loss already caused by full-time virtual instruction, the recommendations of the public health and educational authorities, the availability of remedies under existing law, and the timing of proposed changes, ATPE cannot support legislation that expands a model proven to be harmful to most students. Thus, we respectfully urge you to **OPPOSE SB 15** and **SUPPORT A BUDGET RIDER FOR TEMPORARY REMOTE LEARNING.**

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*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 approximately 100,000 members statewide. With its strong collaborative philosophy, ATPE speaks for classroom teachers, administrators, future, retired and para-educators and works to create better opportunities for 5 million public schoolchildren. ATPE is the ally and the voice of Texas public school educators. For additional information, contact ATPE Governmental Relations at (800) 777-2873 or [government@atpe.org](mailto:government@atpe.org).*