

**Rules of**  
**Department of Elementary and**  
**Secondary Education**  
**Division 30—Division of School Services**  
**Chapter 340—Academically Deficient Schools**

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**Title 5—DEPARTMENT OF  
ELEMENTARY AND  
SECONDARY EDUCATION**

**Division 30—Division of School Services  
Chapter 340—Academically Deficient  
Schools**

**5 CSR 30-340.010 Policies and Standards  
Relating to Academically Deficient Schools**

*PURPOSE: This rule establishes the policies and standards by which additional management and administration support will be provided to and additional resources may be provided for public schools determined to be "academically deficient" pursuant to policies and standards established by this rule. This rule is provided for and required pursuant to section 160.538, RSMo.*

(1) For purposes of this rule—

(A) "Certificated staff in the school" shall include any member of the certificated staff of the school during the year preceding or the year the test(s) was given, the results of which caused the school to be declared academically deficient or was a member of the staff during all or part of the time from the first audit team visit to the second audit team visit and is still employed in the school district;

(B) "Minimum academic achievement level" shall be mastery of fifty percent (50%) of all key skills and/or standards by the median student in any grade level tested. Mastery shall be measured by both the assessment system developed pursuant to the provision of section 160.518, RSMo and the Missouri Mastery and Achievement Test (MMAT) until the academic areas measured by the MMAT are included in the assessment system at which time the MMAT shall not be considered. The weight of the two (2) tests shall be proportional to the number of academic areas tested in each;

(C) A "school" shall mean a grouping of grade levels reported by a school district under a building number used for reporting data to the Department of Elementary and Secondary Education. A physical structure may contain more than one (1) "school." A school designated as an alternative school by the district and assigned the number 1020, 1130, 1140 or 1180 by the department shall not be included in the listing of schools subject to this rule; and

(D) "Concerned school" means any school which is one (1) of the lowest fifty (50) schools based on the results of the MMAT and the assessment system developed pursuant to the provisions of section 160.518, RSMo, as provided for in subsection (1)(B). The tests shall be weighted according to sub-

section (1)(B). Only schools containing one (1) or more of assessed grade levels (fourth, eighth or tenth) shall be included in the lowest fifty (50) schools or in the determination of academically deficient schools. A local board of education may request that the state board of education declare one of the district's schools as a "concerned" school. The district must include the rationale for the request. If the state board declares the school "concerned," it shall be one (1) of the fifty (50) schools identified.

(2) Determination of Academically Deficient Schools.

(A) Each year, the lowest fifty (50) schools which have not met the minimum academic achievement level shall be considered as "concerned" schools. In any given year no more than twenty (20) schools with one (1) of the assessed grade levels shall be considered "concerned." A school with two (2) or more of the assessed grade levels considered "concerned" shall count as only one (1) school and its highest "concerned" grade level shall determine the grade level group into which it is placed. No more than one hundred (100) schools can be identified as "concerned" or academically deficient which have not received the second audit team visit. No more than five (5) schools in one (1) school district shall be identified in any one (1) year as being "concerned." If, after the first year of identification, schools identified as "concerned" would increase a single district's number above ten (10), the latest identified schools of that district shall be selected to mirror the ratio established pursuant to this subsection for all academically deficient schools as closely as possible until ten (10) schools are identified.

(B) A school which has received the second visit of the audit team and remains an academically deficient school shall not be counted against the maximum number of schools referred to subsections (2)(A) through (G) or be placed in the listing of schools from lowest to highest pursuant to subsection (1)(D).

(C) A member of an audit or management team cannot be from an adjoining school district. A Department of Elementary and Secondary Education district supervisor cannot be on a team relating to academic deficiency in a district which s/he supervises.

(D) The State Board of Education shall appoint an audit team for any school identified as "concerned" and designate the chairperson of the committee.

(E) If, after considering relevant information and data provided by the school, the committee finds that the school is an academically deficient school, the committee shall determine the factors that contributed to

the lack of student achievement which resulted in that finding. The committee shall report the factors and the finding to the state board of education. A committee which finds reasonable explanation for the low state assessment scores shall report such to the state board of education.

(F) The state board of education shall declare any school which an audit committee finds academically deficient to be academically deficient. The state board of education shall, within sixty (60) days, appoint a management team for each school so designated. A management team may serve more than one (1) school. No person, except department personnel, can serve on a management team while serving on an audit team for the same school.

(G) "Academically deficient" schools which have not received the second audit team visit shall not exceed ten (10) at any one (1) time for a single school district.

(H) The management team, after a study of a school, shall make recommendations that the team believes are appropriate and necessary in the management and administration of the school to promote increased student achievement. With consideration given to the financial condition of the district and the school, the team may make recommendations that additional local resources be given to the school and/or that additional state resources be allocated to the school. The state board of education shall allocate from the "statewide areas of critical need" money any additional state money requested by the management team and approved by the state board pursuant to section 160.530.2(1), RSMo.

(I) A school shall remain an academically deficient school until such time that the state assessment scores for the grade level that placed the school on the academically deficient list exceed the minimum academic achievement level.

*AUTHORITY: section 160.538.1 and 2, RSMo (1994). \* Original rule filed Sept. 5, 1996, effective March 30, 1997.*

*\*Original authority 1993.*