

FIRST REGULAR SESSION

# HOUSE BILL NO. 970

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE AUSTIN.

1789H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual public schools.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 162.1250, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.1250, to read as follows:

162.1250. 1. **As used in this section, the following terms mean:**

(1) **"Virtual resident student", a student who is enrolled in a virtual public school of choice that is hosted by the student's district of residence or a virtual public school of choice that is hosted by a charter school in the student's district of residence;**

(2) **"Virtual transfer student", a student who is enrolled in a virtual public school of choice that is not hosted by the student's district of residence or by a charter school in the student's district of residence.**

2. School districts shall receive state school funding under sections 163.031, 163.043, and 163.087 for resident students who are enrolled in the school district and who are taking a virtual course or full-time virtual program offered by the school district. The school district may offer instruction in a virtual setting using technology, intranet, and internet methods of communications that could take place outside of the regular school district facility. The school district may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses available in accordance with district policy to any resident student of the district who is enrolled in the school district. Nothing in this section shall preclude a private, parochial, or home school student residing within a school district offering virtual courses or virtual programs from enrolling in the school district in accordance with the combined enrollment

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 provisions of section 167.031 for the purposes of participating in the virtual courses or virtual  
19 programs.

20 ~~[2-]~~ **3.** Charter schools shall receive state school funding under section 160.415 for  
21 students enrolled in the charter school who are completing a virtual course or full-time virtual  
22 program offered by the charter school. Charter schools may offer instruction in a virtual setting  
23 using technology, intranet, and internet methods of communications. The charter school may  
24 develop a virtual program for any grade level, kindergarten through twelfth grade, with the  
25 courses available in accordance with school policy and the charter school's charter to any student  
26 enrolled in the charter school.

27 ~~[3-]~~ **4.** For purposes of calculation and distribution of state school funding, attendance  
28 of a student enrolled in a district or charter school virtual class shall equal, upon course  
29 completion, ninety-four percent of the hours of attendance possible for such class delivered in  
30 the nonvirtual program in the student's resident district or charter school. **In the case of a**  
31 **student who is a candidate for A+ tuition reimbursement and taking a virtual course under**  
32 **this section, the school shall attribute no less than ninety-five percent attendance to any**  
33 **such student who has completed such virtual course.** Course completion shall be calculated  
34 in two increments, fifty percent completion and one hundred percent completion, based on the  
35 student's completion of defined assignments and assessments, with distribution of state funding  
36 to a school district or charter school at each increment equal to forty-seven percent **or, for**  
37 **students who are candidates for A+ tuition reimbursement, forty-seven and one-half**  
38 **percent** of hours of attendance possible for such course delivered in the nonvirtual program in  
39 a student's school district of residence or charter school.

40 ~~[4-]~~ **5. (1) Any accredited school district with an annual performance report score**  
41 **of seventy percent or greater, charter school with an annual performance report score of**  
42 **seventy percent or greater, or charter school that is granted a waiver by the department**  
43 **of elementary and secondary education is authorized to host a virtual public school of**  
44 **choice for full-time kindergarten through twelfth grade students if such district or school**  
45 **meets the following requirements:**

46 **(a) Uses a unified and sequential online curriculum;**

47 **(b) Allows students to learn at a flexible pace, including acceleration for advanced**  
48 **students and more time for students who need more time;**

49 **(c) Employs teachers certified by the state board of education to oversee all**  
50 **instruction; and**

51 **(d) Develops an individualized learning plan for all students designed by certified**  
52 **teachers and professional staff.**

53           **(2) Any student who is eligible to enroll in a school district or charter school is**  
54 **eligible to enroll in a virtual public school of choice.**

55           **(3) There shall be no change in calculation and distribution of state school funding**  
56 **under subsection 4 of this section for a virtual resident student.**

57           **(4) For purposes of calculation and distribution of state school funding for virtual**  
58 **transfer students, any virtual transfer student shall not be included in the average daily**  
59 **attendance of his or her school district of residence. The department of elementary and**  
60 **secondary education shall deduct from the state aid payment made to a virtual transfer**  
61 **student's district of residence an amount equal to the amount calculated under subsection**  
62 **3 of section 161.670 and credit the same amount to the virtual public school of choice.**

63           **(5) If the virtual public school of choice complies with the provisions of paragraphs**  
64 **(a) to (d) of subdivision (1) of this subsection, the department of elementary and secondary**  
65 **education shall also transfer to the virtual public school any other federal or state aid that**  
66 **the student's district of residence receives on account of the student.**

67           **(6) If the virtual public school of choice complies with the provisions of paragraphs**  
68 **(a) to (d) of subdivision (1) of this subsection, the department of elementary and secondary**  
69 **education shall deduct from the state aid payment made to a virtual transfer student's**  
70 **district of residence an amount equal to the state adequacy target and credit the same to**  
71 **the virtual public school of choice. The distribution of funds to the virtual public school**  
72 **of choice shall be calculated in two increments, fifty percent completion and one hundred**  
73 **percent completion, based on the student's completion of assignments and assessments.**  
74 **The assignments and assessments of special education students shall be set at levels**  
75 **appropriate to their abilities.**

76           **(7) No virtual transfer student shall be admitted to a virtual public school of choice**  
77 **if admission of the student would cause the amount deducted from the district of**  
78 **residence's state aid to exceed the aggregate amount due to the school district as provided**  
79 **under subsections 1 and 2 of section 163.031 and sections 163.043 and 163.087.**

80           **(8) The department of elementary and secondary education shall provide**  
81 **information it is furnished by virtual public schools of choice offering courses or programs**  
82 **to the public on the department's website.**

83           **(9) For the purposes of this subsection, the state adequacy target amount used shall**  
84 **be the amount as calculated under section 163.031 for the applicable fiscal year.**

85           **6. When courses are purchased from an outside vendor, the district or charter school**  
86 **shall ensure that they are aligned with the show-me curriculum standards and comply with state**  
87 **requirements for teacher certification. The state board of education reserves the right to request**

88 information and materials sufficient to evaluate the online course. Online classes should be  
89 considered like any other class offered by the school district or charter school.

90 ~~[5-]~~ 7. Any school district or charter school that offers instruction in a virtual setting,  
91 develops a virtual course or courses, or develops a virtual program of instruction shall ensure that  
92 the following standards are satisfied:

93 (1) The virtual course or virtual program utilizes appropriate content-specific tools and  
94 software;

95 (2) Orientation training is available for teachers, instructors, and students as needed;

96 (3) Privacy policies are stated and made available to teachers, instructors, and students;

97 (4) Academic integrity and internet etiquette expectations regarding lesson activities,  
98 discussions, electronic communications, and plagiarism are stated to teachers, instructors, and  
99 students prior to the beginning of the virtual course or virtual program;

100 (5) Computer system requirements, including hardware, web browser, and software, are  
101 specified to participants;

102 (6) The virtual course or virtual program architecture, software, and hardware permit the  
103 online teacher or instructor to add content, activities, and assessments to extend learning  
104 opportunities;

105 (7) The virtual course or virtual program makes resources available by alternative means,  
106 including but not limited to, video and podcasts;

107 (8) Resources and notes are available for teachers and instructors in addition to  
108 assessment and assignment answers and explanations;

109 (9) Technical support and course management are available to the virtual course or  
110 virtual program teacher and school coordinator;

111 (10) The virtual course or virtual program includes assignments, projects, and  
112 assessments that are aligned with students' different visual, auditory, and hands-on learning  
113 styles;

114 (11) The virtual course or virtual program demonstrates the ability to effectively use and  
115 incorporate subject-specific and developmentally appropriate software in an online learning  
116 module; and

117 (12) The virtual course or virtual program arranges media and content to help transfer  
118 knowledge most effectively in the online environment.

119 ~~[6-]~~ 8. Any special school district shall count any student's completion of a virtual course  
120 or program in the same manner as the district counts completion of any other course or program  
121 for credit.

122            [7.] 9. A school district or charter school may contract with multiple providers of virtual  
123 courses or virtual programs, provided they meet the criteria for virtual courses or virtual  
124 programs under this section.

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