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## SENATE BILL NO. 1590

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Education and Health  
on January 24, 2019)

(Patron Prior to Substitute—Senator Dunnavant)

A BILL to amend and reenact § 22.1-212.2 of the Code of Virginia, relating to Virtual Virginia.

**Be it enacted by the General Assembly of Virginia:****1. That § 22.1-212.2 of the Code of Virginia is amended and reenacted as follows:****§ 22.1-212.2. Virtual Virginia.**

From such funds as are appropriated, the Department of Education (*the Department*) shall establish a statewide electronic classroom an online learning program to be known as the Virtual Virginia Program. Virtual Virginia shall be made available to every public high school in Virginia.

The Department shall utilize a learning management system and may utilize the services of the Commonwealth's educational television stations and other providers, as well as any other appropriate technology for the purposes of implementing Virtual Virginia.

The services of this program shall be limited to educational purposes. Educational purposes shall include, but not be limited to, instruction in subject areas that are not available in all schools and in-service training for instructional, administrative, and support personnel.

The Department may contract with one or more local school boards that have created online courses to make one or more such courses available to other school divisions through the Virtual Virginia Program. The Department shall approve all courses offered through Virtual Virginia, including those made available by local school boards to other school divisions. A school board that makes one or more of its online courses available to other school divisions through Virtual Virginia (i) shall not be considered a multidivision online provider pursuant to § 22.1-212.23 and (ii) may charge a per-course or per-student fee to school divisions to defray the costs of developing the course and providing course instruction using teachers employed by the offering school board. The Department shall approve any such fee schedule before a school board offers any such online courses through Virtual Virginia.

*The Department may charge a per-student fee to school divisions for each student enrolled in a Virtual Virginia course beyond an initial allotment of 15 such students per school division. The Department shall not limit the total number of such students by school division. The Department shall not charge school divisions for access to course materials.*

The Department shall establish the Virtual Learning Advisory Committee, which shall consist of one superintendent or his designee from each of the eight superintendent's regions, the Superintendent of Public Instruction or his designee, and such other members as the Department deems appropriate, not to exceed three additional members. The contractor that manages Virtual Virginia shall serve as a nonvoting ex officio member. The Committee shall advise the Department on (i) (a) online courses, in-service training, and digital instructional resources that school divisions need to meet the Commonwealth's graduation requirements and (ii) (b) strategic planning to expand blended and online learning opportunities in Virginia's public schools, including cost-effective access to high-need and low-demand courses, training, content, and digital resources.

*The Department shall annually report on the Virtual Virginia Program including student outcomes to the Chairmen of the House Committees on Appropriations and Education and the Senate Committees on Finance and Education and Health. Such report shall align, to the extent possible, with the information that is presented in the Board's school quality profiles. The Department shall provide such report for the previous school year by November 1 of each year.*