



**Kansas Legislative Research Department**

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**To:** 2021 Special Committee on Education

**From:** Norma Volkmer, Fiscal Analyst

**Re:** Virtual Schools

## **VIRTUAL SCHOOL**

During the 2019-2020 and 2020-2021 school years (SY), many schools across the country shifted to learning online. Such an educational method would not be considered virtual schooling in Kansas; rather it was referred to as remote learning. Virtual schools predated the COVID-19 pandemic in Kansas and are governed by the Virtual School Act (VSA),<sup>1</sup> which is discussed below.

In HB 2134, the 2021 Legislature codified remote learning as an educational method “in which the student, although regularly enrolled in a school district, does not physically attend the attendance center such student would otherwise attend in person on a full-time basis and curriculum and instruction are prepared, provided and supervised by teachers and staff of such school district to approximate the student learning experience that would take place in the attendance center classroom.” HB 2134 further provides certain allowances for remote learning for schools and students, requires school districts track and report students enrolled in remote learning, and sets remote enrollment funding at \$5,000 should a student or students exceed remote learning allowances.

Under the VSA, which was passed by the 2008 Legislature, a “virtual school” is defined to mean any school or education program that:

- Is offered for credit;
- Uses distance-learning technologies that predominantly use internet-based methods to deliver instruction;
- Involves instruction that occurs asynchronously with the teacher and pupil in separate locations;
- Requires the pupil to make academic progress toward the next grade level and matriculation from kindergarten through high school graduation;

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<sup>1</sup> KSA 2020 Supp.72-3711 through 72-3715.

- Requires the pupil to demonstrate competence in subject matter for each class or subject in which the pupil is enrolled as part of the virtual school; and
- Requires age-appropriate pupils to complete state assessment tests.

Additionally, the VSA requires school districts to provide adequate training to teachers who teach in virtual schools or virtual programs. Under the VSA, a school district is entitled to receive Virtual School State Aid for each school year the district operates a virtual school, as follows:

- \$5,000 for each full-time student who was 19 years of age or younger;
- Multiply the FTE enrollment of part-time students who were 19 years of age or younger by \$1,700; and
- \$709 for each one-hour credit course, not to exceed six credit courses per school year, completed by students above the age of 19.

Prior to amendments by the 2017 Legislature, state aid was determined by the enrollment status of a pupil who was 18 years of age or younger (full-time or part-time) or the number of one-hour credit courses completed by pupils above the age of 18. For SY 2016-2017, the state aid schedule was as follows:

- \$5,000 for each full-time pupil who was 18 years of age or younger;
- Multiply the FTE enrollment of part-time pupils who were 18 years of age or younger by \$1,700; and
- \$933 for each one-hour credit course completed by pupils above the age of 18.

A full-time student is defined as a student who attends a virtual school for no less than six hours per school day. A part-time student is a student who attends a virtual school for less than six hours. Out-of-state students enrolled in Kansas virtual schools cannot be counted in the FTE enrollment of virtual schools and, therefore, school districts would not receive state aid for out-of-state students. Students attending both non-virtual school and a virtual school could be counted as part of the weighted student funding formula as that proportion of one pupil, rounded to the nearest tenth, that the student's attendance at the non-virtual school bears to full-time attendance. Virtual School State Aid must be deposited in a school district's virtual school fund and expenses for the operation of the virtual school must be paid from that fund. Virtual School State Aid is excluded from the amount of Total Foundation Aid used in calculating a school district's Local Option Budget.

The table below includes the enrollment and funding data published by the Kansas State Department of Education for the last five school years.

Enrollment	Virtual School Aid					
	SY 2017	SY 2018	SY 2019	SY 2020	SY 2021	SY 2022
FTE Full-Time	4,954.0	5,383.0	5,637.0	5,658.0	9,932.0	9,372.0
FTE Part-Time	917.0	846.1	913.4	1,051.0	1,389.3	1,115.2
Credits (19+)	4,562.2	3,505.8	3,295.8	2,743.3	5,413.0	5,609.0
<b>Total Funding</b>	<b>\$ 30,585,447</b>	<b>\$ 30,838,957</b>	<b>\$ 32,074,481</b>	<b>\$ 32,021,674</b>	<b>\$ 55,859,638</b>	<b>\$ 52,732,623</b>