

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 912

93RD GENERAL ASSEMBLY  
2006

4591S.03T

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## AN ACT

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

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*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 public school to serve school-age students residing in the state. The virtual public 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 public school regardless of the student's physical location.

2. For purposes of calculation and distribution of state school aid, students enrolled in a virtual public school shall be included, at the choice of the student's parent or guardian, in the student enrollment of the school district in which the student physically resides. The virtual public school shall report to the district of residence the following information about each student served by the virtual public 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 student is enrolled. The virtual public school shall promptly notify the resident district when a student discontinues enrollment. A "full-time equivalent student" is a student

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

31         3. When a school district has one or more resident students  
32 enrolled in a virtual public school program authorized by this section,  
33 whose parent or guardian has chosen to include such student in the  
34 district's enrollment, the department of elementary and secondary  
35 education shall disburse an amount corresponding to fifteen percent of  
36 the state aid under sections 163.031 and 163.043, RSMo, attributable to  
37 such student to the resident district. Subject to an annual  
38 appropriation by the general assembly, the department shall disburse  
39 an amount corresponding to eighty-five percent of the state adequacy  
40 target attributable to such student to the virtual public school.

41         4. Except as specified in this section and as may be specified by  
42 rule of the state board of education, the virtual public school shall  
43 comply with all state laws and regulations applicable to school  
44 districts, including but not limited to the Missouri school improvement  
45 program (MSIP), adequate yearly progress (AYP), annual performance  
46 report (APR), teacher certification, and curriculum standards.

47         5. The state board of education through the rulemaking process  
48 and the department of elementary and secondary education in its  
49 policies and procedures shall ensure that multiple content providers  
50 are allowed.

51         6. Any rule or portion of a rule, as that term is defined in section  
52 536.010, RSMo, that is created under the authority delegated in this  
53 section shall become effective only if it complies with and is subject to  
54 all of the provisions of chapter 536, RSMo, and, if applicable, section  
55 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
56 and if any of the powers vested with the general assembly pursuant to

57 **chapter 536, RSMo, to review, to delay the effective date, or to**  
58 **disapprove and annul a rule are subsequently held unconstitutional,**  
59 **then the grant of rulemaking authority and any rule proposed or**  
60 **adopted after August 28, 2006, shall be invalid and void.**

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