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# Rules of Department of Elementary and Secondary Education

## Division 20—Division of Learning Services Chapter 200—Office of College and Career Readiness

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

**Division 20—Division of Learning Services  
Chapter 200—Office of College and  
Career Readiness**

**5 CSR 20-200.110 Standards and  
Operational Requirements**  
(Rescinded January 30, 2017)

*AUTHORITY:* sections 167.290–167.296 and 167.300–167.310, RSMo (1994) and 167.298, RSMo (Cum. Supp. 1996). This rule previously filed as 5 CSR 60-90.010. Original rule filed Oct. 31, 1996, effective June 30, 1997. Moved to 5 CSR 20-200.110, effective Aug. 16, 2011. Rescinded: Filed May 23, 2016, effective Jan. 30, 2017.

**5 CSR 20-200.120 Allowable Activities and  
Participating Student Eligibility**  
(Rescinded January 30, 2017)

*AUTHORITY:* section 135.348, RSMo Supp. 1998. This rule previously filed as 5 CSR 60-95.010. Original rule filed March 22, 1999, effective Sept. 30, 1999. Moved to 5 CSR 20-200.120, effective Aug. 16, 2011. Rescinded: Filed May 23, 2016, effective Jan. 30, 2017.

**5 CSR 20-200.130 Administration, Eligible  
Contributors, and Tax Credits**  
(Rescinded January 30, 2017)

*AUTHORITY:* section 135.348, RSMo Supp. 1998. This rule previously filed as 5 CSR 60-95.020. Original rule filed March 22, 1999, effective Sept. 30, 1999. Moved to 5 CSR 20-200.130, effective Aug. 16, 2011. Rescinded: Filed May 23, 2016, effective Jan. 30, 2017.

**5 CSR 20-200.140 Standards for Submis-  
sion and Review of Proposals**  
(Rescinded January 30, 2017)

*AUTHORITY:* section 135.348, RSMo Supp. 1998. This rule previously filed as 5 CSR 60-95.030. Original rule filed March 22, 1999, effective Sept. 30, 1999. Moved to 5 CSR 20-200.140, effective Aug. 16, 2011. Rescinded: Filed May 23, 2016, effective Jan. 30, 2017.

**5 CSR 20-200.150 Missouri Textbook  
Filing**  
(Rescinded January 30, 2017)

*AUTHORITY:* section 170.061, RSMo 1986. This rule previously filed as 5 CSR 60-

110.010. Original rule filed Dec. 10, 1975, effective Dec. 20, 1975. Amended: Filed May 12, 1978, effective Aug. 14, 1978. Moved to 5 CSR 20-200.150, effective Aug. 16, 2011. Rescinded: Filed May 23, 2016, effective Jan. 30, 2017.

**5 CSR 20-200.160 State Plan for Career  
Education**

*PURPOSE:* This rule incorporates the current state plan for career education. This plan constitutes the basis for the operation and administration of the state's federally-assisted career education program established by the current career education legislation and subsequent amendments enacted by the United States Congress and regulations implementing Acts of Congress published by the Secretary of the United States Department of Education. The plan is submitted to, and with the approval of, the United States Department of Education. It serves as a guide for administering federally-funded career education programs, services, and activities for eligible subrecipients in Missouri.

*PUBLISHER'S NOTE:* The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The state Department of Elementary and Secondary Education, in consultation with teachers, administrators, eligible recipients, parents, students, interested community members, representatives of special populations, representatives of business and industry, representatives of labor organizations, and the governor, prepares the state plan. The plan identifies specific groups of individuals to be served and indicates the types of programs, services, and activities which may be provided. It enumerates the goals and objectives which serve as a basis for the statewide effort to provide for the career education needs of the people of Missouri.

(2) The Missouri State Plan for Career Education contains the administrative provisions for the delivery of the state's federally-assist-

ed career education program. The Missouri State Plan for Career Education State Fiscal Years 2008–2013 is hereby incorporated by reference and made a part of this rule. A copy of the Missouri State Plan for Career Education (revised 2008) is published by and can be obtained from the Department of Elementary and Secondary Education, Division of Career Education, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

(3) Rules pertaining to the State Board of Education which is responsible for the administration of the state plan, statements of assurance, methods of joint planning and coordination, procedures on local applications and procedures to establish and meet the state level of performance for the six (6) core indicators of performance for secondary programs and the five (5) core indicators of performance for postsecondary programs are contained in the plan.

(4) Operational procedures concerning the allocation of funds for career education programs are contained in the plan. These procedures deal with funding allocations and procedures for secondary, postsecondary, and adult career education programs. Additional procedures pertaining to tech prep education and staff development activities are also included.

*AUTHORITY:* Public Law 105-332, section 161.092, RSMo Supp. 2007 and section 178.430, RSMo 2000.\* This rule previously filed as 5 CSR 60-120.010. Original rule filed Aug. 22, 1974, effective Sept. 2, 1974. Amended: Filed Oct. 10, 1974, effective Oct. 21, 1974. Amended: Filed Oct. 13, 1976, effective Nov. 15, 1976. Amended: Filed Nov. 28, 1977, effective Jan. 16, 1978. Amended: Filed Oct. 20, 1981, effective Dec. 15, 1981. Amended: Filed Oct. 16, 1982, effective Nov. 15, 1982. Amended: Filed Oct. 12, 1983, effective Nov. 15, 1983. Amended: Filed Dec. 7, 1984, effective Jan. 14, 1985. Amended: Filed Jan. 30, 1989, effective Feb. 24, 1989. Amended: Filed Aug. 17, 1990, effective Nov. 30, 1990. Amended: Filed Nov. 22, 1994, effective Feb. 26, 1995. Amended: Filed Oct. 29, 1999, effective Jan. 30, 2000. Amended: Filed Feb. 22, 2001, effective May 30, 2001. Amended: Filed May 13, 2008, effective July 30, 2008. Moved to 5 CSR 20-200.160, effective Aug. 16, 2011.

\*Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003 and 178.430, RSMo 1963.

*Op. Atty. Gen. No. 96, Wheeler (6-15-55). House Bill No. 202, 68th General Assembly*



(section 178.430, RSMo (1969)), authorizes State Board of Education to formulate and execute plan of agreement in carrying out provisions of federal Social Security Act in making determination of disability under Title II thereof. The state board has authority to designate Vocational Rehabilitation Section to administer such plan.

5 CSR 20-200.170 Implementation of Vocational Educational Programs

PURPOSE: This regulation, which is contained in the Handbook for Vocational Education in Missouri, establishes the guidelines for implementation and operation of vocational education programs for public education agencies.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) The handbook describes the general guidelines for administration of vocational education including: procedures for submitting applications, terminating programs, reimbursement, certification of teachers and in-service education, facilities, time requirements for programs and courses, evaluation, replacement of equipment, inventory procedures, guidance services and advisory committees.

(2) The handbook establishes the guidelines for the administration of specific vocational education program areas. It describes requirements for agricultural education, business and office education, cooperative industrial and distributive education, adult distributive education, home economics education, vocational industrial education, disadvantaged and handicapped programs and work-study programs.

(3) The handbook prescribes guidelines for area vocational schools, guidance services and the research coordinating unit.

(4) The handbook includes the report forms for the vocational education programs.

AUTHORITY: section 178.430, RSMo 1986.\* This rule previously filed as 5 CSR 60-120.020. Original rule filed Aug. 26, 1974, effective Sept. 6, 1974. Amended: Filed Oct. 29, 1981, effective Feb. 15, 1982. Moved to 5 CSR 20-200.170, effective Aug. 16, 2011.

\*Original authority: 178.430, RSMo 1963.

Op. Atty. Gen. No. 96, Wheeler, (6-15-55). House Bill No. 202, 68th General Assembly (see section 178.430, RSMo (1969)), authorizes State Board of Education to formulate and execute plan of agreement in carrying out provisions of federal Social Security Act in making determination of disability under Title II thereof. The state board has authority to designate Vocational Rehabilitation Section to administer such plan.

5 CSR 20-200.180 Area Vocational School Service Regions

PURPOSE: This rule provides planning stability by establishing service regions and to provide procedures for altering these regions.

(1) The initial assignment of a sending school district to a specific area vocational school will be effective for the 1983-84 school year and shall continue until the assignment is changed by action of the State Board of Education.

(2) School districts whose students were enrolled in one (1) area vocational school during the 1983-84 school year shall be assigned to that area vocational school.

(3) School districts whose students were enrolled in more than one (1) area vocational school during the 1983-84 school year shall be assigned to the area vocational school in which the greater number of the district's students were enrolled during the 1983-84 school year.

(4) Future assignments for school districts not affiliated with an area vocational school during the 1983-84 school year shall be approved by the State Board of Education. The request for assignment shall be submitted in writing to the assistant commissioner, Division of Vocational and Adult Education, Department of Elementary and Secondary Education, by November 1, to be considered for the next year. For good cause shown, the state board may waive the requirement for submission by November 1. The request shall

be authorized by the board of education and signed by the superintendent and shall include rationale justifying the affiliation. Based on the information presented and comments from officials of the area vocational school, the assistant commissioner will prepare a recommendation to the commissioner of education and the State Board of Education. All districts involved will be officially notified of the board's decision.

(5) School districts that desire to enroll students in more than one (1) area vocational school or to change affiliation from one (1) area vocational school to another shall obtain the approval of the State Board of Education. The written request shall be submitted to the assistant commissioner, Division of Vocational and Adult Education, Department of Elementary and Secondary Education, by November 1, to be considered for the next school year. The request shall be authorized by the board of education and signed by the superintendent and shall include a rationale justifying the request. Based on the information presented and on other information as may be requested from administrators of the school districts involved, the assistant commissioner will prepare a recommendation to the commissioner of education and the State Board of Education. The State Board of Education will make a determination regarding the district's affiliation based upon the information presented. All districts involved in the request will be officially notified by letter of the board's decision.

(6) Any sending school district altering an affiliation with an area vocational school without following the procedures previously described in sections (4) and (5) may by action of the State Board of Education, be disallowed any reimbursement for contracted services and any provision of transportation aid to and from the area vocational school.

(7) The service region for any additional area vocational school approved subsequent to the effective date of this rule will be defined at the time of approval.

AUTHORITY: sections 161.092, 178.510, RSMo 1986 and 178.530, RSMo Supp. 1991.\* This rule previously filed as 5 CSR 60-120.050. Original rule filed May 26, 1983, effective Nov. 14, 1983. Amended: Filed Feb. 8, 1985, effective June 1, 1985. Moved to 5 CSR 20-200.180, effective Aug. 16, 2011.

\*Original authority: 161.092, RSMo 1963, amended 1973; 178.510, RSMo 1963; and 178.530, RSMo 1963, amended 1977, 1991.



### 5 CSR 20-200.190 Vocational-Technical Education Enhancement Grant Award Program

*PURPOSE: This rule establishes minimum requirements for the administration of the Vocational-Technical Education Enhancement Grant Award Program.*

(1) The Vocational-Technical Education Enhancement Grant Award Program shall be administered by the Division of Vocational and Adult Education (division), Department of Elementary and Secondary Education (DESE), which has the authority to determine grant award criteria and annual grant amounts.

(2) Eligible institutions shall include public high schools, area vocational-technical schools and community colleges that operate DESE-approved occupational preparatory (long-term) vocational education programs. Grant awards shall be made under the following conditions:

(A) Seventy-five percent (75%) of grant funds shall be expended for new programs, curriculum enhancement or instructional equipment that address demand occupations that have been determined to be in critical shortage, as published by the division. The remaining twenty-five percent (25%) or less of the grant may be used for these purposes, as well as facility improvement without regard for demand occupations. A grant recipient shall expend at least twenty-five percent (25%) matching funds from local sources for all grant funds expended for instructional equipment. A grant recipient shall expend at least fifty percent (50%) matching funds from local sources for all other grant fund expenditures;

(B) An advisory committee with no fewer than twelve (12) members shall be established by each eligible institution prior to a grant award. This committee shall be composed of at least two (2) members representing each of the following groups: business persons, labor leaders, parents, senior citizens, community leaders and teachers. The committee shall assist the grant recipient with the development of a plan which will ensure that graduates proceed to a two (2)- or four (4)-year college/university or a high wage job with workplace skill development opportunities. This plan shall be developed prior to the close of the fiscal year that the grant recipient receives an initial grant under this grant award program. Eligible institutions that apply for grant funds after receiving an initial grant award shall submit a description of the accomplishments made toward the implementation of their initial plan and any modifica-

tions to their initial plan; and

(C) A budget shall be developed which details all major expenditure categories and itemizes all equipment purchases. Equipment purchases with grant funds shall:

1. Have prior approval of the division; and

2. Be appropriate to the instructional content of the vocational education course or program.

(3) A request for proposals will be made available to eligible institutions by the division for each fiscal year. Applicants must develop a grant proposal and forward it to the division no later than the published date in order to receive consideration. Grant awards will be effective July 1 of each year.

(4) Grant proposals must contain at least the following:

(A) The name and address of the institution and school or community college district applying for a grant award;

(B) A statement of commitment to implement the content of the grant proposal bearing the signature of the chief administrator of the school or community college district submitting the grant proposal;

(C) A description of how the funds made available by this grant award program will be used to enhance the vocational education offering at the institution and address demand occupations;

(D) A detailed, line item budget of anticipated local and grant fund expenditures;

(E) An assurance that fiscal control, property management control and fund accounting procedures are provided;

(F) An assurance that funds from local sources will be allocated and expended for the purposes delineated in the grant proposal in an amount equal to or greater than twenty-five percent (25%) for all instructional equipment and equal to or greater than fifty percent (50%) for all other grant award expenditure;

(G) An assurance that seventy-five percent (75%) of grant funds will be expended for new programs, curriculum enhancement or instructional equipment that address demand occupations;

(H) An assurance that the grant recipient will comply with all reporting requirements of the department relating to this grant award program;

(I) An assurance by secondary school districts that student performance standards will be established within the district that lead to or qualify students for graduation, and that these standards meet or exceed the Show-Me Standards;

(J) An assurance that prior to the close of the fiscal year of the grant award a plan will be developed with the assistance of the prescribed advisory committee, to ensure that graduates proceed to a two (2)- or four (4)-year college/university or a high wage job with workplace skill development opportunities;

(K) A listing of the advisory committee members and the category that they represent;

(L) The title and classification of instructional programs (CIP) code of any occupational preparatory (long-term) vocational education program for which grant funds will be expended; and

(M) A complete application for new or expanding regular vocational education programs, if an occupational preparatory (long-term) vocational education program is being established or expended with grant funds.

(5) The division will review all grant proposals submitted by eligible institutions based upon the extent to which:

(A) The proposed programs, services and activities enhance vocational education;

(B) The proposed programs, services and activities address demand occupations; and

(C) A complete grant proposal is received prior to the proposal deadline.

(6) The division will give priority to eligible institutions that have not previously received a grant award.

(7) Beginning July 1, 1994, the commissioner of education shall request from the director of the Division of Workforce Development, Department of Economic Development, an annual listing of demand occupations in the state, including substate projections. The listing shall include those occupations for which, in the judgment of the director of the Division of Workforce Development, there are critical shortages to meet present and future employment needs necessary to the economic growth and competitiveness of the state. The division will publish the list of demand occupations annually in its request for proposals.

(8) The assistant commissioner for Vocational and Adult Education may set aside up to ten percent (10%) of the monies appropriated for regional or statewide projects. The projects shall:

(A) Enhance the delivery system of vocational-technical education;

(B) Integrate academic and vocational-technical education; or

(C) Improve the articulation of vocational-technical programs at secondary and postsecondary institutions.



*AUTHORITY: sections 161.092 and 178.585, RSMo 2000.\* This rule previously filed as 5 CSR 60-120.070. Original rule filed Nov. 10, 1993, effective June 6, 1994. Amended: Filed Nov. 22, 1994, effective June 30, 1995. Amended: Filed July 7, 2000, effective Feb. 28, 2001. Rescinded and readopted: Filed Oct. 19, 2001, effective May 30, 2002. Moved to 5 CSR 20-200.190, effective Aug. 16, 2011.*

*\*Original authority: 161.092, RSMo 1963, amended 1973; and 178.585, RSMo 1993, amended 1995.*

### 5 CSR 20-200.200 Flag Etiquette

*PURPOSE: This rule provides guidelines for flag etiquette and the correct use and display of the United States of America flag.*

(1) School districts may adopt a program of instruction relating to the flag of the United States of America, instruction in flag etiquette, correct use and display of the flag and its use in other patriotic exercises.

(2) The program of instruction should include, but not be limited to the following areas:

(A) Times and occasions for display of the flag of the United States, as stated in 36 U.S.C.A. section 174, included as Appendix A to this rule, including:

1. Displays on buildings and stationary flagstuffs in the open;
2. Night display;
3. Manner of hoisting the flag;
4. Prohibitions on display during inclement weather;
5. Appropriate days of display; and
6. Display of the flag on or near public buildings, polling places or schoolhouses;

(B) Proper position and manner of display of the flag of the United States as stated in 36 U.S.C.A. section 175, included as Appendix B of this rule, including:

1. Appropriate display of the flag;
2. Position of the flag with other flags;
3. Inappropriate displays and prohibited uses of the flag; and
4. Display of the flag at half-staff;

(C) Showing respect for the flag of the United States, as stated in 36 U.S.C.A. section 176, included as Appendix C of this rule, including:

1. Personal displays of respect for the flag;
  2. Prohibited uses of the flag;
  3. Storage of the flag;
  4. Prohibitions on alteration of the flag;
- and

5. Appropriate destruction of flag no longer suitable for display; and

(D) Conduct during hoisting, lowering or passing of flag of the United States as stated in 36 U.S.C.A. section 177, included in the rule as Appendix D of this rule.

(3) The Department of Elementary and Secondary Education shall provide to school districts sample of instructional activities that meet the requirements of section (2) of this rule, as well as other patriotic exercises. Use of the sample will be voluntary by any school district.

*AUTHORITY: section 161.104, RSMo Supp. 1997.\* This rule previously filed as 5 CSR 50-865.400. Original rule filed March 24, 1998, effective Oct. 30, 1998. Moved to 5 CSR 20-200.200, effective Aug. 16, 2011.*

*\*Original authority 1997.*



## Appendix A

### Time and occasions for display.

(a) Displays on buildings and stationary flagstaffs in open; night display—It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.

(b) Manner of hoisting—The flag should be hoisted briskly and lowered ceremoniously.

(c) Inclement weather—The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.

(d) Particular days of display—The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission); and on State holidays.

(e) Display on or near administration building of public institutions—The flag should be displayed daily on or near the main administration building of every public institution.

(f) Display in or near polling places—The flag should be displayed in or near every polling place on election days.

(g) Display in or near schoolhouses—The flag should be displayed during school days in or near every schoolhouse.

## Appendix B

### Position and manner of display.

The flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.

(a) The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i) of this section.

(b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.

(c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United States or any Territory or possession thereof: Provided, That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.

(d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.

(e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.

(f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.

(g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.



(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.

(i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.

(j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.

(k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.

(l) The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.

(m) The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff thirty days from the death of the President or a former President; ten days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day. As used in this subsection—

(1) the term "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff;

(2) the term "executive or military department" means any agency listed under sections 101 and 102 of Title 5; and

(3) the term "Member of Congress" means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.

(n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.

(o) When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

### Appendix C

#### Respect for flag.

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

(a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.

(b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.





- (c) The flag should never be carried flat or horizontally, but always aloft and free.
- (d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.
- (e) The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.
- (f) The flag should never be used as a covering for a ceiling.
- (g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.
- (h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.
- (i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.
- (j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.
- (k) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

#### Appendix D

##### Conduct during hoisting, lowering or passing of flag.

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes.



**5 CSR 20-200.210 Student Assessment**

*PURPOSE:* This rule interprets and implements the provisions of the Excellence in Education Act of 1985, section 160.257, RSMo (1994), and the Outstanding Schools Act of 1993, section 160.518, RSMo (1994), which relate to assessment programs in local school districts.

(1) Each local school district shall develop a written plan for assessing all students (including such special populations as students with disabilities who are eligible to receive special education services; students whose first language is not English; migrant students; and gifted and talented students) which meets the standards for the classification and accreditation of public school districts as set forth in 5 CSR 50-340.010.

(2) Each local plan shall include, at a minimum, all available components of the Missouri Assessment Program developed pursuant to the Outstanding Schools Act of 1993, section 160.518, RSMo (with the exception of those districts for whom a waiver has been granted pursuant to subsections 3 and 4 of section 160.518, RSMo). Such assessments shall be used to monitor the progress of ALL students (other than those who may be exempted as specified by Department of Elementary and Secondary Education guidelines) on the Show-Me Standards, and to identify areas for instructional improvement.

(3) Local districts shall include ALL students in the accountability process as set forth in 5 CSR 30-345.010 and applicable federal regulations.

(4) Local district assessment plans shall include methods to assess student progress on those Show-Me Standards which are not assessed by the Missouri Assessment Program.

(5) Upon request, each local school district shall provide the department its local assessment plan, information about test development procedures (if applicable) or any other assessment information the department may require.

*AUTHORITY:* sections 160.257 and 160.518, RSMo 1994. \* This rule previously filed as 5 CSR 50-280.010. Original rule filed July 2, 1986, effective Oct. 27, 1986. Amended: Filed Sept. 26, 1988, effective Jan. 27, 1989. Amended: Filed June 30, 1997, effective Jan. 30, 1998. Moved to 5 CSR 20-200.210, effective Aug. 16, 2011.

*\*Original authority:* 160.257, RSMo 1985 and 160.518, RSMo 1993.

**5 CSR 20-200.220 Determining Schools Having High Concentrations of Low-Income Children for Purposes of National Defense Education, National Direct and Federal Perkins Student Loan Cancellation (Rescinded January 30, 2017)**

*AUTHORITY:* sections 178.430 and 178.440, RSMo 1986. This rule previously filed as 5 CSR 50-300.010. Original rule filed Dec. 24, 1975, effective Jan. 3, 1976. Rescinded and readopted: Filed Jan. 27, 1993, effective Aug. 9, 1993. Moved to 5 CSR 20-200.220, effective Aug. 16, 2011. Rescinded: Filed May 23, 2016, effective Jan. 30, 2017.

**5 CSR 20-200.250 Standards for Innovative and Experimental Programs**

*PURPOSE:* This rule provides specific policies governing off-campus programs and teacher aide programs.

**(1) Off-Campus Instruction and Work Experience Programs.**

(A) The Department of Elementary and Secondary Education (DESE) recognizes and will approve four (4) types of off-campus programs for students who are sixteen (16) years old or older and juniors or seniors in high school, except that handicapped students must be only sixteen (16) years old or older: academic programs, cooperative vocational education programs, work experience programs for special education students and career exploration programs. School districts may offer other types of off-campus programs without departmental approval but the students enrolled in them may not be counted in membership and attendance for state aid purposes, and the students enrolled in unapproved programs may not be granted high school credit for the off-campus experience.

1. Off-campus academic programs are programs for students who are enrolled in advanced academic or fine arts classes and which have as their goals the acquisition of specialized knowledge and the ability to apply the knowledge to situations which cannot be replicated in a school classroom.

2. Cooperative vocational education programs are programs developed and implemented in accordance with the *Handbook for Vocational Education*, which is filed as an administrative rule of the Division of Career and Adult Education at 5 CSR 60-120.020.

3. Work experience programs for special education students are programs developed

and implemented in accordance with State Plan for Part B of the Education of the Handicapped Act, which is filed as an administrative rule of the Division of Special Education at 5 CSR 70-742.140.

4. Career exploration programs are programs designed to provide students exposure to a variety of occupations as practices on the job site so they may develop their own occupational objectives from direct experience. Students in career exploration programs may spend no more than nine (9) weeks at a particular job site, and then must be rotated through other job sites of interest at least every nine (9) weeks for the duration of the program.

5. Students in cooperative vocational education programs and work experience programs for special education students may be paid for work performed at off-campus locations and will normally be covered by the cooperating sponsors' Workers' Compensation insurance and general liability insurance. Students in off-campus academic programs and in career exploration programs are not expected to perform productive work at off-campus assignments and may not receive pay for their experience in the programs. School districts must arrange for liability insurance to cover accidental injury and job-related illness insurance for students and liability insurance to cover any injuries or damages caused by students on the sponsor's premises. The school district should also provide liability insurance to protect the supervising teacher and any other school district employees who might be exposed to liability risk due to the placement of students in off-campus programs.

(B) Students in off-campus programs must be adequately supervised by appropriately qualified teachers employed by the public school district and must be working or studying under a written instructional plan, cooperatively developed between the supervising teacher or coordinator and appropriate persons at the off-campus site. The written plan must set forth specific measurable objectives to be achieved by the student and describe a plan for evaluating student achievement. Students are considered to be adequately supervised by appropriately qualified teachers if the following standards are met:

1. Teachers supervising off-campus academic programs must be certificated in the subject in which related instruction is provided and must have assigned time for supervision at the rate of one (1) class period daily for each ten (10) participating students;

2. Teachers supervising cooperative vocational education programs must be certificated in accordance with 5 CSR 60-120.020



and must be provided supervision time in accordance with that rule;

3. Teachers supervising work experience programs for special education students must be certificated in accordance with 5 CSR 70-742.140 and must be provided supervision time in accordance with that rule;

4. Teachers supervising off-campus career exploration programs must be certificated as secondary social studies teachers or as guidance counselors and must be provided supervision time at the rate of one (1) class period daily for each fifteen (15) participating students; and

5. If any part of the off-campus program is scheduled outside the regular six (6)-hour school day, the school district must pay the supervising teacher or coordinator for the outside-of-school-hours time necessary to provide the required amount of supervision time.

(C) Off-campus students must be enrolled in and receiving related classroom instruction in the regular high school program before credit may be awarded for off-campus study or work experience. This restriction does not apply to handicapped students whose Individual Education Programs (IEP) indicate full-time work experience or to students participating in Option One of the Trade and Industrial/Health Occupations Internship program. Related instruction must be provided daily for at least one (1) class period for students in cooperative vocational education programs and may be provided less frequently than daily for other types of off-campus programs. In every case, the related instruction must be sufficient to justify the granting of at least one-half (1/2) unit of credit. In addition to credit for related instruction, students may be granted credit for the off-campus experiences under the following standards:

1. Students may be awarded one (1) unit of credit for ten to nineteen (10–19) hours weekly of off-campus study or work experience, which totals between three hundred and six hundred (300–600) hours during a school year; or two (2) units of credit for twenty (20) or more hours weekly of off-campus study or work experience, which would total over six hundred (600) hours during a school year;

2. No more than two (2) units of credit, or twice the number of units of credit granted for related instruction, whichever is less, may be awarded for off-campus study or work experience during any school year for off-campus academic programs, cooperative vocational education programs and career exploration programs;

3. Handicapped students whose IEPs indicate a need for additional work experience to make the transition from school to an

occupation may earn up to four (4) units of credit during an academic year for off-campus work experience. The additional credit will be based on increments of twenty to thirty (20–30) hours weekly and from thirty to forty (30–40) hours weekly of supervised work experience; and

4. High school credit awarded students for off-campus programs will be assigned to subject areas on the basis of the certification of the supervising teacher or coordinator, the related regular classroom instruction, and the nature of the off-campus program. Credit granted for off-campus instruction or work experience shall be counted as elective credit. Off-campus credit may be counted toward meeting the classification and accreditation standards for curriculum only when approved in the areas of Trade and Industrial, Technical, Health Occupations and Cooperative Occupational Education/Distributive Education (COE/DE). Other types of off-campus credit may not be counted toward meeting the curriculum standards.

(D) Community Learning Sponsor.

1. A learning sponsor shall have competence, knowledge and skill to provide effective and worthwhile instruction in the learning activities; have good facilities which support the learning activities to be conducted; make definite commitments to assist pupils in the learning activities; maintain a safe and wholesome learning atmosphere for young people; participate in planning, directing and evaluating the instructional program; and make periodic reports to the assigned teacher on the educational progress of the pupil.

2. It shall be the responsibility of the local public school personnel assigned to off-campus instruction to make the previous determinations and obtain necessary cooperation and commitments. It is recommended that agreements be reduced to written form.

(E) Pupils shall meet the minimum age requirements and other provisions of the laws for the off-campus learning activity in which they engage; not replace regular employees at the off-campus community learning station; have parent or guardian consent to participate in the off-campus learning activities; be limited to off-campus instruction which is related to his/her interest, ability and course of study; attend regularly and demonstrate a willingness to learn from the off-campus instruction activities; attend on-campus classes of the public school for at least half time; and be regularly enrolled full-time in the public school program.

(F) Instruction.

1. A principal and counselor shall work with the instructional staff in approval of

pupils participating in appropriate off-campus activities.

2. The teacher and pupil shall plan an educational project with written behavioral objectives relating to the pupil's course of study. The educational project shall include a written plan of learning activities developed cooperatively by the teacher, learning sponsor and pupil. A definite written schedule of conferences between teacher and pupil and on-site visits shall be developed and carried out.

3. A written evaluation plan shall be developed cooperatively by the pupil, teacher and learning sponsor prior to initiation of off-campus instruction.

(G) School districts wishing to establish and implement off-campus instructional or work experience programs must submit written proposals annually, and in advance of the beginning date of the program, for review and action by the appropriate section of the DESE. Written proposals to establish off-campus academic programs and career exploration programs must be submitted to the director, supervision of instruction; proposals to establish cooperative vocational education programs must be submitted to the appropriate section of the Division of Career and Adult Education; and written proposals for work experience programs for special education students must be submitted to the Division of Vocational Rehabilitation. School districts will be notified of the action taken by the department.

(H) A school district that plans off-campus educational activities in compliance with these policies and statutory provisions regulating the school day, compulsory school attendance, computation of average daily attendance, etc., will have a program that would qualify participating pupils to be counted for regular state aid if they meet all other requirements. Pupils who simply want to work part of the day do not qualify for attendance for state aid.

(2) Teacher Aide Program for High School Students.

(A) Teacher aide programs for high school students may be established in accordance with the provisions for innovation and experimental programs which supplement, improve or enrich the educational program.

(B) The student teacher aide program must be closely supervised by the school district's certificated teachers since Missouri law requires a school day of six (6) hours in which pupils are under the guidance and direction of teachers in the teaching process for both compulsory attendance and state aid purposes.



(C) Meaningful educational experiences shall be planned for participants in the program so that each day’s activities will provide learning experiences for students.

(D) Provisions should be made for teaching the students how to tutor and the steps to be followed in the tutoring process before they are permitted to tutor pupils.

(E) The certificated staff member who sponsors the program should have sufficient time available to confer with the supervising teachers and to conduct regular group and individual conferences with the high school tutors. If there are as many as ten (10) tutors in the school scheduled for tutoring one (1) or two (2) periods daily, the sponsor should have the equivalent of at least one (1) period daily to supervise and confer with a maximum of thirty (30) tutors. One (1) additional period daily should be provided when the number of tutors exceeds thirty (30) and one (1) additional period for each additional thirty (30) tutors in the program.

(F) A list of the responsibilities of the sponsoring teacher, building principal, supervising teacher and student shall be developed in writing and disseminated to all concerned. All activities of the student must be under the direct control of a certificated teacher of the public school district.

(G) Provisions for evaluating effectiveness of the program should be developed during the planning stages and the program shall be evaluated at least annually.

*AUTHORITY: section 161.092, RSMo 1986.\* This rule previously filed as 5 CSR 50-340.090. Original rule filed Dec. 24, 1975, effective Jan. 3, 1976. Amended: Filed April 12, 1983, effective Aug. 15, 1983. Moved to 5 CSR 20-200.250, effective Aug. 16, 2011.*

*\*Original authority: 161.092 RSMo 1963, amended 1973.*

**5 CSR 20-200.260 Academic Standards**

*PURPOSE: Section 160.514, RSMo requires the State Board of Education to adopt academic standards which establish the knowledge, skills and competencies necessary for students to successfully advance through the public elementary and secondary education system of this state. This rule establishes those academic standards.*

(1) The following academic standards establish the minimum knowledge base, skills and competencies necessary for students to successfully advance through the public elementary and secondary education system of this state; prepare students for post-secondary education or the workplace or both; and are

necessary in this era to preserve the rights and liberties of the people. The standards incorporate both what students should know and be able to do.

(A) Goal 1. Students in Missouri public schools will acquire the knowledge and skills to gather, analyze and apply information and ideas. Students will demonstrate within and integrate across all content areas the ability to—

1. Develop questions and ideas to initiate and refine research;
2. Conduct research to answer questions and evaluate information and ideas;
3. Design and conduct field and laboratory investigations to study nature and society;
4. Use technological tools and other resources to locate, select and organize information;
5. Comprehend and evaluate written, visual and oral presentations and works;
6. Discover and evaluate patterns and relationships in information, ideas and structures;
7. Evaluate the accuracy of information and the reliability of its sources;
8. Organize data, information and ideas into useful forms (including charts, graphs, outlines) for analysis or presentation;
9. Identify, analyze and compare the institutions, traditions and art forms of past and present societies; and
10. Apply acquired information, ideas and skills to different contexts as students, workers, citizens and consumers.

(B) Goal 2. Students in Missouri public schools will acquire the knowledge and skills to communicate effectively within and beyond the classroom. Students will demonstrate within and integrate across all content areas the ability to—

1. Plan and make written, oral and visual presentations for a variety of purposes and audiences;
2. Review and revise communications to improve accuracy and clarity;
3. Exchange information, questions and ideas while recognizing the perspectives of others;
4. Present perceptions and ideas regarding works of arts, humanities and sciences;
5. Perform or produce works in the fine and practical arts;
6. Apply communication techniques to the job search and to the workplace; and
7. Use technological tools to exchange information and ideas.

(C) Goal 3. Students in Missouri public schools will acquire the knowledge and skills to recognize and solve problems. Students will demonstrate within and integrate across

all content areas the ability to—

1. Identify problems and define their scope and elements;
2. Develop and apply strategies based on ways others have prevented or solved problems;
3. Develop and apply strategies based on one’s own experience in preventing or solving problems;
4. Evaluate the processes used in recognizing and solving problems;
5. Reason inductively from a set of specific facts and deductively from general premises;
6. Examine problems and proposed solutions from multiple perspectives;
7. Evaluate the extent to which a strategy addresses the problem; and
8. Assess costs, benefits and other consequences of proposed solutions.

(D) Goal 4. Students in Missouri public schools will acquire the knowledge and skills to make decisions and act as responsible members of society. Students will demonstrate within and integrate across all content areas the ability to—

1. Explain reasoning and identify information used to support decisions;
2. Understand and apply the rights and responsibilities of citizenship in Missouri and the United States;
3. Analyze the duties and responsibilities of individuals in societies;
4. Recognize and practice honesty and integrity in academic work and in the workplace;
5. Develop, monitor and revise plans of action to meet deadlines and accomplish goals;
6. Identify tasks that require a coordinated effort and work with others to complete those tasks;
7. Identify and apply practices that preserve and enhance the safety and health of self and others; and
8. Explore, prepare for and seek educational and job opportunities.

(E) Communication Arts. In communication arts, students in Missouri public schools will acquire a solid foundation which includes proficiency in—

1. Speaking and writing standard English (including grammar, usage, punctuation, spelling, capitalization);
2. Reading and evaluating fiction, poetry and drama;
3. Reading and evaluating nonfiction works and material (such as biographies, newspapers, technical manuals);
4. Writing formally (such as reports, narratives, essays) and informally (such as outlines, notes);



5. Comprehending and evaluating the content and artistic aspects of oral and visual presentations (such as story-telling, debates, lectures, multimedia presentations);

6. Participating in formal and informal presentations and discussions of issues and ideas; and

7. Identifying and evaluating relationships between language and culture.

(F) Fine Arts. In fine arts, students in Missouri public schools will acquire a solid foundation which includes knowledge of—

1. Process and techniques for the production, exhibition or performance of one (1) or more of the visual or performed arts;

2. The principles and elements of different art forms;

3. The vocabulary to explain perceptions about and evaluations of works in dance, music, theater and visual arts;

4. Interrelationships of visual and performing arts and the relationships of the arts to other disciplines; and

5. Visual and performing arts in historical and cultural contexts.

(G) Health/Physical Education. In health/physical education, students in Missouri public schools will acquire a solid foundation which includes knowledge of—

1. Structures of, functions of, and relationships among human body systems;

2. Principles and practices of physical and mental health (such as personal health habits, nutrition, stress management);

3. Diseases and methods for prevention, treatment and control;

4. Principles of movement and physical fitness;

5. Methods used to assess health, reduce risk factors, and avoid high risk behaviors (such as violence, tobacco, alcohol and other drug use);

6. Consumer health issues (such as the effects of mass media and technology on safety and health); and

7. Responses to emergency situations.

(H) Mathematics. In mathematics, students in Missouri public schools will acquire a solid foundation which includes knowledge of—

1. Addition, subtraction, multiplication and division; other number sense, including numeration and estimation; and the application of these operations and concepts in the workplace and other situations;

2. Geometric and spatial sense involving measurement (including length, area, volume), trigonometry, and similarity and transformations of shapes;

3. Data analysis, probability and statistics;

4. Patterns and relationships within and

among functions and algebraic, geometric and trigonometric concepts;

5. Mathematical systems (including real numbers, whole numbers, integers, fractions), geometry, and number theory (including primes, factors, multiples); and

6. Discrete mathematics (such as graph theory, counting techniques, matrices).

(I) Science. In science, students in Missouri public schools will acquire a solid foundation which includes knowledge of—

1. Properties and principles of matter and energy;

2. Properties and principles of force and motion;

3. Characteristics and interactions of living organisms;

4. Changes in ecosystems and interactions of organisms with their environments;

5. Processes (such as plate movement, water cycle, air flow) and interactions of earth's biosphere, atmosphere, lithosphere and hydrosphere;

6. Composition and structure of the universe and the motions of the objects within it;

7. Processes of scientific inquiry (such as formulating and testing hypothesis); and

8. Impact of science, technology and human activity on resources and the environment.

(J) Social Studies. In social studies, students in Missouri public schools will acquire a solid foundation which includes knowledge of—

1. Principles expressed in the documents shaping constitutional democracy in the United States;

2. Continuity and change in the history of Missouri, the United States and the world;

3. Principles and process of governance systems;

4. Economic concepts (including productivity and the market system) and principles (including the laws of supply and demand);

5. The major elements of geographical study and analysis (such as location, place, movement, regions) and their relationships to changes in society and environment;

6. Relationships of the individual and groups to institutions and cultural traditions; and

7. The use of tools of social science inquiry (such as surveys, statistics, maps, documents).

*AUTHORITY: section 160.514, RSMo 1994. \* This rule previously filed as 5 CSR 50-375.100. Original rule filed Oct. 25, 1995, effective May 30, 1996. Moved to 5 CSR 20-200.260, effective Aug. 16, 2011.*

*\*Original authority: 160.514, RSMo 1993.*

### 5 CSR 20-200.270 Student Suicide Prevention Programs

(Rescinded January 30, 2017)

*AUTHORITY: section 161.235, RSMo 2000. This rule previously filed as 5 CSR 60-120.080. Original rule filed Dec. 7, 2000, effective July 30, 2001. Moved to 5 CSR 20-200.270, effective Aug. 16, 2011. Rescinded: Filed May 23, 2016, effective Jan. 30, 2017.*

### 5 CSR 20-200.280 Private School Agriculture Programs

*PURPOSE: The State Board of Education is charged by section 178.530, RSMo, to establish standards for agricultural education programs that may be adopted by a private school. In meeting these standards, a private school will be able to demonstrate that an agricultural education program provides quality vocational programming and qualify for approval of local chapters of a federally chartered national agricultural education association.*

(1) The following standards are adopted for the approval of agricultural education programs provided by a private school pursuant to section 178.530, RSMo:

(A) The private school shall be accredited by an agency recognized by the United States Department of Education; and

(B) The private school shall provide evidence of quality vocational programming consistent with standards by the Department of Elementary and Secondary Education (department) and consistent with the following standards for agricultural education programs:

1. A written curriculum for all agriculture courses has been developed with input from the community, students, and administration and includes the identification of specific goals and objectives, Supervised Agricultural Experience (SAE) supervision, and leadership instruction;

2. The agriculture program has the resources necessary to implement and deliver the curriculum and to adapt to the needs of students;

3. Each instructor is qualified and participates in professional development activities;

4. All students will have the opportunity to enroll in the agriculture education program;

5. Year-round student leadership development activities are integrated into the agriculture program and are supervised by the local agriculture instructor(s);

6. A SAE Program is an essential part of



the agriculture program;

7. Clean, attractive, and safe facilities and equipment are provided to support the curriculum and meet the needs of students;

8. Safety is incorporated into all phases of the agriculture program;

9. Community support and involvement are facilitated through a comprehensive program targeted to all program stakeholders;

10. A record of student enrollment, placement, and follow-up activities is maintained and used in program planning and development; and

11. Input from students, parents, staff members, and community representatives is used to develop and implement the agriculture program's goals and objectives.

(2) Any student who is regularly enrolled in a secondary (grades 9-12) agricultural education program approved under these standards shall be entitled to become an active member of a chartered Future Farmers of America (FFA) chapter.

*AUTHORITY: sections 161.092 and 178.530, RSMo Supp. 2012.\* Original rule filed Oct. 25, 2012, effective May 30, 2013.*

*\*Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003 and 178.530, RSMo 1963, amended 1977, 1991, 1995, 2012.*

**5 CSR 20-200.290 Physical Fitness Challenge/Assessment "Cade's Law"**

*PURPOSE: This rule establishes the physical fitness recognition plan for public elementary, middle, and high school students.*

(1) For the purposes of Cade's Law, the following terms shall mean:

(A) Team is defined as a group of two (2) or more students participating in a class, course, or grade level during the regular school day and school year as defined by the school's official start and ending dates or summer school;

(B) School includes all Missouri public schools; and

(C) Eligible student is defined as a student who is enrolled in a physical education class and does not have an exemption for taking the physical fitness assessment.

(2) Local education agencies (LEAs) collect and report data on aerobic capacity, muscular strength, endurance, and flexibility for all eligible elementary students in grade five (5), middle school students in grade seven (7), and high school students in grade nine (9) who are enrolled in a physical education class

for any part of the traditional school year as identified by each LEA's beginning and ending date or summer school. Public schools are encouraged to assess fitness at all grade levels.

(A) Fitness assessments must be administered by a teacher certified in Physical Education by the state of Missouri.

(B) LEAs shall use recommended protocols and ranges to ensure consistency and to measure the components of fitness for students, teams, and schools. Schools may access these resources and materials from the Department of Elementary and Secondary Education (department) website.

(C) Schools shall use the alternative assessment as recommended by the department for students with disabilities.

(3) Individual, team, and school-wide performance are recognized.

(A) Schools are encouraged to recognize students and teams in meeting fitness goals.

1. Students scoring within the healthy range of a fitness area are determined to have met the standard for that area.

2. When the average of a team score in a fitness area fits within a healthy range, that team is determined to have met the standard in that area.

3. Ninety-five percent (95%) of eligible students in the reporting grade span must participate in each assessment for a school to be eligible for department recognition.

4. When the average score of the students in a reporting grade fall within a fitness range, that school is determined to have met that fitness range for the grade level.

5. For the 2014-2015 school year, schools in which twenty-five percent (25%) of eligible students have met three (3) of four (4) fitness ranges shall be recognized by the department. In subsequent years recognition is based on aggregated school fitness data reported to the department.

(B) The department recognizes local education agencies when every school in the LEA meets the school recognition criteria during a school year.

(4) Schools are encouraged to review and use the free resources and materials, including assessment protocols and scoring guides for each fitness component, found on the department's website.

*AUTHORITY: sections 161.092 and 161.450, RSMo Supp. 2013.\* Original rule filed Sept. 27, 2013, effective May 30, 2014.*

*\*Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003, 2013.*

**5 CSR 20-200.300 Training of School Employees in the Care Needed for Students with Diabetes**

*PURPOSE: The purpose for this rule is to enable schools to ensure a safe learning environment for students with diabetes. This rule is based on the belief that children with diabetes can participate in all academic and non-academic school-related activities. In order for children with diabetes to be successful in school, a comprehensive health plan must be collaboratively developed by families, students, school personnel, and licensed health care providers. The individualized health plan (IHP) implements the Diabetes Medical Management Plan (DMMP) provided by the healthcare provider, physician orders and provisions appropriate to each student's needs during the school day and for other school-related activities. The IHP must be based upon and consistent with the DMMP.*

(1) For purposes of this rule, the following terms shall mean:

(A) Department of Elementary and Secondary Education (department);

(B) Diabetes Medical Management Plan (DMMP)—a document developed by the student's personal health care team that sets out the health services needed by the student at school and is signed by the student's personal health care team and parent/guardian. For a student determined eligible under Section 504 of the Rehabilitation Act of the Individuals with Disabilities Education Act (IDEA), the DMMP may be incorporated or referenced, as appropriate, into the health services provisions of the student's 504 Plan or Individualized Education Program (IEP);

(C) Diabetes—a chronic disease in which blood glucose (sugar) levels are above normal;

(D) Personal Health Care Team—a team that includes the student's health care provider, parent/guardian, and as appropriate, school nurse and/or the student. For a student determined eligible under section 504 of the Rehabilitation Act or the Individuals with Disabilities Education Act (IDEA) the team of individuals required to develop the section 504 Plan or the individualized education program (IEP) may constitute the personal health care team inclusive of the student's health care provider or input from that provider.

(E) School—shall include any public school located within the state of Missouri;

(F) School employee—shall include any person employed by a local education agency (LEA), any person employed by a local health department who is assigned to an LEA, or any subcontractor designated for this function; and



(G) Trained diabetes personnel—a school employee who volunteers to be trained in accordance with this rule. Such employee need not be a health care professional.

(2) The school board of each school district and the governing body of each charter school may provide all students with diabetes in the school or district appropriate and needed diabetes care as specified in their Diabetes Medical Management Plan.

(A) The parent or guardian of each student with diabetes who seeks diabetes care while at school should submit to the school a Diabetes Medical Management Plan (DMMP), which upon receipt shall be reviewed by the school.

(B) The DMMP is developed by the student's personal health care team and sets out the health services needed by the student at school and is signed by the student's personal health care team and parent/guardian. The plan covers how, when, and under what circumstances the student should receive blood glucose monitoring and injections of insulin as well as steps to take in case of an emergency.

(C) Schools must receive written permission from the student's parent/guardian to allow monitoring of the student's blood glucose and to administer insulin by injection or the delivery system used by the student. This written permission should be included in the DMMP.

(3) Section 167.803, RSMo, requires schools choosing to adopt these training guidelines of this section to train at least three (3) school employees at each school attended by a student with diabetes. A school employee shall not be subject to any penalty or disciplinary action for refusing to serve as trained diabetes personnel.

(A) Training shall be coordinated by a school nurse, if the school district or charter school has a school nurse, and provided by a school nurse or another health care professional with expertise in diabetes. Such training shall take place prior to the commencement of each school year, or as needed when a student with diabetes is newly enrolled at a school or a student is newly diagnosed with diabetes, but in no event more than thirty (30) days following such enrollment or diagnosis. Local boards of education or charter school governing boards shall ensure that the school nurse or other health care professional provides follow-up training and supervision as necessary. Coordination, delegation, and supervision of care shall be performed by a school nurse or other qualified health care professional.

(B) Training shall include, but not be limited to—

ited to—

1. Understanding the appropriate actions to take when blood glucose levels are outside of the target ranges indicated by a student's DMMP;

2. Understanding physician instructions concerning diabetes medication drug dosage, frequency, and the manner of administration;

3. Performance of finger-stick blood glucose checking, ketone checking, and recording the results;

4. The administration of glucagon and insulin and the recording of results;

5. Understanding how to perform basic insulin pump functions;

6. Recognizing complications that require emergency assistance; and

7. Understanding recommended schedules and food intake for meals and snacks, the effect of physical activity upon blood glucose levels, and actions to be implemented in the case of schedule disruption.

(C) Schools shall document training provided under section 167.803, RSMo. Specifically, schools shall record the name, title, and credentials of the health care professional providing the training, and the names and titles of the school personnel receiving training as trained diabetes personnel.

(D) Schools will assure that trained personnel have mastered training competencies. Suggested resources for developing a diabetes skills checklist can be found on the department's website.

(E) The department recommends that all trained diabetes personnel and other school personnel be familiar with recommended resources available on the department's website.

(F) If at any time fewer than three (3) school employees are available to be trained at a school, the principal or other school administrator shall distribute to all staff members a written notice seeking volunteers to serve as diabetes care personnel. The notice shall inform staff of the following:

1. The school shall provide diabetes care to one (1) or more students with diabetes and is seeking personnel willing to be trained to provide that care;

2. The tasks to be performed;

3. Participation is voluntary and the school district or school shall take no action against any staff member who does not volunteer to be designated;

4. Training shall be provided to employees who volunteer to provide care;

5. Trained personnel are protected from liability under section 167.831, RSMo; and

6. The identity and contact information of the individual who should be contacted to volunteer.

(4) Each school shall review and may implement the DMMP provided by the parent/guardian of a student with diabetes who seeks diabetes care while at school. Generally, the school nurse is the most appropriate person in the school setting to provide care management for a student with diabetes. Other trained diabetes personnel shall be available as necessary.

(A) The school nurse or at least one (1) trained diabetes personnel may be on site at each school and available during regular school hours and during all school sponsored activities, including school-sponsored before school and after school care programs, field trips, extended off-site excursions, extracurricular activities, and on buses when the bus driver has not completed the necessary training, to provide care to each student with a DMMP being implemented by the school.

(B) Each LEA may provide training in the recognition of hypoglycemia and hyperglycemia and actions to take in response to emergency situations to all school personnel who have primary responsibility for supervising a child with diabetes during some portion of the school day and to bus drivers responsible for the transportation of a student with diabetes.

(C) In accordance with the request of a parent/guardian of a student with diabetes and the student's DMMP, the school nurse or, in the absence of the school nurse, trained diabetes personnel, may perform functions including, but not limited to, responding to blood glucose levels that are outside of the student's target range; administering glucagon, administering insulin, or assisting a student in administering insulin through the insulin delivery system the student uses; providing oral diabetes medications, checking and recording blood glucose levels and ketone levels, or assisting a student with such checking and recording; and following instructions regarding meals, snacks, and physical activity.

(D) Upon written request of a student's parent/guardian and if authorized by the student's DMMP, a student with diabetes shall be permitted to perform blood glucose checks, administer insulin through the insulin delivery system the student uses, treat hypoglycemia and hyperglycemia, and otherwise attend to the monitoring and treatment of his/her diabetes in the classroom, in any area of the school or school grounds, and at any school-related activity, and he/she shall be permitted to possess on his/her person at all times all necessary supplies and equipment to perform such monitoring and treatment functions. If the parent/guardian or student so requests, the student shall have access to a



private area for performing diabetes care tasks. Schools should encourage parents to provide backup supplies for each child to the school nurse in the event the student does not have them in possession when needed.

(5) Sample forms of Diabetes Medical Management Plans (DMMPs) are available on the department website.

(A) A DMMP shall be signed by a health care professional.

(B) A DMMP should—

1. Outline the dosage, delivery system, and schedule for blood glucose monitoring, insulin/medication administration, glucagon administration, ketone monitoring, meals and snacks, physical activity, and include the student's usual symptoms of hypoglycemia and hyperglycemia, and their recognition and treatment;

2. Include emergency contact information;

3. Address the student's level of self-care and management.

(C) A proposed DMMP should be completed and submitted to the school at least annually.

(D) Emergency contact information and any medical history contained in the DMMP may be updated at any time without signature or assistance of a health care professional.

(6) No physician, nurse, school employee, charter school, or school district shall be liable for civil damages or subject to disciplinary action under professional licensing regulations or school disciplinary policies as a result of the activities authorized by sections 167.800 to 167.824, RSMo, when such acts are committed as an ordinarily reasonably prudent person would have acted under the same or similar circumstances.

*AUTHORITY: sections 161.092 and 167.800 to 167.824, RSMo Supp. 2013.\* Original rule filed Sept. 27, 2013, effective May 30, 2014.*

*\*Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003, 2013.*