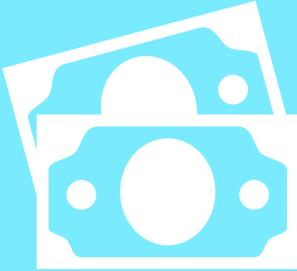


# SIX INCORRECT THINGS YOUR DISTRICT MAY TELL YOU TO BLOCK YOUR CHILD'S ENROLLMENT IN VIRTUAL EDUCATION



## 1. THAT YOU ARE RESPONSIBLE FOR PAYING FOR IT

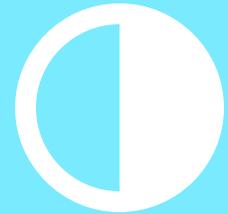
### This is not true

According to state law, the district or LEA your child attends is responsible for paying for virtual education courses or programs that have been approved by MOCAP. The law requires this for both individual courses and full-time programs, but does not require the district or LEA to pay for courses that would be considered more than a full course load (i.e. if your child would normally take 6 classes a day then the district is NOT required to pay for a seventh class that would be taken virtually)

## 2. THAT YOU CAN ONLY ENROLL PART-TIME

### This is not true

Under the MOCAP law, students can enroll in either individual virtual education courses or a full-time virtual education program. The choice is entirely up to the student and their family and should be based on the student's individual needs and goals. If a student enrolls in more than two virtual courses, the district is required to make an Individualized Learning Plan for the student to ensure they are getting all of the courses they need to graduate or advance to the next grade.



## 3. THAT THE DISTRICT GETS TO CHOOSE THE PROVIDER

### This is not true

By law, the student and their family are the ones who have the right to choose the best provider for their needs. While the district may have an existing contract with another provider, you have the right to choose any of the 10 MOCAP approved providers for your child based on which one will work best for your child's education.

## 4. THAT YOU MUST SHOW A NEED TO ENROLL

### This is not true

Enrolling in a single virtual education course or a full-time virtual education program is your child's right under Missouri law. You do not need to have any special needs to qualify for the MOCAP program. Your district can refuse to approve your decision to enroll in virtual education, but only if they can prove that it is not in your child's best educational interests. The burden of proof falls on the district not the student or their family.



## 5. THAT YOU NEED TO UNENROLL FROM THE DISTRICT

### This is not true

This probably the most nefarious way a district may try to avoid paying for your child to access virtual education. Under Missouri law, in order to require the district to pay the tuition for virtual education programs under MOCAP, your child MUST be a student in the district and have been enrolled in a Missouri public school for at least a semester prior to enrolling in a MOCAP program.

# Before you contact your district to enroll your child in virtual education keep these key tips in mind in case they try to block your child's lawful right to these programs:

- Educate yourself on the MOCAP law and your rights.
- Keep a log and document all your interactions with your school districts. Try to have all your communications with your district through email so you have a dated "paper trail."
- In Missouri, you have the right to record your conversations without informing the other party.
- Often the virtual vendors are able to communicate with the district to sort out any issues you may be having.
- For questions or assistance, or if you need help communicating with your school district, contact Cici Tompkins at [cici@ceamteam.org](mailto:cici@ceamteam.org) or 314-561-8646

## How to appeal a denial

According to Missouri state law school districts MUST approve an application to enroll in virtual education unless the district deems that doing so is not in the best interest of the child. Unfortunately, many districts have denied enrollment requests when it was clearly in the child's best interest. If your district should attempt to do this, the law lays out a clear appeals process to resolve the issue.



### Step 1: Appeal the decision to your school board

If your school district denies your request, they are required to provide a written denial specifically detailing why it is not in your student's best educational interests as well as provide you information on how to appeal the denial. By law, you are allowed to present the reason your child should be allowed in the program during an official school board meeting. The presentation by both you and school administrators are required to be recorded in the official minutes of the meeting. The school board has 30-days to issue a final local decision in writing.

### Step 2: Appeal your decision to the Department of Elementary and Secondary Education

If your local school board decides to not approve your application to enroll your child in virtual education then the next step is to appeal their decision to the state Department of Elementary and Secondary Education. You may only submit the documentation provided by the local school board to the MOCAP Appeal website (<https://sdm.sisk12.com/MOCAP/Default.aspx>). Your district will receive notification of the appeal and a copy of the submitted documentation. and DESE has seven days to offer a final enrollment decision.



### Step 3: Explore other legal options

If the final decision from DESE is to deny your request but you still feel like your child has a legal right to enroll in the virtual education program then you should reach out to a lawyer to explore your options. A number of families have had to do this in 2020 and have successfully won their cases and helped to expand access to virtual education in Missouri.