

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1275
93RD GENERAL ASSEMBLY

Reported from the Special Committee on Student Achievement and Finance February 15, 2006 with recommendation that House Committee Substitute for House Bill No. 1275 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

4219L.02C

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to the establishment of a virtual school.

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

Section A. Chapter 161, RSMo, is amended by adding thereto one new section, to be known as section 161.670, to read as follows:

161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board of education shall establish a virtual school to serve school-age students residing in the state. The virtual school shall offer instruction in a virtual setting using technology, intranet, and/or Internet methods of communication. Any student under the age of twenty-one in grades kindergarten through twelve who resides in this state shall be eligible to enroll in the virtual school regardless of the student's physical location.

2. For purposes of calculation and distribution of state school aid, pupils enrolled in a virtual school shall be included, at the choice of the pupil's parent or guardian, in the pupil enrollment of the school district in which the pupil physically resides. The virtual school shall report to the district of residence the following information about each pupil served by the virtual school: name, address, eligibility for free or reduced-price lunch, limited English proficiency status, special education needs, and the number of courses in which the pupil is enrolled. The virtual school shall promptly notify the resident district when a pupil discontinues enrollment. A "full-time equivalent student" is a student who

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.

15 has successfully completed the instructional equivalent of six credits per regular term.
16 Each virtual course shall count as one class and shall generate that portion of a full-time
17 equivalent that a comparable course offered by the school district would generate. In no
18 case shall more than the full-time equivalency of a regular term of attendance for a single
19 student be used to claim state aid. Full-time equivalent student credit completed shall be
20 reported to the department of elementary and secondary education in the manner
21 prescribed by the department. Nothing in this section shall prohibit students from
22 enrolling in additional courses under a separate agreement that includes terms for paying
23 tuition or course fees.

24 3. When a school district has one or more resident pupils enrolled in a virtual
25 school program authorized by this section whose parent or guardian has chosen to include
26 such pupil in the district's enrollment, the department of elementary and secondary
27 education shall disburse an amount corresponding to fifteen percent of the state aid under
28 sections 163.031 and 163.043, RSMo, attributable to such pupil to the resident district.
29 Subject to an annual appropriation by the general assembly, the department shall disburse
30 an amount corresponding to eighty-five percent of the state adequacy target attributable
31 to such pupil to the virtual school.

32 4. Except as specified in this section and as may be specified by rule of the state
33 board of education, the virtual school shall comply with all state laws and regulations
34 applicable to school districts, including but not limited to the Missouri school improvement
35 program (MSIP), adequate yearly progress (AYP), annual performance report (APR),
36 teacher certification, and curriculum standards. Any rule or portion of a rule, as that term
37 is defined in section 536.010, RSMo, that is created under the authority delegated in this
38 section shall become effective only if it complies with and is subject to all of the provisions
39 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter
40 536, RSMo, are nonseverable and if any of the powers vested with the general assembly
41 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and
42 annul a rule are subsequently held unconstitutional, then the grant of rulemaking
43 authority and any rule proposed or adopted after August 28, 2006, shall be invalid and
44 void.

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