

**Policy IGDA: FULL-TIME MOCAP VIRTUAL COURSES**

Status: DRAFT

Original Adopted Date: Pending

**23A UPDATE EXPLANATION**

MSBA has revised this policy to align with a change in the law pursuant to House Bill 1552 (2022). This bill made some significant revisions to the Missouri Course Access and Virtual School Program (MOCAP). The law creates a separate process for students who enroll full-time with MOCAP course providers "hosted" by a Missouri public school, charter school or institution of higher education. See below for a list of these providers. Students who enroll full-time with these providers will initially enroll in their resident district. However, if they are accepted to be full-time students by the MOCAP vendor, the students' enrollment will be transferred to the school district hosting the MOCAP provider. The student will then be considered a resident student of the host district. The host district will count the student for state aid purposes and pay the MOCAP vendor.

The resident district does still play a role. Under the new law, the virtual program will collaborate with the resident district to determine whether it is in the best interest of the student to attend MOCAP full-time. If the student is admitted, the resident district may be required to provide access to district facilities (computer, Internet) and supportive services (like special education services) but will be reimbursed by the host district for the costs. Further, if the student is "disenrolled" by the MOCAP provider, the law requires the district to provide the parents/guardians a list of educational options in the district and re-enroll the student.

This is a big—and confusing—change in the law. For that reason, MSBA is again modifying this policy to address the unique district responsibilities toward resident students who choose to enroll full-time with these MOCAP vendors. Students who enroll full-time with MOCAP vendors that are not hosted and are just independent course providers must rely on the process in policy IGCD. Likewise, students who enroll part-time in hosted MOCAP providers and students who enroll in virtual courses through the district or vendors contracted by the district must also use policy IGCD.

Currently, the following MOCAP providers will be covered by this policy:

At Home Virtual Program, Mehlville School District  
Launch, Springfield Public Schools  
Missouri Connections Academy (MOCA), Sturgeon R-V School District  
Missouri Digital Academy (MODA), Laquey R-5 School District  
Missouri Virtual Academy (MOVA), Grandview R-II School District  
Missouri Academy, University of Missouri  
R7 Online Academy, Lee's Summit R-7 School District  
SJSD Virtual Academy, St. Joseph School District

Some districts contract directly with providers like Launch outside the MOCAP program through direct partnership agreements, but this policy applies only if enrollment is through MOCAP.

Other relevant changes in the law include:

1. **Eligibility.** The requirement that a student must have attended a public school in the previous semester before enrolling in virtual courses through MOCAP has been removed. This means that a student may enroll in your district and request to immediately attend MOCAP courses full-time without having ever been educated in a public school or in your school district. This applies to students who attend MOCAP courses full- or part-time.
2. **Continuous Enrollment.** The revised statute states that "The policy shall allow for continuous enrollment throughout the school year." It is unclear whether this means that students can enroll in MOCAP courses at any time or if it means that once enrolled, the student will continue to be enrolled in MOCAP courses throughout the school year without having to get school district permission every semester. Please note that the Department of Elementary and Secondary Education (DESE) has previously indicated that having a hard deadline for enrollment in MOCAP virtual courses was not allowed but recognized that at some point in a semester it would no longer be in the best educational interest of the student to move to virtual courses.
3. **Appeals.** The new law changes the appeal process. If a student seeks to enroll full-time in a hosted MOCAP program, the host district and the MOCAP vendor will decide whether the student will be enrolled, and any review or appeal of that decision must go through the host district, not the resident district. For other MOCAP courses covered under policy IGCD, the statute no longer mandates that parents/guardians can appeal to the

school board or to DESE. The resident district will review this decision the same as it would any other decision regarding course eligibility.

4. **Education Services Plan.** The district is required to work with full-time hosted MOCAP providers to create an education services plan and collaborative agreement so that students may access the virtual school program. Under such a plan, the resident school district may be required to provide, for example, computers, access to facilities and assistance for students with disabilities. However, the district will be reimbursed by the host district for the necessary costs.

5. **Notice to Parents/Guardians and Students.** In addition to advertising the MOCAP program on the home page of the district's website, the district will be required to distribute a copy of DESE's guidance on how to enroll in MOCAP courses to all students and parents/guardians. The district is also required to provide a link to the guidance on the main page of the district's website.

**EDITOR'S NOTE:** This policy was originally introduced as NEW in update 21B, but significant recent changes in legislation have prompted MSBA to overhaul this policy's content completely in update 23A. My records indicate that the board neither declined nor adopted this policy when it was introduced. It is presented again here in light of the complete overhaul so that the board can consider adopting it now.

This policy applies to students seeking to enroll full-time in the Missouri Course Access and Virtual School Program (MOCAP) with a course provider that is a public school district, charter school or higher education institution (a "hosted MOCAP provider"). See policy IGCD for part-time enrollment with a hosted MOCAP provider, full- or part-time enrollment with other MOCAP providers or enrollment in other virtual course options provided through the District.

## Definitions

*District* - The Platte Co. R-III School District.

*Education Services Plan and Collaborative Agreement (ESP)* - A plan for providing educational services to virtual students. The plan may require the resident school district to provide the student with support services or access to school facilities.

*Full-Time MOCAP Student* - A student who is enrolled in a MOCAP program for 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.

*Missouri Course Access and Virtual School Program (MOCAP) Course* - A virtual course that is offered by a course provider listed by DESE as part of the virtual course program under § 161.670, RSMo.

## Hosted MOCAP Providers

Resident students who seek to enroll with a hosted MOCAP provider on a full-time basis without paying tuition must first enroll with the District. Students who are accepted by the hosted MOCAP provider will have their enrollment transferred to the host district, and the student will be considered a student of the host district for all purposes.

The District will collaborate in good faith with the virtual program and the host district to determine whether it is in the best educational interest of the student to enroll full-time in a MOCAP program and will cooperate to create an education services plan and collaborative agreement for a resident student. The superintendent or designee will provide relevant information and input on the student's enrollment. The collaborative team will consider all relevant factors, including available opportunities for in-person instruction.

Students who are denied enrollment may utilize the state process for reviewing the decision.

## Students with Disabilities

A student's individualized education program (IEP) or Section 504 team will make the initial decision on whether the

student with an IEP or Section 504 plan is approved to enroll full-time in virtual courses, including MOCAP courses. Any appeal of a decision made by an IEP or Section 504 team must follow the process provided under federal law.

### **Education Services Plan and Collaborative Agreement**

Once enrollment is approved, the District will work with the host district and MOCAP course provider to create an education services plan and collaborative agreement for support of the student. For special education students, the student's IEP governs the plan. If the plan requires the District to provide the student with services or access to District facilities, the District will seek reimbursement by the host district as allowed by law.

### **Eligibility for Extracurricular Activities**

Resident students enrolled full-time with a hosted MOCAP provider are considered students of the host district. The District will allow these students to participate in District extracurricular activities if the District allows other unenrolled students, such as homeschooled or private school students, to participate in the activity. Otherwise, participation will be allowed only as required by law.

### **Notice**

The District will inform students and parents/guardians of the availability of the MOCAP program 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 school year or upon enrollment. In addition, the District will provide a readily viewable link to the guidance document on the main page of its website.

### **Re-Enrollment**

If the District is notified that a resident, full-time MOCAP student has been disenrolled by a MOCAP provider, the District will provide a written list of available educational options in the District to the parents/guardians of the student and will promptly re-enroll the student when notified by the parent/guardian.

### **Definitions**

*Missouri Course Access and Virtual School Program (MOCAP) Course* – A virtual course that is offered by a course provider listed by the Department of Elementary and Secondary Education (DESE) as part of the virtual course program under § 161.670, RSMo. Students must be enrolled in the district and meet eligibility requirements to take a MOCAP course. The district pays for MOCAP courses and is required to accept MOCAP course credit.

### **General**

Students in grades K–12 may enroll in and attend a MOCAP course in accordance with policy IGCD and this policy. In accordance with state law, the district will pay the cost of student enrollment in MOCAP courses when:

1. The student meets eligibility requirements;
2. The student has approval for enrollment in accordance with this policy; and
3. Taking the course does not cause the student to exceed full time enrollment in the district.

The district encourages parents/guardians and students to consult with district staff to ensure that the student is aware of all available academic options and that courses align with the student's academic goals. District counselors or certificated staff will develop individual career and academic plans (ICAPs) for district students enrolled in three or more virtual courses. If a student already has an ICAP, the plan will be reviewed and modified as necessary. The district is not obligated to provide students with computers, equipment or Internet access to take MOCAP courses unless otherwise required by law.

### **Eligibility**

A student is eligible to enroll in a MOCAP course through the district if the:

1. Student resides and is enrolled in the district on a full-time basis;
2. Student has attended a public school or charter school for at least one semester immediately prior to enrolling in a MOCAP course;\* and
3. Enrollment is approved by the principal or designee.

\*Students will be excused from this attendance requirement if they have a documented medical or psychological diagnosis or condition that prevented them from attending a school in the community during the previous semester. Attendance in a school-sponsored early childhood education program qualifies as attendance for MOCAP kindergarten enrollment.

## Enrollment

The enrollment process for MOCAP courses will be substantially similar to the process for enrollment in district-provided virtual courses as detailed in policy IGCD and accompanying procedures and guidelines. Students seeking to enroll in MOCAP courses must comply with the same registration deadlines applicable to other district courses to ensure that they receive the full benefit of the course and do not fall behind. A student or parent/guardian must receive district approval before the student may enroll in one or more MOCAP courses or full-time schooling through MOCAP paid for by the district. Approval will be granted and the student will be enrolled unless the principal or designee, in consultation with the student's parents/guardians and relevant staff (such as the school counselor or district special education director), determines that it is not in the best educational interest of the student to enroll in the course. The principal or designee will approve or deny the initial request within ten business days from the date the principal or designee receives the request unless the student has an individualized education program (IEP) or an accommodation plan under Section 504 of the Rehabilitation Act of 1973 (Section 504 plan). If the district fails to make a decision and communicate it to the student or parents/guardians within ten business days when required by law to do so, the enrollment will be deemed approved. For the purposes of this policy, a "business day" is a nonholiday weekday in which the district's administrative offices operate under normal business hours. If the principal or designee determines that it is not in a student's best educational interest to take a virtual course, they will notify the student and the parents/guardians in writing, provide an explanation for the decision and inform them that they may appeal the decision to the board.

## Students with Disabilities

If a student has an IEP or Section 504 plan, the student's IEP team or Section 504 team will make the initial decision on whether the student is approved to enroll in one or more MOCAP courses or full-time schooling through MOCAP. This decision will be made expeditiously but is not subject to the ten-business-day timeline for MOCAP courses. Any appeal of a decision made by an IEP team or Section 504 team must go through the process provided under federal law. If enrollment is appropriate, the IEP team or 504 team will determine the services, aids, supports and accommodations required. The district will provide the MOCAP course provider with a description of the accommodations and modifications contained in the IEP or Section 504 plan. The MOCAP course provider's teacher will participate in the IEP team or Section 504 team as necessary. The district will work with the MOCAP course provider to develop and implement a monitoring protocol or process to ensure that the provider is implementing the accommodations and modifications as written. If a provider fails to implement the IEP or Section 504 plan, or if the IEP or Section 504 team determines that the MOCAP course is not appropriate for the student's needs, the district may reconsider approval for the student to take the course with the provider, subject to procedural safeguards. The district will provide to the state the reasons for discontinuing the course when it is related to failure on the part of the provider to make the required accommodations and modifications.

## Appeal

If the student or parent/guardian appeals to the board, the principal or designee will provide the board with written reasons for denying the student's enrollment, and the student or parent/guardian will provide the written reasons that the student should be allowed to take the course. Both documents will be retained by the board and will be incorporated into the minutes. In addition, the student, parents/guardians and the principal or designee will be allowed to present their arguments at a board meeting. The appeal to the board shall be held in closed session. The board will consider the information presented and issue a written decision within 30 calendar days of the meeting. The student or parents/guardians may appeal the board's decision to DESE. If an appeal is filed with DESE, the district will provide all records, including the good cause justification for the enrollment decision and the evidence used to make the board's decision, within 72 hours of the filing of the appeal as required by law.

## Monitoring and Reporting

The district will monitor the progress and success of students enrolled in MOCAP courses. The district may remove a student from a course or alter the course offering if the course does not meet the education needs of the student, including situations where the student does not actively participate in the course or complete course assignments. The district will report all concerns regarding the quality or delivery of a MOCAP course to DESE. The district may consider concerns regarding the quality of a course when making approval decisions for other students. In addition, the district will consider recommendations made by DESE regarding continued or future enrollment in MOCAP courses.

## Transcripts and Transfers

District transcripts will identify which credits were earned through MOCAP courses. The district will recognize course credit earned through MOCAP and accept transfer credits from any MOCAP course. Students who transfer to the district while enrolled in MOCAP courses will be allowed to continue enrollment in those courses.

## Notice

The district will inform students and parents/guardians of their child's right to participate in MOCAP and will inform parents/guardians of the availability of the MOCAP program. The district will include the availability of the program in parent/guardian handbooks and registration documents and feature the program on the homepage of the district's website, as required by law.

## Payment

The district will pay a MOCAP course provider a monthly pro-rata amount based on a student's completion of assignments and assessments and subject to the cost limitations in state law. The district will stop making monthly payments if a student discontinues enrollment. The superintendent or designee is authorized to negotiate lower course rates with MOCAP course providers when possible.

---

**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.

§610.021, RSMo.

5 C.S.R.20-100.230

### Description

State Statute -

<https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==>

State Statute -

<https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==>

State Regulation -

<https://simbli.eboardsolutions.com/SU/lyc2NIZPsdzgEk6V6aJ45g==>

### Federal References

20 U.S.C. § 1400-1417

29 U.S.C. § 794

34 C.F.R Part 104

34 C.F.R Part 300

42 U.S.C. §§ 12101-12213

### Description

Individuals with Disabilities Education Act -

<https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

Section 504 of the Rehabilitation Act of 1973 -

<https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

Section 504 of the Rehabilitation Act of 1973 -

<https://simbli.eboardsolutions.com/SU/aJX5mfZD1pluss1btjfsIshfEmXA==>

Individuals with Disabilities Education Act -

<https://simbli.eboardsolutions.com/SU/aJX5mfZD1pluss1btjfsIshfEmXA==>

Americans with Disabilities Act -

<https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

### Cross References

### Description

AC	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - <a href="https://simbli.eboardsolutions.com/SU/PGBz6kueFRQYz3BCDNN3tQ==">https://simbli.eboardsolutions.com/SU/PGBz6kueFRQYz3BCDNN3tQ==</a>
BDC	CLOSED MEETINGS, RECORDS AND VOTES - <a href="https://simbli.eboardsolutions.com/SU/zulda5Vm0Gu0CV9GislshKFxA==">https://simbli.eboardsolutions.com/SU/zulda5Vm0Gu0CV9GislshKFxA==</a>
BDDH-1	PUBLIC PARTICIPATION AT BOARD MEETINGS - <a href="https://simbli.eboardsolutions.com/SU/pGBXzfFyntau9rHotnTazA==">https://simbli.eboardsolutions.com/SU/pGBXzfFyntau9rHotnTazA==</a>
JEA	COMPULSORY AND PART-TIME ATTENDANCE - <a href="https://simbli.eboardsolutions.com/SU/j9k22dHOxrJZXpntq8M0BA==">https://simbli.eboardsolutions.com/SU/j9k22dHOxrJZXpntq8M0BA==</a>
JEA-AP(1)	COMPULSORY AND PART-TIME ATTENDANCE - (Part-Time Attendance) - <a href="https://simbli.eboardsolutions.com/SU/yVWK95iJ4dTbz1kQXiTYDg==">https://simbli.eboardsolutions.com/SU/yVWK95iJ4dTbz1kQXiTYDg==</a>
JECC-1	ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES - <a href="https://simbli.eboardsolutions.com/SU/n9TkefEPBPajdm8ghgBeNg==">https://simbli.eboardsolutions.com/SU/n9TkefEPBPajdm8ghgBeNg==</a>
JFCF	BULLYING - <a href="https://simbli.eboardsolutions.com/SU/FWjoohFQpKxn29Q2kgNfNw==">https://simbli.eboardsolutions.com/SU/FWjoohFQpKxn29Q2kgNfNw==</a>
JG-R1	STUDENT DISCIPLINE - <a href="https://simbli.eboardsolutions.com/SU/NkxRUDs0tncNFCslRIKH5w==">https://simbli.eboardsolutions.com/SU/NkxRUDs0tncNFCslRIKH5w==</a>
JHD	STUDENT COUNSELING PROGRAM - <a href="https://simbli.eboardsolutions.com/SU/PLd0UzgUJumw1G8bHoLN1g==">https://simbli.eboardsolutions.com/SU/PLd0UzgUJumw1G8bHoLN1g==</a>

DRAFT