



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 754		DATE: 2/17/2021	
COMMITTEE: Elementary and Secondary Education			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: BRENT HEMPHILL		PHONE NUMBER: 573-291-9555	
REPRESENTING: CONNECTION ACADEMY		TITLE:	
ADDRESS: P.O. BOX 156			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/17/2021 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: DR. JERRY HOBBS		PHONE NUMBER: 573-418-0988	
REPRESENTING: STRIDE		TITLE:	
ADDRESS: 612 EAST CAPITOL AVENUE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/17/2021 12:00 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: JOSHUA SCHINDLER		PHONE NUMBER: 314-862-1411	
BUSINESS/ORGANIZATION NAME: SCHINDLER LAW FIRM		TITLE:	
ADDRESS: 141 NORTH MERAMAC AVENUE			
CITY: ST. LOUIS		STATE: MO	ZIP: 63105
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/17/2021 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JULEE HIGGINBOTHAM		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: julee5@mac.com		ATTENDANCE: Written	SUBMIT DATE: 2/16/2021 9:37 AM
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My name is Julee-Higginbotham Kirkpatrick and I am writing to you today in support of HB 754. Our family resides in the Normandy School Collaborative (NSC). We participated in the district transfer program from 2013 to 2020, due to Normandy's unaccredited status until the program was ended for our child in 2020. She attended a top elementary school in Brentwood SD through the transfer program and received what we believe was an excellent education from Kindergarten through 5th grade when the NSC was allowed to end the transfers with their "provisional" accreditation. Due to the coronavirus19 epidemic our plans to move to a new school district for her 6th grade year were delayed. In an effort to find a comparable education for our daughter for middle school we started looking for virtual school options that were safe and high quality. During the summer of 2020, I contacted and researched public school options, including NSC. Normandy did not offer much information, they didn't seem to have a plan even in mid July. Not feeling confident in their plan we decided to look at accredited virtual public schools or the MOCAP list. The fact the epidemic was beginning to surge in our state, we needed to look at the safest options for the fall. Researching MOCAP we found several possible public virtual schools that had track records of longevity and curriculums with wider options than anything I could see on the local SD offering. In July we picked Missouri Connections Academy (MoCA) because it offered live lessons in every subject and extracurricular options like art and music. It also had an excellent platform for parent guides and students to connect to teachers and support groups for learning remotely. I began the application process to MoCA and contacted the Normandy School Collaborative on July 15. to inquire about the steps to enroll our daughter in MoCA. After many calls and emails to the district I finally was put in contact with the registrar who was supposed to be in charge of MOCAP. She officially denied me and told me that I had to enroll in the district virtual option. This is what was sent to me in an email on Aug 10th: "You can refer them to me or they can refer to our policy related to virtual school on our website. We do not sign anything giving our approval to attend other virtual schools. As a parent, you have the option to choose any school that will accept your student. As a district, we provide a virtual option for families who reside in our footprint." From what I understood about the law I knew this was an illegal action. I then reached out to a lawyer. A letter outlining the violations of MOCAP laws and the requirements was drafted by that lawyer and sent to her directly on Aug 13th, 2020. She signed off on the form the following day with no response. It still amazes me I had to get a lawyer involved to get my child into a virtual school that is approved and Accredited by the State of Missouri. Because of all of the challenges in dealing with NSC our daughter wasn't able to start school until September 23rd, 2020... over a month since the start date of MoCA and 78 days after I started the process. I thought the nightmare of this was finally over but it didn't end there. On October 30th 2020, I was told by the Assistant Superintendent that she needed a progress report for my daughters first quarter grades and attendance and if I did not provide it "THEY" would be forced to withdraw her from MoCA. I contacted MoCA and they assured me that she wouldn't be

unenrolled but even with their help, on Nov 4th my daughter could not log into her school platform, she was denied access. I feel the administration instigated the harassment of our family and intentionally tried to sabotage our child's education, and force us out of the virtual school forever. It took another day to get it all sorted out while I had to prove I did not withdraw my child but the home school district obviously did. Needless to say this has been a hard fought experience (especially as full time working parents) to get our child into an accredited virtual school option in Missouri and to keep her there successfully... and that some Missouri school districts will do almost anything to TRY to prevent it. Respectfully, Julee Higginbotham-Kirkpatrick. St. Louis MO 63114



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JULIE SMITH		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: ethanwoodysmommy@gmail.com		ATTENDANCE: Written	SUBMIT DATE: 2/16/2021 7:22 PM

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Tuesday, February 16, 2021 My name is Julie Smith. I am a member of the National Coalition for Public School Options Missouri Chapter. Thank you for taking the time today to hear my testimony. I have submitted this testimony today in support of HB 754 to Fix MOCAP. I am the parent/guardian of Ethan (3rd Grade) and Caleb and McKayla (8th Grade); Ethan is my biological child, and Caleb and McKayla are my siblings that I have guardianship over. We started with MOVA back in February 2020. We chose to switch from our public district to an online virtual platform for many different reasons. One main reason was due to health issues for all three of the kids. This was before COVID-19. In addition to the medical concerns, each child had different individualized reasons to enroll them in MOVA. They included intense bullying, boredom, acting out, and poor instruction. The school district reluctantly approved us for MOCAP and allowed us to enroll Ethan into MOVA but forced us to enroll Caleb and McKayla into Launch. Once everyone got started, it was clear there was no comparison between the two programs. I understand that some may prefer Launch over K12/Stride, and that should be their choice. However, when it comes to my children, I knew MOVA was better. Unfortunately, I had to fight with the school district for three weeks for them to allow us to move the other two over to MOVA. I had to go in and show them the different systems and how they work. I should not have had to do that. I am their parent. I know what is best and will work for my child. Since then, we have been with MOVA and have no interest in changing or any plans to return to our local district. To us, this is not about COVID-19; this is about giving my children the best education possible for this family that is MOVA. I worry about the other Missouri families that do not know their rights and are being bullied into programs that do not meet their children's needs. No one knows what is better for my kids than me. School districts should not be able to dictate what type of schooling my kids receive. I urge you to support HB 754, fix MOCAP, trust parents and allow kids like mine to access the educational option that suits their needs best. Thank you again for your time.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: KEITH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
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CITY:		STATE:	ZIP:
EMAIL: kberry@firstbanklake.com		ATTENDANCE: Written	SUBMIT DATE: 2/16/2021 5:55 PM
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Tuesday, February 16, 2021 Hello. My name is Keith Berry. Thank you for taking the time today to hear my testimony. I am here today to ask for your support of HB 754. I felt compelled to speak today not just because I believe my son deserves a quality education but because I think I can speak for other families who have felt excluded from educational choices they have a legal right to access. Every family has been faced with unprecedented challenges over the last year. For many, one of the most difficult has been deciding how to educate their children safely. At the beginning of the pandemic, our son transitioned into our brick-and-mortar school district's emergency version of online education. Although it was best efforts, the transition to an online learning platform was proved not to be a simple task. For the fourth quarter of the 2019–2020 school year, it was apparent that the school district was just in a reactionary mode, flying by the seat of its pants, and online teaching requires an entirely different skillset. As the health concerns continued through the summer, we were faced with making a decision: Hope that the school district's offered online version had improved or find an alternative option. Having witnessed that it took a special kind of educator to captivate and engage students virtually, we began to research our available options. The Missouri Virtual Academy (MOVA) offered through MOCAP really stood out to our family. The school provided a robust curriculum, including a range of advanced courses in math and English. MOVA provided my child more one-on-one interaction with his teachers and fellow students, and its education platform has always been online-based — thus, the best practices were already in place. So far, our son's online learning experience has been nothing short of successful. He has been challenged, enjoys his classes, and gets to interact with teachers and other students. While our family plans to re-enroll in our school district once the pandemic is over, I am incredibly grateful for the educational experience my child has been afforded, thanks to MOVA. All families should have the opportunity to choose the best educational option for their child as allowed under the MOCAP law. I urge lawmakers in Jefferson City to make the changes necessary to reform MOCAP, make it stronger, make the process more accessible, and make the programs work better for who they were intended for — families and their students. To this end, I ask you to please support House Bill 754. This legislation will allow for kids like mine to access the educational option that suits their needs. I would like to thank you for your time today and for the National Coalition for Public School Options for bringing this issue to my attention.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: LISA SMITH		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: lisarena29@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/16/2021 3:39 PM
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My name is Lisa Smith and live in North St. Louis County. I am very much in support of HB 754. Five years ago, my son had several traumatic experiences at school including bullying. In addition, the district had been unaccredited for more than 10 years. It's for these reasons I chose to send my children to the Mehlville School District through the student transfer program. A couple years ago when the program was being phased out, my children as well as others had to return back to the district. There was no way I was going to let my kids go from being in one of the highest performing districts in Missouri to the absolute lowest. In Mehlville they were thriving and being challenged and I didn't want to see my kids backslide especially since my daughter was going into her senior year. This is when I learned about the Missouri Course Access Program. But it was a major challenge getting her enrolled. I had to go up in person to the district five times to sort out confusions and educate the district on my rights. The district acted as if they never heard of DESE's new law called MOCAP. They were trying to make me enroll into their online program. I had to call DESE while at the school so they could explain MOCAP and my rights to the district. After the administration spoke with DESE they knew what they had to do and started the process for my daughter to take the courses and pick the vendors that we chose. My daughter was already familiar with Edmentum and Edgenuity because she took courses through those vendors at her school in the Mehlville School District. So we chose those vendors. Last spring my daughter graduated high school early and with extra credits. When my kids were forced back to Riverview I chose to homeschool my son. I would like to now enroll him in MOCAP so I was stuck having to enroll him in Riverview to qualify for the program. In fifth grade he is learning what he learned in 3rd grade. He says the work is too easy and I know he's not being prepared for middle school. I have had to fight and make sacrifices to get the best education for my kids but many parents would not have had the time or patience to do things like go up to the district five times to get them enrolled. This is why I support HB 754 so that no families should have to endure what I went through to provide their kids a quality education.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: LOIS MUSTAIN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: lousmustain03@gmail.com		ATTENDANCE: Written	SUBMIT DATE: 2/16/2021 3:42 PM
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My name is Lois Mustain and I live in the St. Joseph School District. I have two children in virtual programs through the MOCAP program. I am writing to you today in support of HB 754. My children are in their second semester in Edgenuity and Greenways but my daughter also takes some of her classes in the district. The combination of both has ensured that she is having all of her educational needs met and the schedule allows her to be able to work. When I went to enroll my daughter into MOCAP this summer I faced many challenges with the school district from limiting the number of classes my daughter could enroll in, to other paperwork disputes. I was forced to seek legal counsel. No parent should need a lawyer to make the best educational choice for their children. The first semester of this year my son had to attend virtual through the local school district since he hadn't attended a public school, while his sister was able to benefit from being enrolled in Edgenuity through MOCAP. When my son switched to the MOCAP program I immediately saw a dramatic difference between his new program and the district's virtual program. The teacher in the district program had to slow down the whole class to accommodate the kids who were struggling which really held my son back from being able to excel. My daughter in Edgenuity was able to work at the pace that worked best for her. My son is now enrolled in Edgenuity for the second semester and we're already seeing much more structure and rigorous academics. I don't think it's fair that children are required to attend a public school for the minimum of a semester. I know what's best for my children, so why should I be forced to send my son to an inferior school for a semester before accessing the program that works best for him. Virtual education hasn't been easy and is not something that many parents would be able to devote the time to, but for those of us that know that virtual is what's best for our kids and are willing to make the sacrifices, we should be able to easily access these programs without resistance from the districts or being subjected to attending in the district for a semester. No school is perfect but being able to have options is key for any parent to find the best possible education for their child's success. This is why I support HB 754 and I hope that you do to.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: NICHOLAS ELMES		PHONE NUMBER: 6363457710	
BUSINESS/ORGANIZATION NAME: CHILDREN'S EDUCATION ALLIANCE OF MISSOURI		TITLE:	
ADDRESS: 1420 PARK ASHWOOD COURT, APT. A			
CITY: SAINT CHARLES		STATE: MO	ZIP: 63304
EMAIL: nick@ceamteam.org	ATTENDANCE: In-Person	SUBMIT DATE: 2/17/2021 10:05 AM	

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Hello, my name is Nicholas Elmes and I come here today as a parent and a representative of other parents who could not make the trip. I am the father of two daughters, both of whom have been taking classes virtually through a variety of platforms since last spring. My youngest daughter took all of her fall classes through Francis Howell's district distance education program. Our district did a better job than many but my daughter still found herself crying and begging to go back in-person this spring which she is currently doing. My oldest daughter is taking part in an early college dual enrollment program with St. Charles Community College and all of her classes are virtual using the Canvas learning management system. Most have been good but she has decided to never take French again because her french professor last semester was so horrible at teaching online. The best virtual education platform I have seen is the Missouri Online Summer Institute which my oldest daughter used to take several courses last summer. The Missouri Online Summer Institute was a precursor to the MOVA program offered through MOCAP. I say all of this to highlight the fact that there is a wide range of virtual or distance education being offered during the pandemic and some programs are better than others. Some programs have hastily been thrown together and try to simply move in-person teaching methods to a zoom meeting and many times this does not work. Other programs, like those offered through the MOCAP program, are specifically and carefully designed for online instruction. But when the pandemic hit many school districts did not let parents know that they had access to these programs or specifically directed parents to the lowest cost option. I have a couple of examples that I will leave here. These are just a sample of the way districts tried to limit access or knowledge of the MOCAP program at a time when the entire state was scrambling to try to figure out how to do school in a pandemic.... Ladue schools specifically told parents that they would be using Launch and MUOnline as the only option for virtual education last fall Parkway created their own virtual campus and although they mention that parents can enroll in MOCAP they clarify that Launch is their preferred provider Hillsboro highlighted Launch in their reopening plans but made no mention of MOCAP or the other options offered through it. These are just a small sample of how districts circled the wagons when people wanted more virtual education options. It seems to defy logic that every school district was not sharing information about MOCAP in August unless they were specifically trying to hide the programs from parents looking for options. This is especially true since the law actually requires every district to "feature" MOCAP on their home page, something that many districts are still not doing 2 years after the law went into effect. In fact, Missouri's Commissioner of Education, told the state board of education earlier this year that quote: "There are some people that are clearly telling us they are not going to follow the law." Let me say that again. According to Commissioner Vandeven, superintendents, some of whom may even be in this room, were telling her that they had no intention of following the MOCAP law. In the same Board of Education meeting, Board President Charlie Shields explained why school

districts might do this. He said quote "When you're asking the LEA to be the gatekeeper for the student and be the payer you're asking them in many cases to do something that they don't believe in. That creates a disconnect. I think it's no secret that there's a lot of superintendents that don't believe in virtual education, they don't believe that for-profits have a role to play in this and then when you put them in the position of being the gatekeeper and being the payer, then you're gonna have a problem." Shields went further explaining that DESE has very few ways of forcing districts to follow the law and specifically asking you, the legislature, to fix and add enforcement measures. He said quote: "The statute says they are supposed to put on their websites how to do this, well districts are not doing that. But the statute does not allow us to pull a district's accreditation because they've failed to put it on their website. If legislators want a penalty for that, you need to put a penalty in the law." So clearly DESE recognizes that school districts are not willing to follow the law and tell parents about their options let alone approve requests to participate in MOCAP when parents find out about it. The president of the State Board of Education recognizes that districts have a clear conflict of interest when it comes to approving student requests to enroll in MOCAP. I can provide a recording of this meeting if the committee would like. Thankfully, there IS an easy fix to these problems. This bill you are considering today would give parents the right to enroll their children directly in MOCAP programs without having to go through a gatekeeper focused on finance and not the best interests of the students. Why is that important? I will conclude with stories from three parents who were not able to be here today. They have all submitted their testimony in written form, but sometimes it helps to hear it out loud. Julee Higginbotham-Kirkpatrick a parent in the Normandy area started trying to get her daughter enrolled with a MOCAP provider on July 15. She got an email response from the district on Aug. 10 telling her quote "We do not sign anything giving our approval to attend other virtual schools." Julee knew this was against the law and got a lawyer involved and was almost immediately approved, but because of the delay her daughter was not able to start school until September 23rd... over a month since the start date of her virtual program and 78 days after she started the process. But Julee's issues were not over, the district demanded a quarterly progress report in October and by November her daughter was blocked from logging in to her virtual school. Julee writes: "I feel the administration instigated the harassment of our family and intentionally tried to sabotage our child's education, and force us out of the virtual school forever. It took another day to get it all sorted out while I had to prove I did not withdraw my child but the home school district obviously did. Needless to say this has been a hard fought experience (especially as full time working parents) to get our child into an accredited virtual school option in Missouri and to keep her there successfully... and that some Missouri school districts will do almost anything to TRY to prevent it." Julia Lindsay and her family testified before you two weeks ago. They experienced similar issues enrolling their children in MOCAP programs to the point that Julia was actually banned from school properties after trying to get the approval form signed. She writes quote: "The MOCAP law has been a Godsend for our family, and the struggles that I have gone through are not at all uncommon. I have been in touch with many parents who have also been denied by the Mexico School District and this must stop. If school districts continue to be the middleman for families to enroll this will continue to happen. It is only hurting the children and the families that need something different. If districts keep violating the law, then how is it accessible to students that desperately need another option." Lois Mustain from the St. Joseph School District now has two children enrolled in MOCAP programs. Her son was forced to take district based virtual classes this fall because he had not been enrolled for a semester before and so did not qualify for MOCAP until this spring. She writes: "When my son switched to the MOCAP program I immediately saw a dramatic difference between his new program and the district's virtual program. The teacher in the district program had to slow down the whole class to accommodate the kids who were struggling which really held my son back from being able to excel. My daughter in Edgenuity was able to work at the pace that worked best for her. I don't think it's fair that children are required to attend a public school for the minimum of a semester. I know what's best for my children, so why should I be forced to send my son to an inferior school for a semester before accessing the program that works best for him. Virtual education hasn't been easy and is not something that many parents would be able to devote the time to, but for those of us that know that virtual is what's best for our kids and are willing to make the sacrifices, we should be able to easily access these programs without resistance from the districts or being subjected to attending in the district for a semester."



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: STEVE RICHARDS		PHONE NUMBER: 636-299-6111	
BUSINESS/ORGANIZATION NAME: MISSOURI VIRTUAL ACADEMY		TITLE: HEAD OF SCHOOL	
ADDRESS: 14 SHIRELEAF COURT			
CITY: ST. CHARLES		STATE: MO	ZIP: 63303
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/17/2021 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
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CITY:		STATE: ZIP:
EMAIL: ArnieDienoff@Yahoo.Com	ATTENDANCE: Written	SUBMIT DATE: 2/17/2021 12:38 AM
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I am Opposed to this Bill. Virtual Students shall be part of the population and calculation of the Local School District. This will cause and have a negative Financial Impact to the Local School District.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: DR. DANIEL N. CLEMENS		PHONE NUMBER: 816-321-5000	
BUSINESS/ORGANIZATION NAME: NORTH KANSAS CITY SCHOOL DISTRICT		TITLE: SUPERINTENDENT OF SCHOOLS	
ADDRESS: 2000 NE 46TH STREET			
CITY: KANSAS CITY		STATE: MO	ZIP: 64116
EMAIL: Tammy.henderson@nkcschools.org	ATTENDANCE: Written	SUBMIT DATE: 2/15/2021 2:31 PM	
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February 15, 2021 HB 754 Written Testimony House Elementary and Secondary Education Committee Good afternoon. My name is Dr. Dan Clemens. I am the superintendent of North Kansas City Schools. NKC Schools is an innovative, forward-thinking school district with over 21,000 students. We are the largest school district on the Missouri-side of the KC Metro area and now the second-largest school district in Missouri. We offer our students educational choices that are unique and inspiring, and accessible to every child within our attendance boundaries. Our publicly elected Board of Education is accountable to our patrons. Our standards are high, and our students reach for the stars. Like mine, school districts have worked tirelessly during this past year as we moved from in-person learning to a virtual setting and now back to some form of face-to-face instruction. We have learned many things after months of virtually educating our students. It is hard work; it requires much discipline and structure with support systems in place. As your committee reviews HB 754, which seeks to turn the MOCAP program into virtual charter schools, I offer observations that deserve consideration:

1. Currently, MOCAP obligates school districts to pay no more than necessary market costs for virtual courses and no more than the SAT (\$6,375) under any circumstances. HB 754 changes this fundamental requirement and creates an exemption forcing DESE to pay full-time virtual schools more than necessary market costs. It is also generally understood that virtual instruction expense is lower than seated costs – no school facilities, no transportation services, no food service, etc. Why would districts then be required to pay the full SAT to a virtual school not having those fixed costs? Without the "overhead" of traditional bricks and mortar schools, where is the extra money going?

2. HB 754 circumvents the current method of moving a student to a virtual learning program, such as MOCAP, instead of the local school district acting as a resource to a student. We would no longer have the ability to support and guide students to make the best decisions regarding their course of study. We would no longer have the ability to track the student's progress or any recourse if the virtual program should turn out to not be in the student's best educational interest. What requirements are there for teachers in a virtual charter situation? Are they certificated? What structures are in place to work with students to provide the supports that may be needed – both educationally and social-emotionally?

3. HB 754 opens Missouri up to virtual charter schools and allows for-profit vendors to provide educational instruction. This bill could create dozens of unregulated, overpaid virtual charter schools run by for-profit companies with even less financial and academic accountability than current charter schools. We already know charter schools, in many cases, are not outperforming the school systems in which they currently exist. Charters do not have the same level of rules and oversight as traditional public schools – virtual charter schools take this one step further and not in a positive trajectory. Again, the talk is about school choice. NKC Schools offers our students

many options. We are launching a new Career Pathways program in our four high schools by working with our business and civic community to provide work-based learning opportunities, so our students graduate with the skills they'll need as they move into their futures. We just opened a new Early Education Center to provide choices to preschool-aged children. We want to do all we can to better prepare our youngest learners as they prepare to enter their K-12 education career. Our Northland CAPS program embeds students in business, health, and manufacturing entities throughout our county to gain work skills. We saw our staff spend most of this pandemic, making sure our students eat and have the tools necessary to learn from home. Our students would not see that within a virtual charter school. We are now working to bring all our students back to the classroom full time. We are an economic engine in Clay County. Our citizens see our school district as a significant contributor to the quality of life we all enjoy. I don't hear a call for charter schools in our area, let alone virtual charters, and I know that I never hear that private or parochial schools add to our community in the way that NKC Schools does. We live in our communities. We go to the barbershop, grocery store, and church with our patrons. So do members of our elected school boards. Why would a decision on local schools be made in Jefferson City? Why wouldn't it be left to those in our communities who hold us accountable every day and -- believe me -- are not afraid to let us know exactly what choices they want. Respectfully, I urge this body to vote no on HB 754. Sincerely, Daniel N. Clemens, Ed.D



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BILL NUMBER: HB 754		DATE: 2/17/2021	
COMMITTEE: Elementary and Secondary Education			
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: JOHN JUNGSMANN		PHONE NUMBER: 4175230026	
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Our opposition is based on a multitude of factors – of most importance are 1. Quality (Missouri teachers teaching Missouri kids the Missouri Learning Standards). 2. Cost (this bill fleeces the taxpayers of Springfield and Missouri by being mandated by the state to pay inflated tuition rates which fund huge corporate profits for non-Missouri businesses and to pay teachers who may or may not live and work in Missouri) First – we in Springfield believe in the effective use of virtual courses to expand access to Missouri students and have had virtual programming for over a decade, but we believe this must be high quality virtual programming and believe it is best delivered by a Missouri educator. The following quality concerns exist currently and this bill will only make this worse. Quality – current for-profit providers are failing to provide appropriate progress monitoring of student performance. MOVA- Does not currently provide weekly progress reporting or the ability to monitor student progress. We only receive a bill monthly that provides percent proficient and percent complete but no additional context. They’ve promised increased reporting structures since the beginning of the year but have not yet delivered on this promise. Lack of progress reporting makes it difficult to know student progress or hold students and families accountable and provide them additional support. MOCA- Still lacks any systems to monitor student performance or to know if and when an enrollment is complete. We did not receive student progress first semester except for access to a system called “NeXus” that they later informed us was inaccurate and so they closed access. Any progress monitoring, we do receive is about “days active” and billing. We do not know how students are performing academically. They appear to lack processes to support districts and families. Students who have returned to us from these for-profit providers to our Launch program mention not having access to a teacher and having to call a generic support line to get academic support as a significant concern. As a sending district with both vendors, we do not know how our children are being educated. These issues have been sent to the MOCAP office at DESE and taken as vendor concerns, but there does not appear to be a formal process for vendor accountability. In addition, we have no information about class size, alignment to Missouri standards, teacher certification and other things we monitor for all of our classrooms and schools. We have better solutions and shouldn’t be mandated to use these programs. Launch is a virtual course access non-for-profit solution provided by Springfield Public Schools and provides real-time student progress monitoring to districts through our Learning Management system. • Launch serves over 340 Missouri school districts. • Launch provided over 100,000 course enrollments this fall in 3,661 sections taught by more than 1,000 Missouri certificated teachers. • Districts can see teacher interaction, all assignments and all standards in courses in real time. • Launch provides weekly participation reports to districts identifying those who are not participating and performing. So, let's evaluate COST - as the largest provider of virtual education to Missouri students in this state we know exactly what it costs to provide a quality virtual program and when for-profit providers are over

charging. Launch has the following rate structure. Members pay \$225 per course for middle and high school courses per semester. For a full-time secondary student with six courses per semester, the annual cost would be \$3000. For an elementary student, the annual cost is \$4,500 per year, per student. This cost pays for teachers, software, curriculum, administrative support, course development and a host of other needs. It is ludicrous for anyone to claim that virtual education costs the same to operate as in-person education. There are no busses, no buildings, no food service programs, no facility maintenance, etc. Unfortunately, the current Missouri law forces districts to pay the full state adequacy target for virtual education - this cost of \$6,375 is well above the actual cost necessary. This bill takes that cost and expands it to what appears to be full per pupil expenditure which for SPS would be \$10,000. This is an absolute fleecing of Missouri taxpayers - if that is not the case then the current language is confusing as to what districts will actually be required to pay. To be clear in Springfield the state provides approximately 25% of our per pupil expenditure - \$2,500 the remainder of our expenditures are taxes paid by local taxpayers who are residents of Springfield. If the per pupil expenditure of the district is the target then this means this law would technically be taking \$7,500 of local support and redirecting it to for profit virtual programs without any local accountability. So, you may ask where will that money go? Well the answer is not to teachers - providers claim that they pay similar salaries to teachers as our current state average but they do not share that information or any financial aspects like school districts. Part of any bill regarding for profit virtual schools should include transparency of all expenditures, including executive compensation, teachers, etc. Some data that is accessible is the corporate salary data available for executives. Here is what ? salary.com? reported last year. Executives of K12, the for-profit company that runs MOVA, and the nation's largest virtual provider earn the following in salary, benefits, and stock: CEO - \$9.7 million, CFO \$4.6 million, president of academics \$4.3 million, president of career readiness \$5.1 million, General Counsel \$3.9 million. In 2019, K12 executives received an average 84% increase in executive compensation. As compared to the average employee salary, the ratio is 188 to 1. Another large provider of for-profit virtual education is Pearson and the CEO makes \$3.1 million in compensation. This bill would shift money to corporations, and their highly paid executives, and away from Missouri educators, as well as provide low quality solutions with no local accountability for Missouri taxpayers. A multitude of news reports regarding the low-quality educational outcomes, and fraud committed by for-profit providers exists and can easily be found online. I would ask that we continue to work on Missouri solutions for Missouri students and oppose HB 754.



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COMMITTEE: Elementary and Secondary Education		
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: KEITH RABENBERG		PHONE NUMBER:
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EMAIL: keith.rabenberg@outlook.com	ATTENDANCE: Written	SUBMIT DATE: 2/16/2021 4:01 PM

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To: Missouri House Education Committee From: Keith Rabenberg Re: House Bill 754 I am, and have been since 1996, a member of the Brentwood School Board in St. Louis County. I write in opposition to House Bill 754. I would have testified in person before the Committee regarding HB 754, but I was unable to do so because of a scheduling conflict. HB 754 would modify the existing statute that established the Missouri Course Access and Virtual School Program (“MOCAP”). The purpose of the proposed modifications appears to be to increase the availability of virtual courses in Missouri by reducing the accountability of MOCAP providers and eliminating public school districts’ control over MOCAP course enrollments. These changes would move the statute in the wrong direction. The existing statute involves the local school district in virtual course enrollments. The district approves a student’s enrollment in a virtual course if it will be in the student’s best educational interest, and the district monitors the student’s performance in the course. But HB 754 would eliminate that district involvement. The district will be allowed to state its opinion regarding the student’s best educational interest, but that’s all: the final enrollment decision-making authority will reside solely with the student’s parent/guardian. This is not a simple modification of the law; it is, instead, a fundamental change to the MOCAP construct. The law imposes no real accountability on MOCAP providers. The State Board of Education does not accredit, or un-accredit, MOCAP providers. If DESE determines that a student is not receiving a quality education, the bill would allow DESE to notify the parents, but it would up to the student’s parent/guardian to do something about that. The MOCAP providers do not have to accept all students; they can reject students who would be challenging to educate. Also, if a MOCAP provider determines that a student is not participating appropriately, the provider can simply disenroll the student. Because a MOCAP provider does not get paid until the student completes the course, a for-profit provider is incentivized to look at a struggling student as an expense to be avoided. It is not in the provider’s business interest to work with a struggling student to help the student complete the course; instead, it is in the provider’s interest simply to expel the student. Accordingly, HB 754 would reduce barriers to entry for prospective MOCAP providers, and it would increase profitability for MOCAP businesses. Research has shown that virtual course vendors – particularly the for-profit vendors – have significantly lower course completion rates, graduation rates, student growth and student success than other schools. For example, according to DESE’s 2020 Annual Report on the MOCAP Program only 67% of students enrolled in MOCAP courses completed the course and only 59% passed the courses. <https://dese.mo.gov/sites/default/files/201920MOCAPAnnualReport.pdf> HB 754 requires that DESE and public school districts advertise these MOCAP vendor programs. The bill mandates that each school district must annually and specifically notify parents of the availability of MOCAP vendors and conspicuously publish information about the programs in student handbooks, on the district’s website, and in school registration materials. Further, the bill requires that these notices be done “in an impartial manner,” and it imposes substantial financial penalties for a district’s failure to

comply with these notice provisions. This is a particularly insidious provision. The bill will force school districts to make sure that parents learn about available MOCAP providers, but at the same time the bill will muzzle the districts by prohibiting them from expressing any opinions about the programs. Parents will reasonably conclude that the school districts are endorsing the programs, even when the districts have good reason to question the efficacy of the programs. This provision is clearly a benefit to MOCAP providers, not to students and their families. My impression of this bill is that it is based on a fundamental mistrust of public school educators. It attempts to remove them from education decisions, leaving the decisions solely to the parents/guardians, persons who may not have complete information on which to base decisions. The fact is that there probably are public school educators who deserve such mistrust, and information about those few bad actors is widely publicized, leading people to conclude erroneously that all public schools are suspect. The net effect of HB 754 will be to legislate that erroneous impression into a law affecting each and every school district in Missouri, regardless of any district's performance. Very few, if any, districts in Missouri deserve such treatment. Ironically, in a time when the Covid pandemic has kept children out of schools for too long, and when it is becoming more and more apparent to parents everywhere that virtual school is not a good solution, the Missouri legislature is considering a bill that would promote those suspect virtual schools. I respectfully oppose HB 754.



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WITNESS NAME			
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WITNESS NAME: MATTHEW MICHELSON		PHONE NUMBER: 573-680-6188	
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WITNESS NAME: OTTO FAJEN		PHONE NUMBER: 573-634-3202	
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Missouri NEA Testimony on HB 754 to the House Elementary and Secondary Education Committee February 17, 2021
 Otto Fajen, MNEA Legislative Director
 The Association appreciates the opportunity to present written testimony regarding HB 754. The Association opposes the bill as filed. HB 754 would revise the law regarding virtual schools as last enacted in SB 603 in 2018. The Association supported SB 603. SB 603 envisioned that students enrolling in MOCAP virtual instruction would maintain a connection with the local school district by enrolling in that district. Access to virtual courses should be offered through a process that is substantially like the process used for in-person classes in the district. School personnel should follow student engagement and success for virtual courses as they would for in-person classes and make necessary adjustments if a student is struggling. The Association believes that this vision is the appropriate policy for MOCAP. HB 754 would change the MOCAP law in significant ways, and the Association has concerns about these changes that cause our opposition to the bill. The bill removes school personnel from involvement in virtual course decisions. This conflicts with the vision that virtual and in-person courses would be offered under substantially similar standards and process as in-person courses. The Association believes that students benefit from an integrated process where all options are available in a convenient and unified system and where the helpful guidance and support of school personnel is available regarding all the student's instruction. The bill also amends the financing of full-time virtual courses. SB 603 envisioned that virtual instruction would be available and funded from basic school funding but clarifies that the instruction should be funded at no more than necessary market costs. This ensures efficient use of public funds. Rather than arbitrarily increasing the payments for full-time virtual schools, the Association urges that the expectation of paying only necessary market costs should be clearly extended to full-time virtual schools. Once this sensible change is made, the state can expect that issues of finance will not cloud the virtual enrollment process in the way those issues sometimes have in the last few years. Finally, the bill would separate full-time virtual companies and full-time students from any connection to the local public schools. This sets the virtual provider companies in the role of a separate public educational entity without a clear public accountability structure. The Association is concerned that such a change would lead to the same issues of academic and financial concern that have plagued other states with similar, separate full-time virtual companies that are not connected to school districts or the state education agency. In conclusion, Missouri NEA has several significant concerns regarding the provisions of HB 754 and opposes the bill. On behalf of the Association, I thank you for the opportunity to offer our testimony on this bill.
 Otto Fajen
 MNEA Legislative Director



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WITNESS NAME		
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WITNESS NAME: SCOTT KIMBLE		PHONE NUMBER:
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