

Regular Session, 2011

SENATE BILL NO. 46

BY SENATORS SHAW AND LONG

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS. Provides for the Louisiana Virtual School. (gov sig)

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AN ACT

To enact R.S. 17:236.4, relative to the Louisiana Virtual School; to provide for enrollment of students; to provide for the responsibilities of school governing authorities; to provide for the adoption of policies; to provide relative to student access to and credit for courses taken through the virtual school; to require notification to students and parents of such virtual school option; to provide for rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:236.4 is hereby enacted to read as follows:

**§236.4. Louisiana Virtual School**

**A. The Louisiana Virtual School, hereinafter referred to as "the virtual school", is hereby created in the Louisiana Department of Education as a technology-based program to expand learning opportunities for high school students through courses of study that may not otherwise be available to them, and offer access to a full menu of standards-based, online courses of study in subjects which are delivered by certified teachers using the Internet, electronic mail, and other online resources.**

1                    **B. Any high school student may enroll in a course of study offered by the**  
2                    **virtual school through the high school in which the student is enrolled.**

3                    **C.(1) The governing authority of each public secondary school may:**

4                    **(a) Enter into a Louisiana Virtual School Agreement with the**  
5                    **department. However, nothing in such agreement shall prohibit the governing**  
6                    **authority of a school from contracting with a private provider of virtual**  
7                    **education courses, instruction, or content.**

8                    **(b) Identify a school site facilitator to oversee the registration process for**  
9                    **students and assist with other related administrative matters.**

10                   **(c) Develop and adopt policies that provide students with educational**  
11                   **opportunities through the virtual school, including but not limited to the**  
12                   **following:**

13                   **(i) A process for access to and enrollment in a virtual school course of**  
14                   **study.**

15                   **(ii) A procedure for awarding credit to a student who successfully**  
16                   **completes a virtual school course of study.**

17                   **(2) The governing authority of a public secondary school shall make**  
18                   **every effort to provide student access to any course of study offered by the**  
19                   **virtual school that is not offered by the high school in which a student is**  
20                   **enrolled at the time the student wishes to enroll in the course.**

21                   **D. Credit for all courses of study completed through the virtual school**  
22                   **shall be granted through the high school. A mid-term progress report and final**  
23                   **letter grade shall be issued by the instructor and forwarded to the high school**  
24                   **through the department. The high school shall process all credits in accordance**  
25                   **with the policies adopted pursuant to Subsection C of this Section.**

26                   **E. Beginning on January 1, 2012, and continuing thereafter, the**  
27                   **governing authority of each public secondary school shall provide written**  
28                   **notification of the virtual school option and available virtual school course**  
29                   **offerings to each student, and the student's parent or legal guardian, at the time**

1           **of the student's enrollment in high school.**

2                       **F. The State Board of Elementary and Secondary Education shall adopt**  
 3           **rules, including the imposition of any fees to be charged to participating**  
 4           **students and schools, to implement the provisions of this Section in accordance**  
 5           **with the Administrative Procedure Act.**

6                       **G. Implementation of this Section shall be subject to the appropriation**  
 7           **of funds by the legislature for this purpose.**

8           Section 2. This Act shall become effective upon signature by the governor or, if not  
 9           signed by the governor, upon expiration of the time for bills to become law without signature  
 10          by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 11          vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 12          effective on the day following such approval.

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The original instrument was prepared by Sherri H. Breaux. The following  
 digest, which does not constitute a part of the legislative instrument, was  
 prepared by Martha Hess.

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#### DIGEST

Shaw (SB 46)

Proposed law creates the La. Virtual School in the Dept. of Education as a technology-based program to expand learning opportunities for high school students through courses of study that may not otherwise be available to students and offer access to a full menu of standards-based, online courses of study in subjects which are delivered by certified teachers using the Internet, electronic mail, and other online resources.

Provides for the enrollment of high school students in virtual school courses through their high schools. Authorizes the governing authority of each public secondary school to do the following:

- (1) Enter into a La. Virtual School Agreement with the department. Provides that such agreement shall not prohibit a school's governing authority from contracting with a private provider of virtual education courses, instruction, or content.
- (2) Identify a school site facilitator to oversee the registration process for students and assist with other related administrative matters.
- (3) Develop and adopt policies that provide students with educational opportunities through the virtual school, including a process for access to and enrollment in a virtual school course of study and a procedure for awarding credit to a student who successfully completes a virtual school course of study.

Provides the governing authority of a public secondary school shall make every effort to provide student access to any course offered by the virtual school that is not offered by the student's high school at the time the student wishes to enroll in the course.

Provides that credit for all courses of study completed through the virtual school be granted through the high school. Requires a mid-term progress report and final letter grade to be issued by the instructor and forwarded to the high school through the department.

Requires, beginning on January 1, 2012, the governing authority of each public secondary school to provide written notification of the virtual school option and available virtual school courses to each student, and the student's parent/legal guardian, at the time the student enrolls in high school.

Requires BESE to adopt rules in accordance with the Administrative Procedure Act to adopt rules, including the imposition of any fees to be charged to participating students and schools, to implement proposed law.

Provides that implementation of proposed law is subject to the appropriation of funds by the legislature.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:236.4)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Education to the original bill.

1. Makes technical changes.
2. Specifies that the virtual school agreement shall not prohibit contracts with private providers.
3. Prohibits limiting student access to courses not offered by the high school.
4. Requires BESE to adopt rules in accordance with APA, including the imposition of any fees.
5. Makes implementation contingent upon legislative appropriation.

##### Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill.

1. Removes the date certain by which the governing authority of each public secondary school was to enter into a Louisiana Virtual School Agreement and take other actions.
2. Changes from mandatory to discretionary, requirement that the governing authority of a public secondary school enter a Louisiana Virtual School Agreement and to take certain other actions.
3. Changes from mandatory requirement to use best efforts, by the governing authority of a public secondary school to provide student access to any course of study offered by a virtual school that is not offered by the high school in which a student is enrolled.