

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2123, Page 1, Section A, Line 3, by inserting after all of said section the
2 following:

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4 "161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board of education
5 shall establish [a virtual public school] the Missouri Course Access Program to serve school-age
6 students residing in the state. The [virtual public school] Missouri Course Access Program shall
7 offer instruction in a virtual setting using technology, intranet, and/or internet methods of
8 communication. Any student under the age of twenty-one in grades kindergarten through twelve
9 who resides in this state shall be eligible to enroll in the [virtual public school] Missouri Course
10 Access Program regardless of the student's physical location.

11 2. For purposes of calculation and distribution of state school aid, students enrolled in [a
12 virtual public school] the Missouri Course Access Program shall be included, at the choice of the
13 student's parent or guardian, in the student enrollment of the school district in which the student
14 physically resides. The [virtual public school] Missouri Course Access Program shall report to the
15 district of residence the following information about each student served by the [virtual public
16 school] Missouri Course Access Program: name, address, eligibility for free or reduced-price lunch,
17 limited English proficiency status, special education needs, and the number of courses in which the
18 student is enrolled. The [virtual public school] Missouri Course Access Program shall promptly
19 notify the resident district when a student discontinues enrollment. A "full-time equivalent student"
20 is a student who successfully has completed the instructional equivalent of six credits per regular
21 term. Each virtual course shall count as one class and shall generate that portion of a full-time
22 equivalent that a comparable course offered by the school district would generate. In no case shall
23 more than the full-time equivalency of a regular term of attendance for a single student be used to
24 claim state aid. Full-time equivalent student credit completed shall be reported to the department of
25 elementary and secondary education in the manner prescribed by the department. Nothing in this
26 section shall prohibit students from enrolling in additional courses under a separate agreement that
27 includes terms for paying tuition or course fees.

28 3. (1) A school district shall allow any K-12 student who resides in such district to enroll in
29 up to two Missouri Course Access Program courses of his or her choice each school year, with any
30 costs associated with such course or courses to be paid by the school district, if:

31 (a) The student is enrolled full time in and has attended, for at least one semester
32 immediately prior to enrolling in the Missouri Course Access Program, a public school, including
33 any public charter school; and

34 (b) Prior to enrolling in any Missouri Course Access Program course, a student has received
35 approval from his or her guidance counselor through the procedure described under subdivision (2)
36 of this subsection.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 (2) Guidance counselors shall approve or disapprove a student's request to enroll in a
 2 Missouri Course Access Program course based on the counselor's assessment of whether
 3 participation in the program and enrollment in a particular course are in the student's best interest.
 4 The district shall develop a procedure under which a student may appeal the decision of a guidance
 5 counselor made under the provisions of this subdivision.

6 (3) For students enrolled in any Missouri Course Access Program course in which costs
 7 associated with such course are to be paid by the school district as described under subdivision (1)
 8 of this subsection, the school district shall pay the content provider directly on a monthly basis. If a
 9 student discontinues enrollment, the district may stop making monthly payments to the content
 10 provider. No school district shall pay, for any one course for a student, more than fourteen percent
 11 of the state adequacy target, as defined under section 163.011.

12 (4) The school district shall monitor student progress and success and course quality and
 13 annually provide feedback to the joint committee on education regarding course quality.

14 (5) A school district shall accept courses taken through the Missouri Course Access Program
 15 for credit.

16 (6) Nothing in this section shall prohibit home school or private school students from
 17 enrolling in Missouri Course Access Program courses under an agreement that includes terms for
 18 paying tuition or course fees.

19 (7) Nothing in this subsection shall require any school district or the state to provide
 20 computers, equipment, or internet access to any student.

21 [3] 4. When a school district has one or more resident students enrolled in [a virtual public
 22 school program] the Missouri Course Access Program authorized by this section, whose parent or
 23 guardian has chosen to include such student in the district's enrollment, the department of
 24 elementary and secondary education shall disburse an amount corresponding to fifteen percent of
 25 the state aid under sections 163.031 and 163.043 attributable to such student to the resident district.
 26 Subject to an annual appropriation by the general assembly, the department shall disburse an amount
 27 corresponding to eighty-five percent of the state adequacy target attributable to such student to the
 28 [virtual public school] Missouri Course Access Program.

29 [4] 5. Except as specified in this section and as may be specified by rule of the state board
 30 of education, the [virtual public school] Missouri Course Access Program shall comply with all state
 31 laws and regulations applicable to school districts, including but not limited to the Missouri school
 32 improvement program (MSIP), adequate yearly progress (AYP), annual performance report (APR),
 33 teacher certification, and curriculum standards.

34 [5] 6. The state board of education through the rulemaking process and the department of
 35 elementary and secondary education in its policies and procedures shall ensure that multiple content
 36 providers are allowed[.] , provide an easily accessible link for providers to submit courses on the
 37 Missouri Course Access Program website, and allow any person, organization, or entity to submit
 38 courses for approval. No content provider shall be allowed that is unwilling to accept payments in
 39 the amount and manner as described under subdivision (3) of subsection 3 of this section.

40 [6.] 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is
 41 created under the authority delegated in this section shall become effective only if it complies with
 42 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
 43 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly
 44 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
 45 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or
 46 adopted after August 28, 2006, shall be invalid and void."; and

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1 Further amend said bill, Pages 1 and 2, Section 161.1010, Lines 1 through 26, by deleting all of said
2 section and lines from the bill; and

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4 Further amend said bill, Page 2, Section 161.1011, Lines 1 through 22, by deleting all of said
5 section and lines from the bill; and

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7 Further amend said bill, Pages 2 and 3, Section 161.1012, Lines 1 through 20, by deleting all of said
8 section and lines from the bill; and

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10 Further amend said bill, Pages 3 and 4, Section 161.1013, Lines 1 through 35, by deleting all of said
11 section and lines from the bill; and

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13 Further amend said bill, Page 4, Section 161.1014, Lines 1 through 14, by deleting all of said
14 section and lines from the bill; and

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16 Further amend said bill, Pages 4 and 5, Section 161.1015, Lines 1 through 34, by deleting all of said
17 section and lines from the bill; and

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19 Further amend said bill, Page 5, Section 161.1016, Lines 35 through 37, by deleting all of said
20 section and lines from the bill; and

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22 Further amend said bill, Pages 5 through 7, Section 161.1017, Lines 1 through 48, by deleting all of
23 said section and lines from the bill; and

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25 Further amend said bill, Pages 7 and 8, Section 161.1018, Lines 1 through 34, by deleting all of said
26 section and lines from the bill; and

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28 Further amend said bill, Pages 8 and 9, Section 161.1019, Lines 1 through 36, by deleting all of said
29 section and lines from the bill; and

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31 Further amend said bill, Page 9, Section 161.1020, Lines 1 through 10, by deleting all of said
32 section and lines from the bill; and

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34 Further amend said bill and page, Section 161.1020, Line 10, by inserting after all of said section
35 and line the following:

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37 "167.121. 1. If the residence of a pupil is so located that attendance in the district of
38 residence constitutes an unusual or unreasonable transportation hardship because of natural barriers,
39 travel time, or distance, the commissioner of education or his designee may assign the pupil to
40 another district. Subject to the provisions of this section, all existing assignments shall be reviewed
41 prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. The
42 board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned.
43 The tuition shall not exceed the pro rata cost of instruction.

44 2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a
45 parent or guardian residing in a lapsed public school district or a district that has scored either
46 unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual
47 performance reports may enroll the parent's or guardian's child in the Missouri [virtual school]
48 Course Access Program created in section 161.670 provided the pupil first enrolls in the school

1 district of residence. The school district of residence shall include the pupil's enrollment in the
2 [virtual school] Missouri Course Access Program created in section 161.670 in determining the
3 district's average daily attendance. Full-time enrollment in the [virtual school] Missouri Course
4 Access Program shall constitute one average daily attendance equivalent in the school district of
5 residence. Average daily attendance for part-time enrollment in the [virtual school] Missouri
6 Course Access Program shall be calculated as a percentage of the total number of virtual courses
7 enrolled in divided by the number of courses required for full-time attendance in the school district
8 of residence.

9 (2) A pupil's residence, for purposes of this section, means residency established under
10 section 167.020. Except for students residing in a K-8 district attending high school in a district
11 under section 167.131, the board of the home district shall pay to the [virtual school] Missouri
12 Course Access Program the amount required under section 161.670.

13 (3) Nothing in this section shall require any school district or the state to provide computers,
14 equipment, internet or other access, supplies, materials or funding, except as provided in this
15 section, as may be deemed necessary for a pupil to participate in the [virtual school] Missouri
16 Course Access Program created in section 161.670.

17 (4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created
18 under the authority delegated in this section shall become effective only if it complies with and is
19 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
20 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
21 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
22 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
23 August 28, 2007, shall be invalid and void."; and

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25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.
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