Rules of
Department of Elementary and Secondary Education
Division 50—Division of School Improvement
Chapter 345—Missouri School Improvement Program

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Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
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5 CSR 50-345.010 General Provisions
(Moved to 5 CSR 30-345.010)

5 CSR 50-345.020 Policies on Waiver of Regulations

PURPOSE: This rule establishes the criteria and procedures for annually identifying school district and/or school building eligibility for waivers in compliance with sections 161.210, 163.031.5(3), 160.545 and 160.518, RSMo. The student performance data will be reviewed, and the commissioner will notify districts if they are eligible for a waiver. Districts may respond to this notification by either accepting or rejecting such waiver. This rule contains four (4) types of department-wide waivers of regulations which may be granted to school districts. Regulations identified in the Missouri School Improvement Program (MSIP) Waiver Plan will be waived in each of the four (4) categories of waivers; however, the criteria for qualifying varies with each waiver. In all cases, the performance indicators will be evaluated on data in the same manner as in regular MSIP reviews.

(1) Missouri School Improvement Program (MSIP) On-Site Review.

(A) Districts will qualify for a waiver of the next scheduled MSIP review if they meet the following:
   1. The district has appropriately tested two percent (2%) or fewer of its students on the Missouri Assessment Program Alternate (MAP-A) in each grade tested with the Missouri Assessment Program (MAP) as certified by the Division of Special Education by October 15;
   2. The district, based upon department generated Annual Performance Reports (APR), meets the performance indicators at the accredited level (including at least two (2) of the measurements in Standard 9.1.1 and at least three (3) of the measurements in Standard 9.4 for K-12 districts; or for K-8 districts, five (5) of six (6) performance measurements including two (2) from 9.1.1 and three (3) from 9.2, 10.1, and 11.1 combined and having no dropouts) for three (3) of the last four (4) years, including the last year’s APR, based upon the annual Performance Scoring Guide. (In order for districts to have adequate time to prepare for the MSIP review, the decision on eligibility for waivers must be made by December of the second preceding year; therefore, the determination would be based upon the calls made during their last review and the succeeding three (3) APRs);
   3. Districts having twenty (20) or more students in any identified racial minority must demonstrate improvement in the minority population’s achievement which is equal to or greater than the achievement of the non-minority population on the MAP. The following process will be used to judge this condition:
      A. First, the three (3) MSIP grade spans will be examined to determine whether any grade span has twenty (20) or more students in any identified minority in each grade tested in that span for both the preceding and second preceding year;
      B. Second, grade spans meeting the above condition will be examined to determine how many times the identified racial minority group equals or exceeds the improvement of the non-minority population on each test when comparing results from the second preceding to the preceding year using the MAP Performance Index (MPI) Approach or the Three Percent (3%) Improvement Approach for each test in that grade span; and
      C. Third, at least sixty-two percent (62%) positive comparisons between the two (2) groups are required to be acceptable;
   4. The district agrees to administer the MSIP Advance Questionnaire; and
   5. The district completes an annual MSIP Waiver Plan which confirms the district’s adherence to the specific laws and rules referred to in that plan.

(B) If a district meets the criteria for a waiver of its regularly scheduled five (5)-year MSIP review, Department of Elementary and Secondary Education (DESE) will conduct a mini-team review which will focus on the areas identified in the MSIP Waiver Plan. The team will include the state supervisor and representatives from appropriate DESE sections.

(C) The MSIP waiver is an annual waiver and may be renewed for five (5) consecutive years if:
   1. The district continues to meet the “Accredited” level on the performance indicators;
   2. The district complies with all the items on the MSIP Waiver Plan; and
   3. The district verifies that it has been granted a waiver of the MSIP Scoring Guidelines on the MPI Approach.

(2) Hold Harmless Districts.

(A) A district that meets the financial qualifications identified in section 163.031.5(3), RSMo will be granted waivers as long as the district qualifies for a waiver of the MSIP On-Site Review.

(B) A district that meets the financial qualifications identified in section 163.031.5(3), RSMo will be granted waivers as long as the district qualifies for a waiver of the MSIP On-Site Review.

(3) A+ High School.

(A) The designation as an A+ high school is granted for one (1) year in compliance with the A+ rule and section 160.545, RSMo. A high school will qualify for a waiver of the MSIP On-Site Review if—
   1. The school has appropriately tested two percent (2%) or fewer of its students on the MAP-A in each grade tested with the MAP as certified by the Division of Special Education by October 15;
   2. The school is currently designated as A+;
   3. The school agrees to administer the MSIP Advance Questionnaire; and
   4. The school completes an annual A+ Waiver Plan which confirms the district’s adherence to the specific laws and rules referred to in that plan.

(4) Exemplary School.

(A) A school building that meets the following student performance criteria will be designated as Exemplary in compliance with section 160.518, RSMo, and will be granted waivers when the school meets the following:
   1. The school has appropriately tested two percent (2%) or fewer of its students on the MAP-A in each grade tested with the MAP as certified by the Division of Special Education by October 15;
   2. The school met “High” using the MSIP Scoring Guidelines on the MPI Approach or Three Percent (3%) Improvement Approach;
   3. Schools having twenty (20) or more students in any identified racial minority must demonstrate improvement in the minority population’s achievement which is equal to or greater than the achievement of the non-minority population on the MAP. The following process will be used to judge this condition:
      A. First, the three (3) MSIP grade spans will be examined to determine whether
any grade span has twenty (20) or more students in any identified minority in each grade tested in that span for both the preceding and second preceding year;

B. Second, grade spans meeting the above condition will be examined to determine how many times the identified racial minority group equals or exceeds the improvement of the non-minority population on each test when comparing results from the second preceding to the preceding year using the MPI Approach or the Three Percent (3%) Improvement Approach for each test in that grade span; and

C. Third, at least sixty-two percent (62%) positive comparisons between the two (2) groups are required to be acceptable;

4. The school meets all other MSIP Performance Indicators;

5. The school completes an annual MSIP Waiver Plan which confirms the district’s adherence to the specific laws and rules referred to in the plan for all buildings within the district; and

6. The school agrees to administer the MSIP Advance Questionnaire.

(B) The building’s exemplary designation will be valid until June 30 of the year in which the building is determined to not meet items in paragraphs (4)(A)1.–5.

(5) Application. A district which meets the performance criteria for any of the four (4) waivers will be so notified by the commissioner. The district must either accept or decline the waiver within four (4) weeks after notification of the second preceding year prior to the year the district is scheduled for an MSIP review except that a district qualifying for an A+ waiver must accept or decline the waiver by October 1 of the year of the scheduled MSIP review.

(6) Missouri School Improvement Program Waiver Plan.

(A) School districts which meet certain student performance expectations may qualify for certain waivers related to the MSIP. The plan which is outlined below identifies the areas of MSIP which are eligible to be waived for qualifying districts.

1. All MSIP Resource Standards and Indicators will be waived except the following:

A. The state high school graduation requirements (MSIP 1.3);

B. Regular instruction in United States and Missouri Constitutions, as well as American History and Institutions, must be provided, and all students must pass at least a half unit of credit course in the institutions, branches, and functions of federal, state and local governments and in the electoral process, as required by section 170.011, RSMo (MSIP 1.3); and

C. All administrators and teachers must be certificated to teach in Missouri schools. “ Appropriately certificated for their assignments” is waived under this provision, unless funding sources require specific certification (MSIP 5.1).

2. All MSIP Process Standards and Indicators will be waived except the following:

A. Districts must have cross-referenced all curricular areas to the Show-Me Standards (MSIP 6.1.1);

B. The district reports dropouts from school to the Missouri Literacy Hot Line (MSIP 8.3.5);

C. The district meets state and federal requirements for special education for students with disabilities, economically disadvantaged students, migratory children, students whose native or home language is other than English and homeless youth (MSIP 6.3.6 and 7.1);

D. The district complies with all the regulations of the state and federal categorical programs in which the district participates (MSIP 7.3 and 7.7);

E. The district distributes a student code of conduct and provides a protected, orderly environment (MSIP 6.6.1);

F. Professional development programs and services are provided as required by sections 168.400 and 160.530, RSMo (MSIP 6.7);

G. Board of education members must be trained as prescribed by section 162.203, RSMo (MSIP 8.3.4);

H. The district complies with the salary compliance requirements of section 165.016, RSMo and with the minimum salary requirements as defined in section 163.172, RSMo (MSIP 8.4.3). Does not apply to “hold harmless” districts;

I. The community, through the board of education, provides sufficient financial resources and the district is not identified as a “financially stressed district” (MSIP 8.5);

J. The district annually reviews its Comprehensive School Improvement Plan and updates it if necessary (MSIP 8.2);

K. The district provides a safe physical environment for students (MSIP 8.10);

L. The district implements effective and efficient fiscal management systems that ensure accountability of district funds (MSIP 8.6);

M. Cumulative health records, including immunizations as required by state law, are maintained and regularly updated for all students (MSIP 8.11); and

N. The district complies with all laws related to the transportation of students (MSIP 8.13).

3. No MSIP Performance Standards will be waived.


5 CSR 50-345.100 Missouri School Improvement Program

PURPOSE: This rule implements a program of comprehensive assessments of school districts’ educational resources, instructional processes and educational outcomes designed to stimulate and encourage improvement in the efficiency and effectiveness of instruction, and provides information which will enable the State Board of Education to accredit and classify the districts as required by state law.

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) This rule is to be effective July 1, 2006, and incorporated by reference and made a part of this rule the Missouri School Improvement Program (MSIP) Standards and Indicators Manual which is comprised of qualitative and quantitative standards for school districts. As referenced in the MSIP Standards and Indicators Manual, the standards are organized in three (3) sections—Resource Standards, Process Standards and Performance Standards. The standards are supported by appendices which include: the minimum graduation requirements, media standards for school learning resource cen-
(2) During each year, the Department of Elementary and Secondary Education (DESE) will select school districts which will be reviewed and classified in accordance with this rule, including the standards, with the appropriate scoring guide and forms and procedures outlined in the annual MSIP.

(3) The State Board of Education (board) will assign classification designations of unaccredited, provisionally accredited and accredited based on the standards of the MSIP.

(4) As a condition of receiving a classification designation other than unaccredited, each school district reviewed under MSIP must file, within sixty (60) days of the board’s decision, a school improvement plan in a form specified by DESE and implement it in accordance with a specified schedule approved by DESE.

(5) A school district’s classification designation based on the standards of the MSIP will remain in effect until the board approves another designation. The board may consider changing a district’s classification designation after its regularly scheduled review or upon its determination that the district has:
   (A) Failed to implement its school improvement plan at an acceptable level;
   (B) Implemented its school improvement plan substantially and, therefore, may qualify for a higher classification designation;
   (C) Employed a superintendent or chief executive officer without a valid Missouri superintendent’s certificate in a K-12 school district; or employed a superintendent or chief executive officer without a valid Missouri superintendent’s or elementary principal’s certificate in a K-8 school district; and/or
   (D) Altered significantly the scope or effectiveness of the programs, services or financial integrity upon which the original classification designation was based.

(6) A school district designated unaccredited by the board under the provisions of this rule will be liable for tuition and transportation for resident students legally transferring to another district pursuant to applicable state laws and regulations from the date of the action by the board through the end of the school year during which the board awards the district a designation of provisionally accredited or higher.

(7) Any school district which on June 30, 1997, or thereafter, has been classified unaccredited by the board in two (2) successive years will be subject to lapsing, pursuant to applicable state laws and regulations. A school district that is classified as unaccredited shall lapse on June 30 of the second full year after the school year during which the unaccredited classification is initially assigned.

(8) A school district designated provisionally accredited twice sequentially or a school district designated provisionally accredited after being unaccredited will be designated provisionally accredited for three (3) years, at which time a re-review will be conducted. A district’s accreditation designation may not be raised more than one (1) level during a re-review.

(A) The board may lower a district’s accreditation if a district fails to gain full accreditation after being designated provisionally accredited twice sequentially; or after being provisionally accredited after being unaccredited and the district fails to make significant or consistent improvement in student achievement in order to gain accreditation.

(9) The board of education of any school district which is dissatisfied with the classification designation assigned by the board may request a hearing before the commissioner of education for the purpose of showing cause why its classification designation should be reconsidered. Each request must be submitted in writing within thirty (30) days of the board’s classification designation, setting forth the specific reasons for the request, including any errors of fact upon which the board relied in making the classification designation. If the commissioner of education agrees that sufficient cause has been shown, s/he will request the board to reconsider the district’s classification designation together with the additional or corrected information.


(C) Outstanding School MSIP Waiver.
   1. Schools may qualify for an MSIP waiver when the district does not, if the
      school meets the following qualifications:
      A. The school meets at least one (1) more than half of the possible MAP scoring
         options at a high level for three (3) successive years;
      B. The school meets at least one (1) more than half of all other MSIP perform-
         ance indicators at a high level for three (3) successive years;
      C. The school has no MAP scores at or below the established floor;
      D. The school is no designated a Priority School.
   2. The school’s Outstanding School designation will be valid until June 30 of the
      year in which the school is determined to not meet items listed above.

(D) Other Waiver.
   1. Districts that meet the financial qualifications identified in state law may receive
      a waiver of rules in order to promote flexibility in the operations of the delivery of instruc-
      tional services.

(2) Waiver Checklist.
   (A) School districts or schools which meet the waiver criteria outlined in subsection (1)
      (A) must meet all of the Resource and Process Standards and Indicators outlined in
      the Waiver Checklist below in order to qualify for a waiver related to MSIP.
      1. The following MSIP Resource Standards and Indicators will not be waived:
         A. The state high school graduation requirements;
         B. Regular instruction in United States and Missouri Constitutions, as well as
            American History and Institutions, must be provided, and all students must pass at least a
            half unit of credit course in the institutions, branches, and functions of federal, state and
            local governments and in the electoral process, as required by state law; and
         C. All administrators and teachers must be appropriately certified to teach in
            Missouri public schools.
      2. The following MSIP Process Standards and Indicators will not be waived:
         A. The district must have cross-referenced all curricular areas to the Show-Me
            Standards;
         B. The district reports school dropouts to the Missouri Literacy Hot Line;
         C. The district meets state and federal special education requirements for students
            with disabilities, economically disadvantaged students, migratory children, students whose
            native or home language is other than English and homeless youth;
         D. The district complies with all reg-
            ulations of the state and federal categorical programs in which the district participates;
         E. The district distributes a student code of conduct and provides a protected, orderly
            environment;
         F. The district provides professional development programs and services as
            required by state law;
         G. Board of education members must be trained as prescribed by state law;
         H. The district meets the salary compliance and the minimum salary requirements
            as defined in state law. This does not apply to “hold harmless” districts;
         I. The district’s community, through the board of education, provides sufficient
            financial resources and the district is not identified as a “financially stressed district”;
         J. The district annually reviews its Comprehensive School Improvement Plan
            (CSIP) and updates it if necessary;
         K. The district provides a safe physical environment for students;
         L. The district implements effective and efficient fiscal management systems that
            ensure accountability of district funds;
         M. The district maintains and regularly updates cumulative health records for all
            students, including immunizations as required by state law; and/or
         N. The district complies with all laws related to the transportation of students.
      3. No MSIP Performance Standards will be waived.
      4. No Priority Schools will be waived.
      5. No Financially Stressed districts will be waived.

(3) A district or school which meets the performance criteria for any of the above four (4)
      waivers will be so notified by the commissioner of education. The district must either
      accept or decline the waiver within four (4) weeks after notification; except those districts
      which qualify for the A+ High School MSIP Waiver, which must accept or decline that
      waiver by October 1 of the year of the scheduled MSIP review.

AUTHORITY: sections 160.518, 160.545 and
161.092, RSMo Supp. 2003 and 161.210 and
163.031, RSMo 2000.* Original rule filed

*Original authority: 160.518, RSMo 1993, amended 2001,
161.210, RSMo 1996; 163.031, RSMo 1993, amended

5 CSR 50-345.300 Graduation Requirements
for Students in Public High Schools

PURPOSE: This rule establishes minimum graduation requirements for public school
districts.

(1) High School Graduation Requirements. Effective for the graduating class of 2010 and
thereafter, the state minimum high school graduation requirements comprise twenty-
four (24) units of credit that must be earned between grades nine (9) and twelve (12).
The requirements are stated in terms of the number of units of credit that must be earned in
each subject area:

<table>
<thead>
<tr>
<th>Subject Area</th>
<th>Units of Credit</th>
</tr>
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<tbody>
<tr>
<td>Communication Arts</td>
<td>4.0</td>
</tr>
<tr>
<td>Social Studies</td>
<td>3.0</td>
</tr>
<tr>
<td>Mathematics</td>
<td>3.0</td>
</tr>
<tr>
<td>Science</td>
<td>3.0</td>
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<tr>
<td>Fine Art</td>
<td>1.0</td>
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<tr>
<td>Practical Arts</td>
<td>1.0</td>
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<tr>
<td>Physical Education</td>
<td>1.0</td>
</tr>
<tr>
<td>Health Education</td>
<td>0.5</td>
</tr>
<tr>
<td>Personal Finance</td>
<td>0.5*</td>
</tr>
<tr>
<td>Electives</td>
<td>7.0</td>
</tr>
</tbody>
</table>

Total Credits 24.0

*The .5 unit of credit of Personal Finance may be earned in social studies, practical arts
or as an elective. If earned in social studies or practical arts, the required units of credit
in that area are reduced by .5 (i.e. social studies from 3.0 to 2.5) and the elective total is
increased to 7.5.

(2) The minimum high school graduation requirements should focus on competencies and
align with the Missouri Show-Me Standards and grade-level expectations. Missouri Show-Me Standards and grade-level
expectations are located on the Department of Elementary and Secondary Education
(DESE) website.

(3) Course Requirements. In order to earn one standard unit of high school credit, a student
must earn a passing grade in that course. A standard unit of credit is defined by a
course that meets for seven thousand eight hundred thirty (7,830) minutes during a
school year. Half- and quarter-units of credit may be earned for courses meeting propor-
tionately fewer minutes. However, if a student demonstrates mastery of the required
competencies of a course, the district may grant credit through an alternative method
with prior approval by DESE. Alternative time schedules may be approved if requested
by the district.
(4) Local Board Policies. Local boards of education must adopt and disseminate written policies concerning graduation. The policies must clearly set forth all requirements and all allowable variations. Local graduation policies must include at least the state minimum requirements and may exceed the state minimums by requiring more total units of credit, requiring more units within a particular subject, or establishing additional requirements.

(5) Accommodation of Students with Disabilities. Local school boards must establish policies and guidelines that ensure students with disabilities have the opportunity to earn credits toward graduation in a nondiscriminatory environment.

(6) Variances and Substitutions. The state minimum graduation requirements cannot be applied with absolute uniformity in every case. Students’ individual situations sometimes require consideration of variances and alternatives. If a local board chooses to allow these variances and alternatives, it must do so through officially adopted policies and through procedures that will ensure fair and consistent application of its policies.
