

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

Status: DRAFT

Original Adopted Date: 08/09/2021

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.

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 Raytown C-2 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.

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

§610.021, RSMo.

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

5 C.S.R.20-100.230

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

**Federal References**

20 U.S.C. § 1400-1417

**Description**

Individuals with Disabilities Education Act -  
<https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

29 U.S.C. § 794

Section 504 of the Rehabilitation Act of 1973 -  
<https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

34 C.F.R Part 104

Section 504 of the Rehabilitation Act of 1973 -  
<https://simbli.eboardsolutions.com/SU/aJX5mfZD1pluss1btjflshfEmXA==>

34 C.F.R Part 300

Individuals with Disabilities Education Act -  
<https://simbli.eboardsolutions.com/SU/aJX5mfZD1pluss1btjflshfEmXA==>

42 U.S.C. §§ 12101-12213

Americans with Disabilities Act -  
<https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

**Cross References**

**Description**

AC

PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION -  
<https://simbli.eboardsolutions.com/SU/p3z8qNsO7PP2vDbgcBsKpQ==>

AC-AF(1)

PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION -  
<https://simbli.eboardsolutions.com/SU/MjHmkxyu8afUtTfeG14FJQ==>

AC-AF(2)

PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION -  
<https://simbli.eboardsolutions.com/SU/CGAAG3j75mPrYyU4GjPRcw==>

AC-AF(3)	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - <a href="https://simbli.eboardsolutions.com/SU/fslsh5eXNBzA5dfslshfm1PyC8JQ==">https://simbli.eboardsolutions.com/SU/fslsh5eXNBzA5dfslshfm1PyC8JQ==</a>
AC-AF(4)	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - <a href="https://simbli.eboardsolutions.com/SU/mTYXd5wbesLa0wH9uAdCYw==">https://simbli.eboardsolutions.com/SU/mTYXd5wbesLa0wH9uAdCYw==</a>
AC-AF(5)	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - <a href="https://simbli.eboardsolutions.com/SU/xX3TT7FeYL7fcTkmthaYwQ==">https://simbli.eboardsolutions.com/SU/xX3TT7FeYL7fcTkmthaYwQ==</a>
AC-AF(6)	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - <a href="https://simbli.eboardsolutions.com/SU/yplusH8NI0oaslshbdG22Pr6mVCA==">https://simbli.eboardsolutions.com/SU/yplusH8NI0oaslshbdG22Pr6mVCA==</a>
BDC	CLOSED MEETINGS, RECORDS AND VOTES - <a href="https://simbli.eboardsolutions.com/SU/Pq0xfHeY0TqHobo0sadmUw==">https://simbli.eboardsolutions.com/SU/Pq0xfHeY0TqHobo0sadmUw==</a>
BDDH-1	PUBLIC PARTICIPATION AT BOARD MEETINGS - <a href="https://simbli.eboardsolutions.com/SU/z1KCfBY9DF7zkWkT3cslshMw==">https://simbli.eboardsolutions.com/SU/z1KCfBY9DF7zkWkT3cslshMw==</a>
JEA	COMPULSORY AND PART-TIME ATTENDANCE - <a href="https://simbli.eboardsolutions.com/SU/U9BrNEqEHrvGCJUe1WX7pA==">https://simbli.eboardsolutions.com/SU/U9BrNEqEHrvGCJUe1WX7pA==</a>
JEA-AP(1)	COMPULSORY AND PART-TIME ATTENDANCE - (Part-Time Attendance) - <a href="https://simbli.eboardsolutions.com/SU/Jje9AfHIMCplusYSmr6GohVag==">https://simbli.eboardsolutions.com/SU/Jje9AfHIMCplusYSmr6GohVag==</a>
JECC-1	ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES - <a href="https://simbli.eboardsolutions.com/SU/XAtENg5iQAX1gMbhGAjSYg==">https://simbli.eboardsolutions.com/SU/XAtENg5iQAX1gMbhGAjSYg==</a>
JFCF	BULLYING - <a href="https://simbli.eboardsolutions.com/SU/Z0cckUnbpjCgslshSbTHvsRjA==">https://simbli.eboardsolutions.com/SU/Z0cckUnbpjCgslshSbTHvsRjA==</a>
JFCF-AF(1)	BULLYING - <a href="https://simbli.eboardsolutions.com/SU/bMU75dplusplus5plusTIQik8U1BrNA==">https://simbli.eboardsolutions.com/SU/bMU75dplusplus5plusTIQik8U1BrNA==</a>
JFCF-AF(2)	BULLYING - <a href="https://simbli.eboardsolutions.com/SU/bjy1NWdp1SSPsH3WtmJYZA==">https://simbli.eboardsolutions.com/SU/bjy1NWdp1SSPsH3WtmJYZA==</a>
JG-R1	STUDENT DISCIPLINE - <a href="https://simbli.eboardsolutions.com/SU/uPHNeP6ppplusmlvimELRasDkQ==">https://simbli.eboardsolutions.com/SU/uPHNeP6ppplusmlvimELRasDkQ==</a>
JHD	STUDENT COUNSELING PROGRAM - <a href="https://simbli.eboardsolutions.com/SU/IITWjqKBgKu6IXQdDiuRhQ==">https://simbli.eboardsolutions.com/SU/IITWjqKBgKu6IXQdDiuRhQ==</a>