
Rules of
Department of Elementary and
Secondary Education
Division 50—Division of Instruction
Chapter 350—Special State Instructional Programs

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

**Division 50—Division of Instruction
Chapter 350—Special State Instructional
Programs**

5 CSR 50-350.010 General Provisions

PURPOSE: This rule establishes procedures for implementing the Video Instructional and Educational Development Program authorized by section 170.250, RSMo.

- (1) Each year the State Board of Education determines the proportion of the appropriation for the program which will be allocated for the various authorized purposes and how the amount for each purpose will be distributed among eligible institutions and agencies.
- (2) Annually, the department announces allocations of funds for the authorized purposes and solicits applications from eligible institutions and agencies which shall be due as of a date and in a form established by the department.
- (3) The State Board of Education may authorize three (3) types of grants— initial access grants; continuation grants; and discretionary grants. Eligible applicants may apply for funds in amounts up to, but not exceeding, their allocations as established by the State Board of Education; or in the case of discretionary grants, up to amounts available for the purposes of the discretionary grants.
- (4) Applications for initial access grants submitted by elementary and secondary schools and institutions of higher education, to be approvable, must demonstrate that the applicant has—
- (A) Involved its governing board, its administration and appropriate staff members in developing a short- and long-term plan for acquiring capacity to utilize video instruction, including goals and planned resource commitments;
- (B) Acquired, or will acquire during the first grant period, sufficient competency in video technology to ensure that the essential equipment functions properly and regularly and the capacity to train staff members in both video technology and effective utilization for instruction;
- (C) Developed concrete plans for utilizing video instruction to substantially enhance traditionally delivered instruction or provide instruction in courses not otherwise available, and plans to evaluate the instructional effectiveness of video-supported instruction;
- (D) Developed concrete plans for utilizing video instruction for substantial and progressive periods of time and for a progressively larger proportion of its students;
- (E) Demonstrated commitment to the project by providing from other state, local or federal funds an identifiable match in the form of funds or specific services equal in value to ten percent (10%) of its requested budget; and
- (F) Met with representatives of nonpublic schools in the area to be served and explained the purposes of the program, its operational procedures and the manner in which nonpublic schools may participate, if the applicant is an elementary or secondary school district.
- (5) Applications for continuation grants must demonstrate that the applicant institution or agency is implementing its short- and long-range plans and is making satisfactory progress toward the goals in the plans.
- (6) Applicants other than elementary and secondary schools and institutions of higher education and applicants for discretionary grants shall demonstrate in their applications that they meet program criteria announced at the time applications are solicited.
- (7) Recipients of grants may obligate grant funds only during the period which begins on the date the department approves an application and ends on the following June 30. Obligations are considered to have been incurred as follows: for equipment and supplies, when the recipient makes a binding commitment to acquire the equipment and supplies, usually by issuing a purchase order; and for personal services, when the services are performed. All obligations for the purchase of equipment must be incurred by March 31 of the grant period and liquidated by June 30. Any funds not properly obligated for approvable project costs are refundable to the department.
- (8) The following costs are allowable under initial access grants: television reception equipment and installation; signal enhancing equipment and installation; television receivers or monitors, and video recording and playback equipment for classroom use, but only when clearly related to implementing a short- or long-range plan to utilize video instruction; speaker telephones, data terminals, microcomputers and other communication apparatus and related transmission charges, but only when essential to delivering specific course work; printed materials, including textbooks, designed to complement instructional programs developed under the Video Instruction Development and Educational Opportunity Program;
- training expenses for video technology coordinators and other staff members; subscription fees for public television; course fees for specific courses; and equipment maintenance. All other costs, including the following, are not allowable under initial access grants: site preparation costs; structural modifications to buildings; travel, transportation and meals; acquisition of equipment of any kind not reasonably necessary to implement an applicant's short- or long-term video plan; indirect and administrative costs; and textbooks and course materials required for specific courses not developed under the Video Instructional Development and Educational Opportunity Program delivered through video technology.
- (9) The following costs are allowable under continuation grants: telecommunication transmission charges, but only when essential to delivering specific course work; training expenses for video technology coordinators and other staff members; subscription fees for public television; course fees for specific courses; and equipment maintenance.
- (10) Allowable costs under grants to agencies other than elementary and secondary schools and institutions of higher education and allowable costs under discretionary grants will be determined on the basis of the reasonable and necessary costs of implementing approved project activities.
- (11) Each institution and agency receiving a grant under the video instructional development and educational opportunity program must provide the department, as part of its statutory independent audit or other independent audit, a report of the results of the audit performed in accordance with the department's general policy on audits.
- (12) If the department, based on its own findings or those of an independent auditor, determines that an applicant has misspent, misapplied or otherwise used funds under this program in violation of any applicable regulation or statutory provision, the applicant will be required to refund to the department the amount determined to have been improperly expended. If the applicant does not refund the money within a reasonable time after requested to do so, the department will withhold payments due the applicant under this program and may adjust payments due the applicant under other programs administered by the department.
- (13) By July 15 following each grant period, grant recipients shall file a final expenditure report and an evaluation report in the form

required by the department reporting the results of financial and program activities conducted during the preceding grant period.

AUTHORITY: section 170.250, RSMo Supp. 1988. Original rule filed May 2, 1989, effective Aug. 24, 1989.

5 CSR 50-350.015 General Provisions Governing the Improving America's Schools Act, The Technology Literacy Challenge Fund

PURPOSE: The Department of Elementary and Secondary Education (DESE) has the authority to receive and expend federal funds for educational programs and to establish rules and regulations for the administration of the programs in accordance with federal statutes and regulations.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

This rule sets forth the general provisions governing projects operated by local educational agencies (LEAs) under Subpart 2 of Part A of Title III of the Improving America's Schools Act (IASA). This rule incorporates by reference the regulations for the program as published in the state *Technology Literacy Challenge Fund Program Guidelines*. This manual incorporates all federal and state regulations and statutory requirements.

AUTHORITY: sections 178.430 and 178.440, RSMo 1994.* Original rule filed June 30, 1997, effective Jan. 30, 1998.

*Original authority 1963.

5 CSR 50-350.020 Safe Schools Educational Program Grants

PURPOSE: The purpose of this rule is to establish procedures for section 167.335, RSMo, pertaining to grants to schools for the establishment of educational opportunities for students who are violent, abusive or chronically disruptive.

(1) The State Board of Education will authorize two (2) types of grants: competitive, first-year grants, and noncompetitive, second- and third-year continuation grants.

(2) Annually, a request for proposal and an Applicant's Guide shall be distributed to the public schools by the department. The request for proposal shall contain the following:

- (A) The maximum amount of the grant;
- (B) The date upon which applications shall be due;
- (C) The grant application forms; and
- (D) Program criteria upon which the grants will be evaluated.

(3) Applications for Safe Schools Grants that demonstrate the following will be given preference for approval:

- (A) A comprehensive, kindergarten through grade twelve approach to preventing problems that result in the need for alternative education services;
- (B) Rigorous instruction in core academic disciplines;
- (C) Activities designed to enable the student to better perform in the regular classroom and to transition students back to the regular classroom when merited by their performance;
- (D) A student-centered approach whereby activities are designed to meet the particular needs of individual students; and
- (E) Collaboration with existing community-based service providers, such as cooperative education programs, school to work programs, parents-as-teachers programs, programs developed by the Department of Economic Development and programs developed by local service delivery agencies, and other governmental and private agencies to address student needs beyond those traditionally addressed by schools.

(4) Recipients of grants may obligate grant funds only during the period which begins on the date the department approves an application and ends on the following June 30. Obligations are considered to have been incurred as follows: for equipment and supplies, when the recipient makes a binding commitment to acquire the equipment and supplies, such as the issuance of a purchase order or its equivalent, or for personal services, when the services are performed. All obligations for the purchase of equipment must be incurred by March 31 of the grant period and liquidated by June 30. Any funds not properly obligated for approvable project costs are refundable to the department.

(5) Allowable costs for grants will be determined on the basis of the reasonable and necessary costs of implementing approved project activities.

(6) The grant recipients will keep records according to generally accepted accounting principles, and will provide any information necessary for fiscal and program auditing. All such records and supporting documents will be retained in accordance with current state and federal laws and regulations.

(7) If the department, based on its own findings or those of an independent auditor, determines that an applicant has misspent, misapplied, or otherwise used funds under this program in violation of any applicable regulation or statutory provision, the applicant will be required to refund to the department the amount determined to have been improperly expended. If the applicant does not refund the money within a reasonable time after requested to do so, the department may adjust payments due the applicant under other programs administered by the department.

(8) By July 15 following each grant period, grant recipients shall file a final expenditure report and an evaluation report in the form required by the department reporting the results of financial and program activities conducted during the preceding grant period.

AUTHORITY: section 167.335, RSMo Supp. 1997.* Original rule filed July 31, 1998, effective Feb. 28, 1999.

*Original authority 1996.

5 CSR 50-350.030 Safe Schools Curriculum

PURPOSE: This rule is to identify and adopt a violence prevention program(s) for section 161.650, RSMo, pertaining to a Safe Schools Curriculum Framework for use in Missouri public schools.

(1) The Department of Elementary and Secondary Education shall identify and, if necessary, adopt an existing program or programs of educational instruction regarding violence prevention to be administered by public school districts. The program(s) shall contain the following:

- (A) Instruction for students of negative consequences of membership and/or participation in criminal street gang activity; and

(B) Training for school district employees in violence prevention and early identification of and intervention in violent behavior.

(2) This program will be available for school districts beginning with the 1998-99 school year.

AUTHORITY: section 161.650, RSMo Supp. 1997. Original rule filed Oct. 16, 1998, effective May 30, 1999.*

**Original authority 1996.*