



May 19, 2021

The Honorable Larry Taylor  
Chair, Senate Committee on Education

Dear Chairman Taylor:

On behalf of the four statewide teacher membership organizations, we appreciate this opportunity to provide input on Representative Bell's House Bill (HB) 1468 relating to curriculum and eligibility requirements for the provision of local remote learning to qualify for state funding and calculation of average daily attendance. Educators recognize that virtual schools have been necessary in order to prioritize the health and safety of Texas students, teachers and communities during the COVID-19 pandemic, and that they may be necessary to address other emergencies in the future, but experts agree that they are inferior to in-person learning.

Although there is an important place for the responsible use of technology in the classroom, in all but certain limited of circumstances technology should not be a replacement for the classroom. Students have suffered considerable learning loss and emotional trauma as a result of school disruptions, and we urge caution before instituting a model that has proven not to be in the best interest of the vast majority of students. Thus, we respectfully offer recommended edits to HB 1468 that would clarify student eligibility requirements, offer program quality protections, and sunset the provision in order to allow time and space for review.

### **Student Eligibility**

In order to best meet the academic, social and behavioral needs of all students, it is critical that remote learning not be an entitlement program. The following recommendations would more clearly delineate student eligibility and the process for entry to and exit from the program.

- **Remote Placement Committee**: Before being determined eligible for instruction by remote learning, a student must have been recommended for placement by the student's Remote Placement Committee, which must consist of the student's parent or legal guardian, classroom teacher, counselor, and when applicable a special program coordinator.
- **Student Performance Standards**: Students participating in remote learning must maintain at minimum a passing grade in each course taken remotely in order to remain in a remote program. Additionally, the student must adhere to local criteria established by the school district or open-enrollment charter school. The Remote Placement Committee must assess individual student performance at least once per grading period and recertify that virtual placement is in the best academic, social and behavioral interest of the student. The Committee can return the student to in-person instruction at any time, and if it is determined that a student is not successful in remote learning then they will be ineligible to return to a remote virtual setting until the following school year.

## Quality Protections

Student well-being must remain central to curriculum and eligibility requirements for the provision of local remote learning. As drafted, HB 1468 fails to delineate program standards necessary to ensure a quality school experience. The following recommendations would correct this.

- Synchronous Component: We have learned during the COVID-19 pandemic that virtually no full-time remote learning program can be successful without some amount of time spent meeting with an instructor in real-time. It is therefore critical that the bill language require a synchronous component.
- Hybrid Provision: Districts and charters must be required to combine periods of remote instruction with periods of in-person attendance at a school facility where necessary to meet the individual academic, social and behavioral needs of a student as determined by the student's remote placement or ARD committee. The schools must therefore be able to provide transportation to the physical campus for this purpose and for the purpose of taking required assessments under chapter 39 of the Education Code.
- Educator Assignment: It is well-documented in the literature that full-time virtual learning programs tend to exceed the recommended student-to-teacher ratios to the detriment of the student. Additionally, as evidenced by this school year, assigning educators to teach remotely when they may not be prepared or suited for such, or assigning educators to teach remote and in-person learners simultaneously is unduly burdensome for the educator and not in the best interest of their students. Bill language must therefore better stipulate ratio requirements and teacher assignment.
- Not Subject to Waiver: The legislature has provided broad waiver authority for districts and the commissioner for most well established rules in the Education Code. It is not advisable to allow districts or the commissioner to waive quality control measures around programs which are both new for most districts and have a track record of poor performance where strong quality standards have been absent. Therefore, no provision of this section may be subject to a waiver by the commissioner or by districts.

## Expiration and Review

Educators value the role of technology as a supplement to in-person learning experiences, and remote learning has proved vital to protect the health and well-being of students, teachers and communities during the COVID-19 pandemic. Texas must maintain prudence moving forward and must afford time to fully assess the value of expanded remote learning options before encumbering the Legislature to funding them indefinitely. The program should therefore expire and be subject to review.

We hope these recommendations from the four statewide teacher membership organizations will assist the work of the committee in considering Representative Bell's HB 1468 and the place for remote learning in the Texas education system. It is critical that all instructional programs foster an environment that allows all children to reach their highest potential. We appreciate your consideration and look forward to working with you.

Respectfully,

**Texas State Teachers Association**

**Association of Texas Professional Educators**

**Texas American Federation of Teachers**

**Texas Classroom Teachers Association**

CC: Members of the Senate Committee on Education