

SECOND REGULAR SESSION
[PERFECTED]
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).

Reported from the Committee on Rules March 2, 2006 with recommendation that House Committee Substitute for House Bill No. 1275 Do Pass.

Taken up for Perfection March 13, 2006. House Committee Substitute for House Bill No. 1275 ordered Perfected and printed, as amended.

STEPHEN S. DAVIS, Chief Clerk

4219L.02P

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to the establishment of a virtual public 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
2 known as section 161.670, to read as follows:

2 **161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board**
3 **of education shall establish a virtual public school to serve school-age students residing in**
4 **the state. The virtual public school shall offer instruction in a virtual setting using**
5 **technology, intranet, and/or Internet methods of communication. Any student under the**
6 **age of twenty-one in grades kindergarten through twelve who resides in this state shall be**
7 **eligible to enroll in the virtual public school regardless of the student's physical location.**
8 **2. For purposes of calculation and distribution of state school aid, pupils enrolled**
9 **in a virtual public school shall be included, at the choice of the pupil's parent or guardian,**
10 **in the pupil enrollment of the school district in which the pupil physically resides. The**
virtual public school shall report to the district of residence the following information

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.

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

24 3. When a school district has one or more resident pupils enrolled in a virtual
25 public school program authorized by this section whose parent or guardian has chosen to
26 include 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 public 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 public school shall comply with all state laws and
34 regulations applicable to school districts, including but not limited to the Missouri school
35 improvement program (MSIP), adequate yearly progress (AYP), annual performance
36 report (APR), teacher certification, and curriculum standards.

37 5. The state board of education through the rule-making process and the
38 department of elementary and secondary education in its policies and procedures shall
39 ensure that multiple content providers are allowed.

40 6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
41 that is created under the authority delegated in this section shall become effective only if
42 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
43 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
44 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
45 to review, to delay the effective date, or to disapprove and annul a rule are subsequently

46 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
47 **adopted after August 28, 2006, shall be invalid and void.**

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