

Administrative Memo

Date: August 19, 2020
To: School Administrators
From: Chris Neale, assistant commissioner, Office of Quality Schools
Subject: QS-20-010 – 2020-21 School Year Information

The Department of Elementary and Secondary Education (DESE) is issuing additional guidance on a variety of topics pertaining to the 2020-21 academic year.

Alternative Methods of Instruction – Extended (AMI-X) Plan Implementation

Teacher certification requirements do not change when implementing approved AMI-X plans. Approved plans are designed to ensure that students will receive meaningful instruction and feedback each week with continuity. Teachers should teach the content for which they are certified and assigned. The minimum acceptable level of instruction is equivalent to two full days of onsite instruction, as specified in [5 CSR 30.660.085](#), which was authorized by the [State Board of Education on July 7, 2020](#).

Missouri Course Access and Virtual School Program (MOCAP)

DESE is providing the following clarifications based on a number of inquiries about virtual instruction and the obligations of school districts and charter schools under MOCAP.

- Eligible students may request enrollment in MOCAP courses or full-time virtual programs of his or her choice. School districts and charter schools must enroll students in their requested courses, unless it is not in the students' best educational interest. Enrollment requests from students with disabilities must follow the Individualized Education Program process. Decisions on enrollment requests must be made in a timely manner.
- School districts and charter schools may develop and offer virtual learning options outside of MOCAP. The virtual coursework must meet the requirements of [Section 162.1250, RSMo](#), to be claimed for state aid. Regardless of any school district or charter school virtual program being offered, MOCAP enrollment must also be made available to eligible students. A MOCAP request cannot be denied solely because a school district or charter school provides its own virtual program or provides a program through a vendor contract.
- If a school district or charter school uses a vendor that provides only curriculum, the school must have a Missouri certified teacher leading that course to claim attendance credit. The [MOCAP course catalog](#) lists curriculum-only providers by placing an “N/A” in the Missouri Certificated Educator box.

Opening Virtually

A number of school districts and charter schools will open virtually. Since those schools have also expressed an intention to return to onsite instruction, when possible, DESE interprets these plans to be examples of Intermittent Blended Instruction. Attendance will be based on the onsite rate as noted in Administrative Memo [QS-20-007](#).

Technology Fees

The increased use of technology to provide educational opportunities during the COVID-19 pandemic has raised a number of questions about charging fees to families for technology usage. The Missouri Constitution requires that students receive a free public education. As a reminder, in 1977, the Missouri Supreme Court handed down an opinion that held it was unconstitutional for a school district to charge fees for registration and coursework. Prior to this case, the Attorney General of Missouri rendered two opinions that indicated that Article IX, s1(a) of the Missouri Constitution requires a free public education in which course fees may not be charged and for which students cannot be required to furnish materials.

School districts and charter schools are cautioned that financial barriers that impact student access to necessary technology may be found unconstitutional. School districts and charter schools are advised to consult with their school attorneys about this topic.

Afterschool Programs

Afterschool programs receiving grants under Title IV, Part B, 21st Century Community Learning Center (21st CCLC) may only use grant funds to provide 21st CCLC services during non-school hours or periods when school is not in session. School districts and charter schools opening using a distanced learning method to begin the school year must communicate the instructional start and stop times to the 21st CCLC programs. These programs may then provide services outside of this instructional time. The same restrictions on when 21st CCLC grant funds can be used applies to school district and charter school grant recipients.

Questions and Contact Information

For further information, please contact the following:

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- Technology Fees: Peggy Landwehr at 573-751-3527 or counsel@dese.mo.gov
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