

# REFERENCE COPY

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## **EXPLANATION: MOCAP VIRTUAL COURSES**

**This is a NEW policy for district consideration. The State Board of Education has recently amended its regulations governing the Missouri Course Access and Virtual School Program (MOCAP). Because of increased regulation of the MOCAP program, MSBA has decided to create a separate policy applicable to MOCAP courses to avoid confusion with other district-offered virtual courses. The MOCAP enrollment process is required to be "substantially similar" to the enrollment process for other district courses, and student behavior expectations are the same, so this policy should be read and applied in conjunction with policy IGCD.**

**Please note that the new regulations require districts to approve or deny a student's request to take a MOCAP course within ten business days or the request is deemed approved. Administrators may need to train staff and review internal processes to ensure that MOCAP requests are processed quickly to avoid unintended outcomes.**

**The State Board also amended the regulations to require school districts to provide all records regarding the denial of a request to take a MOCAP course to the Department of Elementary and Secondary Education (DESE) within 72 hours of an appeal to DESE.**

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## MOCAP VIRTUAL COURSES

### Definitions

*Missouri Course Access and Virtual School Program (MOCAP) Course* – A virtual course that is offered by a course provider listed by the Department of Elementary and Secondary Education (DESE) as part of the virtual course program under § 161.670, RSMo. Students must be enrolled in the district and meet eligibility requirements to take a MOCAP course. The district pays for MOCAP courses and is required to accept MOCAP course credit.

### General

Students in grades K–12 may enroll in and attend a MOCAP course in accordance with policy IGCD and this policy. In accordance with state law, the district will pay the cost of student enrollment in MOCAP courses when:

1. The student meets eligibility requirements;
2. The student has approval for enrollment in accordance with this policy; and
3. Taking the course does not cause the student to exceed full-time enrollment in the district.

The district encourages parents/guardians and students to consult with district staff to ensure that the student is aware of all available academic options and that courses align with the student's academic goals. District counselors or certificated staff will develop individual career and academic plans (ICAPs) for district students enrolled in three or more virtual courses. If a student already has an ICAP, the plan will be reviewed and modified as necessary.

The district is not obligated to provide students with computers, equipment or Internet access to take MOCAP courses unless otherwise required by law.

### Eligibility

A student is eligible to enroll in a MOCAP course through the district if the:

1. Student resides and is enrolled in the district on a full-time basis;
2. Student has attended a public school or charter school for at least one semester immediately prior to enrolling in a MOCAP course;\* and
3. Enrollment is approved by the principal or designee.

\*Students will be excused from this attendance requirement if they have a documented medical or psychological diagnosis or condition that prevented them from attending a school in the

community during the previous semester. Attendance in a school-sponsored early childhood education program qualifies as attendance for MOCAP kindergarten enrollment.

### **Enrollment**

The enrollment process for MOCAP courses will be substantially similar to the process for enrollment in district-provided virtual courses as detailed in policy IGCD and accompanying procedures and guidelines. Students seeking to enroll in MOCAP courses must comply with the same registration deadlines applicable to other district courses to ensure that they receive the full benefit of the course and do not fall behind.

A student or parent/guardian must receive district approval before the student may enroll in one or more MOCAP courses or full-time schooling through MOCAP paid for by the district. Approval will be granted and the student will be enrolled unless the principal or designee, in consultation with the student's parents/guardians and relevant staff (such as the school counselor or district special education director), determines that it is not in the best educational interest of the student to enroll in the course.

The principal or designee will approve or deny the initial request within ten business days from the date the principal or designee receives the request unless the student has an individualized education program (IEP) or an accommodation plan under Section 504 of the Rehabilitation Act of 1973 (Section 504 plan). If the district fails to make a decision and communicate it to the student or parents/guardians within ten business days when required by law to do so, the enrollment will be deemed approved. For the purposes of this policy, a "business day" is a nonholiday weekday in which the district's administrative offices operate under normal business hours.

If the principal or designee determines that it is not in a student's best educational interest to take a virtual course, they will notify the student and the parents/guardians in writing, provide an explanation for the decision and inform them that they may appeal the decision to the board.

### **Students with Disabilities**

If a student has an IEP or Section 504 plan, the student's IEP team or Section 504 team will make the initial decision on whether the student is approved to enroll in one or more MOCAP courses or full-time schooling through MOCAP. This decision will be made expeditiously but is not subject to the ten-business-day timeline for MOCAP courses. Any appeal of a decision made by an IEP team or Section 504 team must go through the process provided under federal law.

If enrollment is appropriate, the IEP team or 504 team will determine the services, aids, supports and accommodations required. The district will provide the MOCAP course provider with a description of the accommodations and modifications contained in the IEP or Section 504 plan. The MOCAP course provider's teacher will participate in the IEP team or Section 504 team as necessary.

The district will work with the MOCAP course provider to develop and implement a monitoring protocol or process to ensure that the provider is implementing the accommodations and modifications as written. If a provider fails to implement the IEP or Section 504 plan, or if the IEP or Section 504 team determines that the MOCAP course is not appropriate for the student's needs, the district may reconsider approval for the student to take the course with the provider, subject to procedural safeguards. The district will provide to the state the reasons for discontinuing the course when it is related to failure on the part of the provider to make the required accommodations and modifications.

## **Appeal**

If the student or parent/guardian appeals to the board, the principal or designee will provide the board with written reasons for denying the student's enrollment, and the student or parent/guardian will provide the written reasons that the student should be allowed to take the course. Both documents will be retained by the board and will be incorporated into the minutes. In addition, the student, parents/guardians and the principal or designee will be allowed to present their arguments at a board meeting.

The appeal to the board shall be held in closed session. The board will consider the information presented and issue a written decision within 30 calendar days of the meeting.

The student or parents/guardians may appeal the board's decision to DESE. If an appeal is filed with DESE, the district will provide all records, including the good cause justification for the enrollment decision and the evidence used to make the board's decision, within 72 hours of the filing of the appeal as required by law.

## **Monitoring and Reporting**

The district will monitor the progress and success of students enrolled in MOCAP courses. The district may remove a student from a course or alter the course offering if the course does not meet the education needs of the student, including situations where the student does not actively participate in the course or complete course assignments.

The district will report all concerns regarding the quality or delivery of a MOCAP course to DESE. The district may consider concerns regarding the quality of a course when making approval decisions for other students. In addition, the district will consider recommendations made by DESE regarding continued or future enrollment in MOCAP courses.

## **Transcripts and Transfers**

District transcripts will identify which credits were earned through MOCAP courses. The district will recognize course credit earned through MOCAP and accept transfer credits from any MOCAP course. Students who transfer to the district while enrolled in MOCAP courses will be allowed to continue enrollment in those courses.

## Notice

The district will inform students and parents/guardians of their child's right to participate in MOCAP and will inform parents/guardians of the availability of the MOCAP program. The district will include the availability of the program in parent/guardian handbooks and registration documents and feature the program on the homepage of the district's website, as required by law.

## Payment

The district will pay a MOCAP course provider a monthly pro rata amount based on a student's completion of assignments and assessments and subject to the cost limitations in state law. The district will stop making monthly payments if a student discontinues enrollment. The superintendent or designee is authorized to negotiate lower course rates with MOCAP course providers when possible.

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition against Illegal Discrimination, Harassment and Retaliation  
BDC, Closed Meetings, Records and Votes  
BDDH, Public Participation at Board Meetings  
JEA, Compulsory and Part-Time Attendance  
JECC, Assignment of Students to Grade Levels/Classes  
JFCF, Bullying  
JG-R1, Student Discipline  
JHD, Student Counseling Program

Legal Refs: §§ 161.670; 610.021, RSMo.  
5 CSR 20-100.230  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
34 C.F.R. Part 104  
34 C.F.R. Part 300

Kearney R-I School District, Kearney, Missouri