

Policy IGCD: VIRTUAL COURSES

Status: DRAFT

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24D UPDATE EXPLANATION

MSBA has updated this policy to reflect changes made to the law by Senate Bill 727 (2024) and in Department of Elementary and Secondary Education (DESE) regulations pertaining to the Missouri Course Access and Virtual School Program (MOCAP).

The most substantive changes in the law were to the section regarding approving or denying enrollment in a virtual course. The DESE regulations specify that districts cannot deny enrollment in a MOCAP course simply because district staff members prefer a different program or do not approve of virtual learning. The regulations also specify that districts have ten business days to make a decision about MOCAP enrollment unless the student has an individualized education program or a Section 504 plan.

The regulations also broaden the right to appeal for a student who is denied access to a virtual course. The regulations seem to allow for an appeal to the school board, which must make a decision on an appeal "within 30 days." It is unclear from the regulations' language when that 30-day window begins. MSBA believes it begins when a request for an appeal to the board is made and has stated so in the policy. However, because this is not explicitly stated in the regulations, the district may want to discuss this question with its private attorney.

Please note that this policy allows students who are to be enrolled in MOCAP courses to participate in district extracurricular activities. This is not required by law. The district may change the "Eligibility for Extracurricular Activities" to comply with district practice. Given the increase in virtual education—particularly in a staffing shortage—MSBA recommends that all students enrolled in the district be allowed to participate in extracurricular activities.

This policy governs part-time enrollment with a hosted Missouri Course Access and Virtual School Program (MOCAP) provider, full- and part-time enrollment with other MOCAP providers, and enrollment in other virtual course options provided through the district. Students who seek full-time enrollment with a hosted MOCAP provider must enroll pursuant to policy IGCD.A.

Definitions

Full-Time Virtual Course Enrollment – The instructional equivalent of six credits per regular term.

Hosted MOCAP Provider – A public school district, charter school, or higher education institution that is registered through the Department of Elementary and Secondary Education (DESE) to provide virtual education through the MOCAP program to Missouri students. A host district may provide the courses directly or contract with a course provider to provide the courses.

MOCAP Provider – An entity listed by DESE as part of the virtual course program under § 161.670, RSMo., that provides virtual courses for elementary and/or secondary students.

Virtual Course – A single class that is designed to deliver all or most of the curriculum electronically. Students may be separated from their instructor or teacher of record by time, location, or both.

General

The district may offer virtual courses to students through district staff or by contracting for those services as part of the district-sponsored curriculum. Students may also enroll in virtual courses offered through MOCAP providers. This could result in entire course loads that are provided through virtual courses from the district, district-selected, and/or MOCAP providers while the student remains enrolled in the district.

Students may also take virtual courses from other sources at their own expense. Before a student independently enrolls in and pays for virtual courses not otherwise accessible through the district, the district recommends that the student meet with district staff to ensure that the course aligns with the student's education goals and that the district will accept the course credit.

Virtual Course Enrollment

A student or parent/guardian must receive district approval before the student may enroll in virtual courses provided by or paid for by the district or through MOCAP.

Enrollment in courses offered through MOCAP may be denied only if the principal or designee, in consultation with the student's parents/guardians and relevant staff, determines that it is not in the student's best educational interest to enroll in the course. The principal or designee will consider available opportunities for in-person instruction and the student's prior participation in virtual courses when making this decision. **As required by law, the district allows for continuous enrollment in MOCAP courses throughout the year.** District staff will not deny enrollment in a MOCAP course because they do not approve of virtual learning in general or because they prefer a different virtual course or program.

The principal or designee will approve or deny requests to enroll in a MOCAP course within **the timeframe required by law** ten business days from when the district receives the request unless the student has an individualized education program (IEP) or a Section 504 plan. If the principal or designee fails to make a decision about an enrollment request within ten business days, the request will be deemed approved.

When denying student enrollment in a virtual course, the principal or designee will provide good cause reason for the decision, as well as information on how to appeal the denial.

Enrollment Decision Review Appeal

The principal or designee will notify the student and the parents/guardians in writing when declining student enrollment in a virtual course and provide an explanation for the decision. The student or parent/guardian may request that the superintendent review the decision, but the superintendent's decision is final. Students or their parents/guardians may appeal to the superintendent. If the superintendent affirms the principal's decision, students or their parents/guardians may appeal the decision to the school board. The school board will make a decision within 30 days of the request for an appeal to the board.

Students with Disabilities

A student's **individualized education program (IEP)** team or Section 504 team will make the virtual course enrollment decisions for students with IEPs or Section 504 plans. If enrollment is appropriate, the IEP or Section 504 team will determine the services, aids, supports, and accommodations, and modifications required. Any review of a decision made by an IEP or Section 504 team must go through the process provided under federal law.

If the course enrollment is approved, the district staff will work closely with the virtual course provider to develop and implement a monitoring protocol or process to ensure that the provider is implementing the IEP or Section 504 plan. If the provider fails to implement the IEP or Section 504 plan, or the IEP or Section 504 team otherwise determines that the online program is not appropriate for the student, the IEP or Section 504 team may reconsider approval for the virtual course at any time. In all cases in which the IEP or Section 504 team determines that the provider has failed to provide the required accommodations or modifications, the district will provide to the virtual course provider the reasons for discontinuing the online program.

Continuous Enrollment

As required by law, the district allows for continuous enrollment in MOCAP courses throughout the year.

Attendance and Completion

Students who enroll in district-sponsored virtual courses or MOCAP courses through the district are expected to actively participate in those courses with the goal of completing the course. If a student does not actively participate in a course or is not progressing in the course, the district may remove the student from the virtual course and consider the student's performance when making decisions regarding future virtual course enrollments.

Students enrolled in a district-sponsored course or MOCAP course through the district will be considered in attendance for state aid purposes in accordance with law. A completed virtual course or MOCAP course shall be counted as no less than 95 percent attendance for purposes of A+ Scholarship Program eligibility.

Eligibility for Extracurricular Activities

Students enrolled in virtual courses offered through the district or through MOCAP under this policy are considered district students and are eligible to participate in extracurricular activities unless restricted by the Missouri State High School Activities Association.

State Assessments

Students are required to take the state assessments, including district-administered EOC examinations, regardless of whether the course for which the examination is required was taken virtually or in person.

Credit

The district will accept all grades and credits earned through district-sponsored virtual instruction and MOCAP providers. Credits obtained from other sources will be recognized in accordance with policy JECC.

Notice

District-provided and district-sponsored virtual courses will be advertised in the district's course catalog.

The district will inform students and parents/guardians of MOCAP program availability in parent/guardian handbooks and registration documents and feature the program on the homepage of the district's website, as required by law. The district will provide every student enrolled in the district and parents/guardians with a copy of DESE's MOCAP guidance document at the beginning of the each school year or upon at the time of enrollment for students who enroll after the start of the school year. In addition, the district will provide a readily viewable link to the guidance document on the main page of its website.

Payment

The district will pay the tuition for MOCAP courses when required by law to do so but is not otherwise required to pay the tuition for a student to attend a virtual course unless the course is approved by the district as part of the district's course offerings.

Virtual Course Behavior and Expectations

Students taking courses virtually are subject to district policies, procedures, and rules applicable to students enrolled in traditional courses including, but not limited to, the district's code of conduct and prohibitions on academic dishonesty, discrimination, harassment, bullying, and cyberbullying.

When students are participating in virtual courses, what can be seen and heard electronically from the student's location becomes part of the district's education environment. Students are responsible for ensuring that what is seen, heard, or otherwise communicated is appropriate for the learning environment and not disruptive. The district's code of conduct applies to virtual in-class behavior. Student speech that is prohibited on campus is also prohibited in the virtual classroom.

Students may electronically display everyday items that they would be prohibited from possessing at school (such as pets, toys, or objects forming typical room décor) as long as the display does not disrupt learning.

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Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 161.670, RSMo.

Description

[State Statute](#)

Federal References

20 U.S.C. § 1400-1417

Description

[Individuals with Disabilities Education Act](#)

Federal References

29 U.S.C. § 794
34 C.F.R Part 104
34 C.F.R Part 300
42 U.S.C. §§ 12101-12213

Description

[Section 504 of the Rehabilitation Act of 1973](#)
[Section 504 of the Rehabilitation Act of 1973](#)
[Individuals with Disabilities Education Act](#)
[Americans with Disabilities Act](#)

Cross References

AC
BDC
BDDH-1
JEA
JEA-AP(1)
JECC-1
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Description

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