

**Appendix III-A**  
**2021 Virtual School Legislation Summary**

State	Bills	Enacted	Failed	Pending	Bill Summary
Alaska	1	0	1	0	AK SB 42 (failed): Requires that the department, in cooperation with school districts, establish a virtual education consortium for the purpose of making virtual education and professional development resources available to students and teachers in the state.
Hawaii	2	0	2	0	HI HB 1337 (failed): Establishes, within the Executive Office on Early Learning, an online early learning program to provide children who are four years of age with access to online early learning content.  HI HR 73-2021 (failed): Requests the establishment of a working group to review and report on the procedures for and determinations on applications for geographic exceptions within the Department of Education specific to distance/virtual enrollment boundaries.
Illinois	1	0	0	1	IL HB 3456 (pending): Establishes a statewide, online curricula program that allows public schools the option to access school curricula, coursework, course material, modules, textbooks, streaming videos, tests, software, and any other tools or materials required for the successful completion of a course of study through an online portal. The online curricula program may be used to support in-person instruction and remote and blended remote learning to supplement course curricula or may be used as a stand-alone resource available to educators and students.
Kansas	1	1	0	0	KS HB 2134 (enacted): Requires a study of statewide virtual school programs administered in other states. The study shall include, but not be limited to, the following: (1) The aggregate cost incurred by each state administering a virtual school program, and the cost incurred by individual school districts or schools within each state; (2) the resources necessary for the implementation of each virtual school program, including, but not limited to, personnel, equipment, software and facility usage; (3) the scope of each virtual school program; and (4) the effectiveness of each virtual school program with respect to student performance and outcomes. The study shall be conducted during fiscal year 2023, and the final study report shall be submitted to the legislature on or before January 15, 2023.
Maine	2	1	1	0	ME SP 557 (enacted): Expands virtual public charter school eligibility to a dependent of a member of the United States Armed Forces who has received official military orders to relocate to this State.  ME SP 168 (failed): Relates to an act to change the statutory cap on virtual public charter school enrollment. Establishes a task force to study issues related to remote learning.
Michigan	2	1	0	1	MI HB 4411 (enacted): Requires the Michigan Virtual University to operate the Michigan Virtual Learning Research Institute, and support and accelerate innovation in education through the following activities: Test, evaluate, and recommend as

					<p>appropriate new technology-based instructional tools and resources; Research, design, and recommend virtual education delivery models for use by pupils and teachers that include age-appropriate multimedia instructional content; Provide an extensive professional development program to at least 30,000 educational personnel, including teachers, school administrators, and school board members, that focuses on the effective integration of virtual learning into curricula and instruction.</p> <p>MI SB 664 (pending): A pupil enrolled in a public school academy is counted in membership in the public school academy that is a cyber school if a pupil's participation in the cyber school's educational program is considered regular daily attendance.</p>
Minnesota	1	0	0	1	<p>MN HB 1065 (pending): Relates to distance learning options. Allows a school district to offer a full distance learning option to its enrolled resident students as part of a school's curriculum offerings. A school district that offers distance learning is an online learning provider and is not subject to Department of Education approval.</p>
Montana	1	0	1	0	<p>MT HB 633 (failed): Relates to a bill for an Act authorizing the establishment of public charter schools. Requires that a charter contract for a virtual public charter school include a description and agreement regarding the methods by which the school will: (a) monitor and verify full-time student enrollment, student participation in a full course load, credit accrual, and course completion; (b) monitor and verify student progress and performance in each course through regular, proctored assessments and submissions of coursework; and (c) conduct parent-teacher conferences.</p>
North Carolina	2	1	0	1	<p>NC HB 644 (pending): Relates to the definition of a remote academy as a public school that provides a majority of instructional hours through remote instruction to all students enrolled in the school. Remote instruction is instruction that primarily uses technology to deliver instructional content over the internet to students in a remote location both synchronously and asynchronously.</p> <p>NC HB 196 (enacted): Permits the two virtual charter schools participating in the pilot program to increase student enrollment for the 2020-2021 school year and 2021-2022 school year only as follows: (i) North Carolina Cyber Academy shall be permitted to increase its enrollment by 1,000 students and (ii) North Carolina Virtual Academy shall be permitted to increase its enrollment by 2,800 students.</p>
North Dakota	1	1	0	0	<p>ND HB 1388 (enacted): Relates to school district Virtual learning policy. The board of a school district or governing board of a nonpublic school that operates a physical school plant may adopt a policy to allow students to engage in virtual instruction and in the case of a school district, qualify for average daily membership in the district. The superintendent of public instruction shall adopt rules governing policies under this section.</p>
Nebraska	1	0	1	0	<p>NE LR 182 (failed): Mandates that the Education Committee of the Legislature shall be designated to conduct an interim study to examine the school enrollment options available to students,</p>

					including virtual learning and distance education, and how these options influence public school enrollment decisions.
Nevada	3	1	2	0	<p>NV SB 215 (enacted): Permits schools and districts to apply to operate a distance education program. Defines distance education to include synchronous and asynchronous instruction. Requires schools and districts to include the means for ensuring student access to technology in their plan. Outlines a process for community engagement in and timeline for distance education program plan development.</p> <p>NV AB 206 (failed): Provides that a pupil whose parent or guardian is a member of the Armed Forces of the United States and who receives orders to relocate to this State but has not yet relocated, is eligible for enrollment in a full-time program of distance education.</p> <p>NV AB 329 (failed): Authorizes a pupil to enroll in a program of distance education provided by a school district in which the pupil does not reside.</p>
Ohio	2	2	0	0	<p>OH HB 244 (enacted): Requires school districts and other public schools to permit children of military families to participate in technology-based educational opportunities to minimize disruptions when those students' families receive permanent change of station orders to and from the state to transition from one military installation to another.</p> <p>OH HB 110 (enacted): Permits school districts, with the approval of the Superintendent of Public Instruction, to operate a school using an online learning model and prescribes requirements for such districts. Requires the State Board to revise operating standards for school districts to include prescribed standards for the operation of online learning models. Prohibits a student disenrolled from a virtual charter school from enrolling in the same school for the rest of the school year. For funding purposes, the department shall reduce the full-time equivalence proportionally for any student in an online learning school who participates in less than nine hundred ten hours per school year.</p>
Oklahoma	6	1	5	0	<p>OK SB 69 (enacted): Allows for a student to be eligible to enroll in a statewide virtual charter school if he or she is a student whose parent or legal guardian is transferred or is pending transfer to a military installation within this state while on active military duty pursuant to an official military order.</p> <p>OK HB 2966 (failed): Mandates that a statewide virtual charter school shall receive the State Aid allocation and any other state-appropriated revenue generated by students enrolled in the virtual charter school for the applicable year, less up to three percent (3%) of the State Aid allocation, which may be retained by the Statewide Virtual Charter School Board for administrative expenses and to support the mission of the Board.</p> <p>OK HB 2753 (failed): Relates to abolishing the Statewide Virtual Charter School Board. On July 1, 2021, all duties, powers, liabilities, and property of the Statewide Virtual Charter School Board shall be transferred to the Commission for Educational Quality and Accountability. Except as otherwise provided for in this section, the transfer shall include all real property, buildings,</p>

					<p>furniture, equipment, supplies, records, personnel, assets, current and future liabilities, fund balances, encumbrances, obligations and indebtedness associated with the Statewide Virtual Charter School Board.</p> <p>OK HB 665 (failed): Establishes that beginning with the 2023-2024 school year, for-profit management organizations or other for-profit business entities shall not be eligible to apply for, receive or renew a statewide virtual charter school application or contract.</p> <p>OK SB 630 (failed): Establishes that upon notice that a public school student has expressed an intent to enroll in a virtual charter school, the resident school district of the student may deny the transfer if the resident district offers a full-time virtual education program that is equal in scope and content to the virtual charter school to which a transfer is being sought.</p> <p>OK HB 1595 (failed): Relates to prescribing penalty for untimely transmission of student records, when a public school student wishes to enroll in a virtual charter school. Failure to transmit student records within three school days shall result in a penalty to be determined by the State Department of Education.</p>
Pennsylvania	8	0	8	0	<p>PA HB 1685 (failed): Requires the department of education to create a standard cyber charter application form for cyber charter school applicants seeking to establish a cyber charter school entity, a standard cyber charter renewal form for existing cyber charter school entities seeking renewal of the entity's charter and a standard cyber charter amendment application for existing cyber charter school entities seeking to amend the entity's approved written charter agreement.</p> <p>Beginning in the 2022-2023 school year and each school year thereafter, the Commonwealth shall pay to each school district with resident students enrolled in a charter school entity an amount equal to thirty percent (30%) of the total funding required under section 1725-A(a).</p> <p>PA HB 1635 (failed): Relates to funding for charter schools and cyber charter schools. At the end of each fiscal year, each charter school and cyber charter school shall prepare an accounting, on a form specified by the department, of special education expenditures and special education funds from each school district. If the form under this clause shows a balance of special education funds in excess of special education expenditures for the school district, the charter school and cyber charter school shall return the balance to the school district.</p> <p>PA HB 1688 (failed): Mandates that the Department of Education conduct a comprehensive statewide costing-out study of charter schools and cyber charter schools in this Commonwealth. The department may hire or retain consultants as necessary to assist in the performance of the department's duties under this section.</p> <p>PA HB 358 (failed): Allows for charter schools, regional charter schools and cyber charter schools to have the power and authority to enter into a concurrent enrollment agreement with an institution of higher education, and appropriate credit shall be awarded to students concurrently enrolled under the agreement.</p>

					<p>PA HB 1143 (failed): Defines an online school as a non-cyber charter with at least one office located in this Commonwealth which uses technology in order to provide a significant portion of its curriculum and to deliver a significant portion of instruction to its students through the Internet or other electronic means.</p> <p>PA HB 1074 (failed): Relates to full tuition charge if a student enrolls in a cyber charter where an existing online program already exists. If the student chooses to enroll in a cyber charter school, the student or the student's parent or guardian shall be responsible to pay the cyber charter school a per-student amount calculated in the manner provided under section 1725-A(a)(2) and (3). The payments shall be made to the cyber charter school in twelve (12) equal monthly payments, by the fifth day of each month, within the operating school year. A student enrolled in a cyber charter school under this clause shall not be included in the average daily membership of the student's school district of residence for the purpose of providing basic education funding payments and special education funding pursuant to Article XXV.</p> <p>PA HB 197 (failed): Relates to cyber charter audits by Auditor General. Cyber charter schools, including cyber charter management companies and other entities that operate cyber charter schools, whether for-profit or not-for-profit, shall be subject to audit by the Auditor General.</p> <p>PA HB 154 (failed): Relates to cyber charter school attendance reporting. On a form developed by the department and beginning in the 2021-2022 school year, a cyber charter school shall report, on a weekly basis, the attendance of each student for the preceding week to the school district of residence.</p>
Rhode Island	1	0	1	0	<p>RI SB 553 (failed): Allows for the commissioner of elementary and secondary education to deem a military-connected student, whose parent or guardian is being relocated to the state under military orders and is transferred to or is pending transfer to a military installation within the state, a resident of this state and the applicable local school system, for the entirety of the school year and promulgate regulations to effectuate the purposes of this section.</p>
Tennessee	1	0	1	0	<p>TN SB 703 (failed): Requires that a virtual school comply with the class size and caseload requirements for special education established by the state board of education. The chief administrator of a virtual school shall review the student caseloads for each teacher employed by the school and shall consult with each teacher when determining class size and student caseloads to ensure that the teacher can meet the needs of students, including students with disabilities, as required by the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), and the students' individualized education program (IEP), if applicable.</p>
Texas	6	2	4	0	<p>TX SB 15 (enacted): Relates to teachers and virtual instruction. A teacher may not provide instruction for a virtual course offered under a full-time local remote learning program unless the teacher has completed a professional development course on virtual instruction. A district or school may not directly or</p>

					<p>indirectly coerce any teacher to agree to an assignment to teach a full-time local remote learning program. A school district or open-enrollment charter school may not require a teacher to provide both virtual instruction and in-person instruction for a course during the same class period.</p> <p>TX HB 3643 (enacted): Establishes the Texas Commission on Virtual Education and requires the Commission to develop and make recommendations regarding the delivery of virtual education in the public school system and state funding for virtual education under the Foundation School Program.</p> <p>TX SB 27 (failed): Establishes that a student enrolled in a full-time virtual program operated by a school district or charter school who does not reside in the district or the geographic area served by the charter school may not be counted toward the district's or charter school's average daily attendance for purposes of an allotment.</p> <p>TX SB 1695 (failed): Relates to a full-time online program. A school district or open-enrollment charter school may operate a full-time online program through the state virtual school network if the district or school is eligible to act as a course provider under Section 30A.101.</p> <p>TX HB 3265 (failed): Allows a school district or open-enrollment charter school to establish an online learning program to offer electronic courses that satisfy the curriculum requirements under Section 28.002 to students enrolled in any grade level from kindergarten through grade 12 at a campus of the district or school. A school district or open-enrollment charter school may calculate the average daily attendance of a student enrolled in the program based on: (1) hours of contact with the student; (2) the student's successful completion of a course.</p> <p>TX SB 1389 (failed): Relates to Foundation School Program Funding. A school district is entitled to funding under Chapter 48 for a student enrolled in a remote learning program in the same manner that the district is entitled to funding for the student's enrollment in a traditional classroom setting, provided that the student successfully completes the remote learning instruction or course.</p>
Wisconsin	2	2	0	0	<p>WI SB 109 (enacted): Establishes that in the 2021-22 school year, a pupil may attend a fully virtual option in a nonresident school district under s. 118.51. A fully virtual option is considered to be located in a school district if a school board offers the fully virtual option in the school district, governed by the school board, or if a charter school offers the fully virtual option, in the school district in which the charter school is located.</p> <p>WI SB 110 (enacted): Exempts applications for open enrollment to virtual charter schools from the limit on the number of open enrollment applications per student. Applications may be submitted to no more than three nonresident school boards in any school year. For purposes of determining whether applications have been submitted to more than three nonresident school boards, the department may not count an application submitted to a nonresident school board for a pupil to attend a virtual charter school.</p>

<b>Total</b>	<b>44</b>	<b>13</b>	<b>27</b>	<b>4</b>	
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## 2021 Virtual School Legislation Related to COVID-19 Summary

State	Bills	Enacted	Failed	Pending	Bill Summary
Hawaii	1		1		HI HR 73-2021 (failed): Acknowledges that the unprecedented investment in distance learning equipment and training due to the COVID-19 pandemic has created innovative opportunities for students to enroll in distance learning courses across multiple schools.
Illinois	1			1	IL SB 2575 (pending): Requires that during a school year in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the report cards for the school districts and each of its schools shall be prepared by December 31.
Maine	1		1		ME HP 310 (failed): Provides for School Choice and Online Learning Opportunities in Response to the COVID-19 Pandemic. Removes the limits on virtual public charter school enrollment and the number of public charter schools that may operate. It also removes the prohibition on the expansion of a virtual public charter school to serve a grade level not included in the school's charter contract.
Michigan	1			1	MI SB 664 (pending): Provides that for the 2021-2022 school year only, the consent of the pupil's parent or legal guardian and the development of an education development plan for the pupil as described in subsection are not required for the enrollment of a pupil in a virtual course if the pupil is in quarantine pursuant to an order, notice, recommendation, instruction, or directive issued by the local health department, and any of the following apply to the pupil: (a) The pupil has tested positive for COVID-19. (b) The pupil is displaying symptoms of COVID-19. (c) The pupil has been in close proximity to an identified cluster within a classroom.
Nevada	1		1		NV SB 173 (failed): Authorizes the board of trustees of each school district and the State Public Charter School Authority to submit to the Superintendent of Public Instruction a plan to address loss of learning that occurred as a result of the COVID-19 pandemic.
North Carolina	2	2			<p>NC SB 105 (enacted) Requires \$36,000,000 be held in a reserve by the Department to be allocated to public school units as grants to support COVID-19 related needs during the instructional year, including after-school and before-school programs that incorporate supplemental in-person instruction to address learning loss and provide enrichment activities. Additionally, \$36,000,000 is to be held in a reserve to be allocated to public school units as grants to support COVID-19 related needs during the summer, including in-person instruction to address learning loss and provide enrichment activities.</p> <p>NC HB 196 (enacted): Allocates \$150,000,000 for the Extended Learning and Integrated Student Supports Competitive Grant Program to fund extended learning and student support service programs for students from low-income households whose learning has been negatively affected by COVID-19.</p>



State	Bills	Enacted	Failed	Pending	Bill Summary
Rhode Island	1		1		RI HB 5834 (failed): Relates to learning loss and expands access for all students to education programs offered in the district, with a focus on students who have become disengaged in education during the COVID-19 pandemic. These strategies may include Pre-K program recruitment, enriched virtual learning programs, and enrichment opportunities for high school students.
Tennessee	1		1		TN SB 1427 (failed): Require each LEA serving students in grades nine through twelve (9–12) and public charter high schools to implement a computer science course and content plan by the 2024-2025 school year. A course and content plan developed pursuant to this section must include a wide array of computer science course options. The department shall establish a waiver process for LEAs and public charter schools demonstrating a need, as a result of the COVID-19 pandemic, for additional time to comply with implementing a course and content plan under this section.
Texas	1		1		TX HB 140 (failed): Appropriates \$81,000,000 to bolster online learning capabilities and address student learning deficiencies resulting from the COVID-19 pandemic.
Vermont	1	1			VT H 439 (enacted): Appropriates \$3,000,000 to address academic needs related to remote learning and supports, including addressing student loss, supporting student engagement, and providing learning enrichment opportunities.
<b>Total</b>	<b>11</b>	<b>3</b>	<b>6</b>	<b>2</b>	

**Appendix III-B**  
**2022 Virtual School Legislation Summary**

State	Bills	Enacted	Failed	Pending	Bill Summary
Alabama	1	0	1	0	AL HB 506 (failed): Expands virtual education to include grades K–12 and allows enrolled students to attend any Alabama public virtual school operating in the state. Requires a full-time student enrolled in a virtual program for which he or she is not zoned to be enrolled and counted in the average daily membership of the local school that he or she is attending virtually.
Arizona	2	0	2	0	AZ HB 2426 (failed): Requires the auditor general to conduct a cost study of Arizona online instruction in this state. Appropriates \$150,000 to study several costs, including the money that follows online students to their school of attendance.  AZ SB 1518 (failed): Directs online course providers and online schools to report to the department of education several metrics around course enrollment, completion, and student performance.
Florida	7	2	5	0	FL HB 5003 (enacted): Increases conditional approval for virtual providers from one to two years.  FL HB 1193 (failed): Mandates participation in the coordinated screening and progress monitoring system for all K–12 public-school students receiving full-time instruction by the Florida Virtual School.  FL HB 1533 (failed): Allows the Florida Virtual School to be funded for blended learning through the Florida Education Finance Program for full-time students enrolled in the Florida Virtual School Justice Education Program.  FL HB 229 (failed): Requires students and parents be informed of certain acceleration, academic, and career planning options as part of the Florida Virtual School of Justice Education Program.  FL SB 2524 (enacted): Establishes provider accountability, requiring approved virtual instruction program providers to receive a district grade and limits the enrollment of full-time virtual students residing outside of the school district.  FL SB 1226 (failed): Requires full-time equivalent students enrolled in a blended learning program to be reported to the Department of Education and must be funded through the Florida Education Finance Program.  FL SB 980 (failed): Removes requirement that all virtual instructional staff to be Florida-certified teachers.
Georgia	1	1	0	0	GA HB 1215 (enacted): Repeals the requirement for an annual report on virtual charter schools, that included academic performance, financial data, and governance data provided by the Department of Audits and Accounts.

Hawaii	1	0	1	0	HI HB 2126 (failed): Appropriates funds for 2021-2022 to build a virtual school to allow for distance learning and to be expended by the department. Funds include renovations and electrical upgrades for virtual learning.
Idaho	2	1	1	0	ID H 788 (enacted): Requires the Idaho Digital Learning Academy to utilize state funds to keep tuition charged for courses to school districts and charter schools at or below \$75 per enrollment, provide remedial coursework to students below proficiency in one or more areas of state assessments, and provide advanced coursework opportunities, including dual credit courses.  ID H 691 (failed): Adds blended learning programs (in addition to computer education and distance learning) to the LEA's calculation of average full-time enrollment for the purposes of acquiring and maintaining technology. Online or distance learning courses instructional time shall be based on the identified in-person instructional time when an LEA offers a course in person and online through distance learning format.
Kansas	4	0	4	0	KS HB 2512 (failed): Provides virtual school state aid for credit deficient students, including students who are 19 years of age or younger who enroll in a virtual school as a dropout diploma completion virtual student.  KS HB 2602 (failed): Provides an alternative calculation of graduation rates for virtual schools based on students' earned credits at the time of enrollment in the virtual school.  KS HB 2649 (failed): Prohibits virtual schools from offering or providing any financial incentive for a student to enroll in a virtual school.  KS SB 499 (failed): Increases the amount of virtual school funding for students enrolled in the virtual school who are 19 years of age or under.
Kentucky	1	0	1	0	KY HB 703 (failed): Transitions the school funding model from using average daily attendance to average daily membership, which applies to virtual and online programs.
Louisiana	1	1	0	0	LA HB 1 (enacted): Appropriates \$250,000 for other positions within the Louisiana Virtual School Appropriations Act.
Massachusetts	1	0	0	1	MA H 107 (pending): Directs the board to require virtual schools to have evidence of appropriately entering into data processing agreements with third-party software and internet providers and whether the virtual school has provided students with safe and secure technology.
Maryland	3	0	3	0	MD HB 1163 (vetoed): Directs the state department of education to study virtual education best practices in consultation with current public school teachers, administrators, academic experts, and state and national experts in online education. Allows the department to authorize a county board's establishment of one virtual school with final approval from the state board. Prohibits districts from contracting with a for-profit entity to operate the virtual school. Limits enrollment in a virtual school to no more than 10% of the

					<p>students from a single public school in the county. Requires applications to enroll in a virtual school to include an explanation of why the virtual environment is needed or preferred. Requires teacher preparation programs to include certain training related to teaching in a virtual learning environment as a component of instruction. Requires the SEA to develop regulations for the program that include a mandatory return to in-person instruction for students not meeting standards.</p> <p>MD HB 805 (failed): Allows a county board of education or public institute of higher education to establish a statewide virtual school. Public institutions may only offer a virtual school if they offer a teacher education program. Prohibits a virtual school from enrolling more than 1% in the county or charge any fees to enroll in the virtual school. Virtual schools are exempt from state policies related to academic year time requirements, attendance, curriculum, class size, <u>instruction</u>, <u>staffing ratios</u>, <u>professional development</u>, and textbooks.</p> <p>MD HB 848 (failed): Authorizes virtual learning programs as part of public charter schools to require students to meet attendance requirements and requirements for equipment, materials, telephone, and internet service. Staff members of any virtual learning program of a public charter school shall be subject to the same certification requirements established for professional staff of other public schools.</p>
Michigan	2	1	0	1	<p>MI SB 845 (enacted): Requires pupils enrolled in a cyber school to participate in each scheduled course. Lists criteria pupils must meet to satisfy participation requirements.</p> <p>MI HB 5939 (pending): Establishes enrollment conditions under which a pupil's parent/guardian is a member of the United States Armed Forces.</p>
Missouri	4	1	2	1	<p>MO HB 1552 (enacted): Requires the department of education to publish an annual report that provides reasons for participation in virtual programs and disaggregated data by student demographics. Requires students enrolled in the Missouri Virtual School to be included in the student enrollment of the school district in which the student is enrolled provided that any such student attendance for full-time virtual program. Redirects responsibility from the department to the virtual school to monitor individual student success and engagement in the program and requires regular student progress reports to be provided to the school district or charter school and provide the host and resident school district with ongoing access to academic and other relevant information.</p> <p>MO HB 1492 (failed): Authorizes school districts to develop a virtual program for any grade level. School districts and charter schools will receive state school funding for resident students enrolled in the district who are taking a virtual course or full-time virtual program offered by the district. Establishes that a student enrolled in a district or charter virtual class will count as 95% of the hours possible for such class nonvirtual.</p> <p>MO HB 3002 (pending): Appropriates \$1,089,778 for the Virtual Schools Program, including a statewide, competitive-bid</p>

					<p>virtual education program developed by a public K–12 institution from the general and lottery funds.</p> <p>MO SB 648 (failed): Allows any student to enroll in the Missouri course access and virtual school program or MCAVSP.</p>
Mississippi	2	0	2	0	<p>MS HB 781 (failed): Creates the Digital Access Learning and Virtual Instruction Program Act of 2022. Requires all public school districts and public charter schools to provide opportunities for all students in K–12 for participation in part-time and full-time digital access learning or virtual instruction program options by 2023-2024.</p> <p>MS HB 795 (failed): Creates the Digital Learning in the Classroom Pilot program and the Virtual Public School Pilot program.</p>
North Carolina	2	1	0	1	<p>NC HB 103 (enacted): Mandates that remote academies provide certain resources to enrolled students. Authorizes remote academies to require in-person participation for state-mandated student assessments and graduation requirements. Requires the state board to evaluate the success of remote academies. Authorizes local school administrative units to apply to the state board for approval of remote academies.</p> <p>NC HB 1079 (pending): Appropriates \$3 million from the General Fund to the Department of Public Instruction for the 2022-2023 fiscal year to offset the costs for local administrative units and charter schools to remove barriers to student participation in North Carolina Virtual Public Schools. Requires funds to be allocated with a priority to cover the costs of courses for students enrolled in public schools located in low-wealth counties.</p>
Nebraska	1	0	1	0	<p>NE LB 153 (failed): Requires virtual school students be included in the calculation of aid under the Tax Equity and Educational Opportunities Support Act.</p>
New Jersey	1	0	0	1	<p>NJ S 2320 (pending): Establishes the Safe and Equitable Remote Learning Pilot Program in the department of education to support provision of remote learning safe havens by certain school districts.</p>
New Mexico	1	0	1	0	<p>NM HJR 11 (failed): Allows the state to provide public school funds to parents whose school-age children attend a variety of different schools, including a private nondenominational elementary or secondary virtual school.</p>
Ohio	1	1	0	0	<p>OH SB 166 (enacted): Requires the state board of education to permit the approved career and technical education programs to provide remote or digital learning opportunities to students on a full-time or hybrid basis.</p>
Oklahoma	4	1	3	0	<p>OK SB 1238 (enacted): Permits interdistrict transfer students to enroll in their receiving school district’s full-time virtual education program. Requires districts with full-time virtual education programs to adopt policies for determining the number of transfer students their virtual programs have the capacity to receive.</p>

					<p>OK HB 3645 (failed): Modifies attendance requirements for virtual charter school alternative education programs.</p> <p>OK HB 4208 (failed): Allows virtual charter school students to participate in certain extracurricular activities at their resident schools.</p> <p>OK SB 1621 (failed): Creates the Statewide Charter School Board where virtual charter school applicants must complete a training provided by the board.</p>
Oregon	1	0	1	0	OR HB 4119 (failed): Removes requirement that student must receive approval from resident school district before enrolling in virtual public charter school not sponsored by school district if specified percentage of students in school district already are enrolled in virtual public charter schools not sponsored by school district.
Pennsylvania	1	0	1	0	PA SB 1 (failed): Prohibits paid media advertisements by a public school entity from referring to the cost of tuition and other services and expenses as free and must stipulate cost is covered by taxpayer dollars. Prohibits charter school administrators from receiving compensation from another charter school. Prohibits participation as a board of trustees voting member if a family member receives compensation from the local school board involved with charter school governance. Requires payments to be adjusted for cyber charter schools enrolling nonspecial education students. Requires charter school entities to form an independent audit committee of its board of trustees members which shall review at the close of each fiscal year a complete certified audit of the operations of the charter school entity.
Tennessee	1	1	0	0	TN HB 2553 (enacted): Mandates that adult high schools providing virtual instruction to students must satisfy the instructional time requirements established for adult high schools by the state board of education and specifies that the provision of virtual instruction must be in accordance with the Virtual Public Schools Act.
Texas	2	0	0	2	<p>TX HB 681 (pending): Allows a teacher candidate to satisfy certification requirements through an internship that provides the candidate employment as a teacher for courses offered through a local remote learning program or the state virtual school network.</p> <p>TX HB 710 (pending): Authorizes school districts or open-enrollment charter schools intending to operate a full-time online program to pay to the agency a one-time fee to ensure adequate support.</p>
Vermont	1	0	1	0	VT H 468 (failed): Establishes a remote learning pilot program where students enrolled in a CTE program could complete the student's non-CTE coursework through a partnership with the Vermont Virtual Learning Cooperative.
Wisconsin	6	1	5	0	WI SB 828 (enacted): Permits the online provider to extend the online early learning pilot program to children from low-income households who reside in school districts other than those included in the original pilot program after giving first

					<p>preference to children from low-income households who reside in the original pilot school districts.</p> <p>WI AB 1 (failed): Requires a school board to permit a pupil who resides in the school district and is enrolled in a home-based private educational program or a virtual charter school to participate in interscholastic athletics in the school district.</p> <p>WI AB 118 (failed): Allows a pupil to attend a fully virtual option in a nonresident school district in the 2021-22 school year.</p> <p>WI AB 119 (failed): Prohibits the department from counting an application submitted to a nonresident school board for a student to attend a virtual school when determining whether an application has been submitted to three or more nonresident school boards.</p> <p>WI AB 383 (failed): Considers the method by which educational programming (including virtual instruction) was delivered during the 2020-21 and 2021-22 school years to be an extenuating circumstance that justifies the pupil transferring schools in an interscholastic athletic association.</p> <p>WI AB 62 (failed): Allows a pupil who attends a virtual charter school to participate in interscholastic athletics and extracurricular activities in the pupil's resident school district.</p>
West Virginia	1	0	1	0	WV HB 2576 (failed): Creates the Virtual Public Schools Act, establishing virtual schools as independent public schools, outlining accountability and evaluation expectations, and what instructional resources must be supplied to families.
<b>Total</b>	<b>55</b>	<b>12</b>	<b>36</b>	<b>7</b>	

## 2022 Virtual School Legislation Related to COVID-19 Summary

State	Bills	Enacted	Failed	Pending	Bill Summary
California	1	1	0	0	CA AB 182 (enacted): Establishes the California Community College COVID-19 Recovery Block Grant to provide professional development and prepare and support faculty to develop online instructional capabilities in response to COVID-19.
Maryland	1	0	1	0	MD HB 1163 (failed): Required mental health supports to be provided to school personnel during prolonged periods of school closure resulting in a transition to virtual instruction.
Minnesota	1	0	1	0	MN SF 2822 (failed): Outlines “crisis online learning” for pandemics or natural disasters, detailing what should be included in a crisis learning plan adopted by the school board, including teacher instructions, access to broadband, accessibility for students with disabilities.
New Jersey	2	0	0	2	<p>NJ A 3300 (pending): Requires the commissioner to allow districts to apply 1 or more days of virtual or remote instruction provided to students during a declared state of emergency or health emergency on days where school was closed if the virtual or remote instruction meets criteria established by the commissioner.</p> <p>NJ S 2320 (pending): Establishes the Safe and Equitable Remote Learning Pilot Program in the department of education to support provision of remote learning safe havens by certain school districts. If an eligible district establishes 1 or more of the remote learning safe havens after the public health emergency order expired, they may continue to use these facilities for before or after school activities.</p>
Rhode Island	1	0	0	1	RI HB 7284 (introduced): Appropriates \$250 million in federal ESSER funds to address academic deficiencies created by COVID-19. Creates an online education system where students have access to professional produced content that can be individualized.
West Virginia	1	0	1	0	WV HB 4699 (failed): Creates the Learning Loss Mitigation Program which grant funds include use for online learning materials and access to broadband internet.
<b>Total</b>	<b>7</b>	<b>1</b>	<b>3</b>	<b>3</b>	