

FIRST REGULAR SESSION

HOUSE BILL NO. 704

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BERRY.

1695H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

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

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Section A. Section 162.1250, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.1250, to read as follows: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. 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 provisions of section 167.031 for the purposes of participating in the virtual courses or virtual programs.

2. Charter schools shall receive state school funding under section 160.415 for students enrolled in the charter school who are completing a virtual course or full-time virtual program offered by the charter school. Charter schools may offer instruction in a virtual setting using technology, intranet, and internet methods of communications. The charter school may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses

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 available in accordance with school policy and the charter school's charter to any student enrolled
19 in the charter school.

20 3. For purposes of calculation and distribution of state school funding, attendance of a
21 student enrolled in a district or charter school virtual class shall equal, upon course completion,
22 [ninety-four] **ninety-five** percent of the hours of attendance possible for such class delivered in
23 the nonvirtual program in the student's resident district or charter school. Course completion
24 shall be calculated in two increments, fifty percent completion and one hundred percent
25 completion, based on the student's completion of defined assignments and assessments, with
26 distribution of state funding to a school district or charter school at each increment equal to
27 forty-seven **and five-tenths** percent of hours of attendance possible for such course delivered
28 in the nonvirtual program in a student's school district of residence or charter school.

29 4. **A virtual academy is a school authorized to provide a full-time kindergarten**
30 **through twelfth grade virtual program under this section if it meets the following**
31 **requirements:**

32 (1) **Uses a unified and sequential online curriculum;**

33 (2) **Allows students to learn at a flexible pace including acceleration for advanced**
34 **learners and more time for students who need it;**

35 (3) **Employs teachers with Missouri certification to oversee all instruction; and**

36 (4) **Develops an individualized learning plan for all students designed by certified**
37 **teachers and professional staff.**

38

39 **Notwithstanding any other provision of the law, any student who is a resident of this state**
40 **and is eligible to attend a public school in a county that has contained any portion of a**
41 **school district that has been declared unaccredited or in an adjacent county is eligible to**
42 **enroll in a virtual academy. A virtual resident student is one who is enrolled in a virtual**
43 **academy which is hosted by the student's district of residence or a virtual academy which**
44 **is hosted by a charter school in the student's district of residence. There shall be no change**
45 **in calculation and distribution of state school funding under subsection 3 of this section for**
46 **a virtual resident student. A virtual transfer student is one who is enrolled in a virtual**
47 **academy which is neither hosted by the student's district of residence nor by a charter**
48 **school in the student's district of residence. For purposes of calculation and distribution**
49 **of state school funding for virtual transfer students, the virtual transfer student shall be**
50 **included in the average daily attendance of his or her school district of residence. No**
51 **virtual transfer student shall be admitted to a virtual academy if admission of the student**
52 **would cause the amount debited to the district of residence to exceed the aggregate amount**
53 **credited to the school district as provided under subsections 1 and 2 of section 163.031 and**

54 **sections 163.043 and 163.087. The department of elementary and secondary education**
55 **shall debit the monthly state-aid payment made to the district of residence of a virtual**
56 **transfer student in an amount equal to the state adequacy target for each student enrolled**
57 **in the program and credit the same amount to the virtual academy, one-half in the month**
58 **of half completion and one-half in the month of total completion. In any year in which the**
59 **foundation formula is less than fully funded and the state adequacy target amount used by**
60 **the department of elementary and secondary education in the calculation of the basic**
61 **formula apportionment is lower than the state adequacy target as calculated under**
62 **subdivision (18) of section 163.011, the department shall use the lower amount in**
63 **distributing funds under this subsection. In addition, the department of elementary and**
64 **secondary education shall transfer any federal special education or Title I funds associated**
65 **with an individual virtual transfer student to the virtual academy. If a clearinghouse**
66 **organization is created to provide school transfer availability information, it shall provide**
67 **information furnished to it by schools offering courses or programs to virtual transfer**
68 **students.**

69 **5.** When courses are purchased from an outside vendor, the district or charter school
70 shall ensure that they are aligned with the show-me curriculum standards and comply with state
71 requirements for teacher certification. The state board of education reserves the right to request
72 information and materials sufficient to evaluate the online course. Online classes should be
73 considered like any other class offered by the school district or charter school.

74 **[5.] 6.** Any school district or charter school that offers instruction in a virtual setting,
75 develops a virtual course or courses, or develops a virtual program of instruction shall ensure that
76 the following standards are satisfied:

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

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

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

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

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

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

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

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

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

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

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

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

103 [6.] 7. Any special school district shall count any student's completion of a virtual course
104 or program in the same manner as the district counts completion of any other course or program
105 for credit.

106 [7.] 8. A school district or charter school may contract with multiple providers of virtual
107 courses or virtual programs, provided they meet the criteria for virtual courses or virtual
108 programs under this section.

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