



NATIONAL COALITION FOR
PUBLIC SCHOOL OPTIONS



MISSOURI EDUCATION
REFORM COUNCIL

August 25, 2020

Governor Michael L. Parson
Office of the Governor
State Capitol Building
201 W. Capitol Avenue, Room 216
Jefferson City, MO 65101

Dear Governor Parson,

On behalf of parents across Missouri, the below signed groups write to bring to your attention new information regarding serious problems with the implementation of the Missouri Course Access and Virtual School Program (MOCAP). In light of this new information, we call on you to take action for these families who are out of timely options to address the ongoing denial of their educational rights. Absent quick action, many students across the state are at risk of being unable to start school on time.

MOCAP was passed into law in 2018 to provide Missouri families with new access to public school online options of their choice. The entire purpose of the new law was to open up choices and opportunities beyond those that any individual school district might offer to its families. In the face of the COVID crisis, the MOCAP obviously takes on an incredibly heightened importance for some families.

However, as the below signed have long maintained, and has been confirmed in multiple ways, many districts are simply not complying with MOCAP.

We now know from testimony that many districts only come into compliance and honor parent's clear statutory rights after being threatened with litigation by attorneys for parents. The disparity being created by only permitting families that are able to secure the assistance of legal counsel to access the MOCAP courses or full-time programs is unconscionable. School districts should only be focused on the best educational interest of children as the law requires. The testimony also revealed that some districts remain recalcitrant and force families into complex litigation just to attempt gain their educational rights. The end result is many students are at risk of not being able to start school on time.

We also know from recent actions and public comments that DESE and the State Board of Education are struggling to ensure any kind of uniformity of approach or compliance across the state, and that proposed rules are now pending to curb one of the worst abuses against parents (districts refusing to answer), but those rules will not be in place to assist any families in this time of emergency. The public discussions about the proposed rule and at the legislative hearing make very clear that many districts are simply not following the statutory mandate that the enrollment process for MOCAP be "substantially similar to the typical process" a district uses for any other enrollments.

Finally, we now know that these students and families are scattered across the state. What that means is that while this issue is incredibly important for the potentially couple thousand of families that appear to be currently caught in legal limbo, for any particular school district the fiscal issue is negligible. (MOCAP is supposed to be about the “best educational interest” of each child but, based on the comments of some Legislators at the hearing, we also recognize the reality of what you will hear from districts about their supposed financial issues). The objection that allowing families to exercise their MOCAP rights would cause significant fiscal damage to districts simply does not withstand even a cursory review. It is a red herring when the true opposition is to parents making the best decision for their children.

In light of this critical new information, we call upon you to exercise your authority, as you have in numerous other areas of the educational code, to waive the resident district veto provision of MOCAP while the COVID emergency remains in place. That action would address the current educational emergency for the Missouri families caught in legal limbo while allowing the Legislature, DESE and the State Board time to - hopefully - achieve longer term solutions to these serious problems.

Thank you for your prompt consideration of this request. Far too many Missouri families that are being denied their public educational rights are anxiously awaiting action on their behalf.

Respectfully,

The National Coalition for Public School Options
The Children’s Education Alliance of Missouri
The Missouri Education Reform Council