



**State of Tennessee**  
**PUBLIC CHAPTER NO. 492**

**HOUSE BILL NO. 1030**

**By Representatives Harry Brooks, Holt, Maggart**

**Substituted for: Senate Bill No. 874**

**By Senators Gresham, Johnson**

AN ACT to amend Tennessee Code Annotated, Title 49, relative to virtual schools.

WHEREAS, meeting the educational needs of children in our state's schools is of the greatest importance to the future welfare of Tennessee; and

WHEREAS, closing the achievement gap between high-performing students, including the gap between minority and non-minority students and between economically disadvantaged students and their more advantaged peers, is a significant and present challenge; and

WHEREAS, providing a broader range of educational options to parents and utilizing existing resources, along with technology, may help students in our state improve their academic achievement; and

WHEREAS, many of our school districts currently lack the capacity to provide other public school choices for students whose schools are low performing; now, therefore,

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:**

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 16, is amended by adding the following as a new part 2:

49-16-201. This part shall be known and may be cited as the "Virtual Public Schools Act".

49-16-202. The purpose of this part is to provide an LEA with an alternative choice to offer additional educational resources in an effort to improve academic achievement.

49-16-203. As used in this part, unless the context otherwise requires:

(1) "Establisher" means an LEA; and

(2) "Virtual school" means a public school in which the school uses technology in order to deliver a significant portion of instruction to its students via the Internet in a virtual or remote setting.

49-16-204. Virtual schools may be established by an LEA. A virtual school shall be a public school and shall be provided resources as any other public school in the state.

49-16-205. A virtual school shall provide each student enrolled in the school:

(1) Access to a sequential curriculum that meets or exceeds the curriculum standards adopted by the state board of education. The sequential curriculum shall have an interactive program with significant online components;

(2) The same length of time for learning opportunities per academic year that is required under § 49-6-3004 for public school students; provided, however, that a student, at the student's own pace, may demonstrate mastery or completion of a course or subject area and be given credit for the course or subject area; and

(3) Regular assessment in language arts, math, science and social studies.

49-16-206. For each family with a student enrolled, the virtual school shall:

(1) Provide instructional materials;

(2) Ensure access to necessary technology such as a computer and printer; and

(3) Ensure access to an Internet connection used for schoolwork.

49-16-207. Virtual schools shall not provide assistance to students or families to purchase instructional programs or materials. Nothing in this section shall prohibit virtual schools from reimbursing families for costs associated with their Internet connection for use in the virtual school program.

49-16-208. Each teacher employed at a virtual school shall be qualified to teach in this state under existing law

49-16-209. Nothing in this part shall preclude the use of computer-based and Internet-based instruction for students in a virtual or remote setting.

49-16-210. A virtual school shall maintain an administrative office within the state. This office shall be considered its principal place of business.

49-16-211. Any student who is eligible for enrollment in a public school in this state may enroll in a virtual school as either a full-time virtual school student or as a part-time virtual school student taking some of the student's courses through the virtual school. An LEA is authorized to charge tuition to any person not enrolled in a public school within the LEA for attendance in an LEA established virtual school.

49-16-212. In order to encourage collaboration among LEAs, a virtual school is authorized to operate according to the authority granted by the Educational Cooperation Act compiled in chapter 2, part 13 of this title.

49-16-213. A virtual school shall be evaluated annually by its establisher based on the following criteria:

(1) The extent to which the school demonstrates increases in student achievement according to the goals of its authorizing contract and state academic standards; and

(2) The accountability and viability of the virtual school, as demonstrated by its academic, fiscal and operational performance.

49-16-214. An establisher may contract for services with nonprofit and for-profit entities in the operation and management of the virtual school.

SECTION 2. The state board of education shall promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.


SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it and is hereby repealed on June 30, 2015.

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PASSED: May 21, 2011

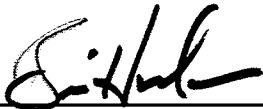


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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



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RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 16<sup>th</sup> day of JUNE 2011



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BILL HASLAM, GOVERNOR