Rules of
Department of Elementary and Secondary Education
Division 50—Division of School Improvement
Chapter 340—School Improvement and Accreditation

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Chapter 340—School Improvement and Accreditation

5 CSR 50-340.010 Classification and Accreditation of Public School Districts

(Rescinded August 30, 2000)


There is no Missouri statute or rule of the State Board of Education requiring students to take “mass showers” or requiring teachers to include sex education in the curriculum of kindergarten through sixth grade.


Teachers’ certificates are valid when issued and (except for county third grade certificates) the local county superintendent of schools does not have authority to require these certificates to be registered or recorded with him/her and the county superintendent of schools does not have the power to pass on the moral character and requirements, other than scholastic, of the teacher (except teachers holding county third grade certificates).

5 CSR 50-340.019 Military Science Credit

PURPOSE: This rule establishes guidelines for public school districts for acceptance of high school credit for military science credit.

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) Local public schools may accept high school credit as recommended by the Commission on Accreditation of Service Experience of the American Council on Education in the “Guide to the Evaluation of Educational Experiences in the Armed Services” when presented with an official transcript by the—

(A) United States Armed Forces Institute (USAFI) courses and subject matter examinations;

(B) Marine Corps Institute Courses;

(C) Coast Guard Institute Courses;

(D) Merchant Marine Institute Courses; and

(E) Army, Navy or Marine Corps Service School Study.

(2) Credit for one (1) unit of physical education may be granted for basic or boot training.


5 CSR 50-340.020 Instruction for Prekindergarten

PURPOSE: This rule authorizes public schools to provide for the gratuitous education of pupils in prekindergarten.

MATT BLUNT (9/30/02)  CODE OF STATE REGULATIONS
(1) A public school district may provide for the gratuitous education of pupils in prekindergarten. The gratuitous education, however, shall be provided only out of revenues which are not derived from state aid for the kindergarten through twelve (K–12) program and only with revenues which are not required for establishing and maintaining free public schools for the gratuitous instruction of persons between the ages of five and twenty (5–20) years.

(2) Transportation may be provided at district expense for prekindergarten pupils on the same basis as for pupils in kindergarten through grade twelve (K–12), provided no state funds are used.

**AUTHORITY:** section 161.092, RSMo 1986. *Original rule filed Nov. 5, 1969, effective Nov. 15, 1969.*


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5 CSR 50-340.021 Applied Music Credit

**PURPOSE:** This rule provides guidelines for approving high school credit for instruction given by approved private music teachers.

(1) Teachers desiring to be approved to give private music instruction for high school credit must secure a Teacher’s High School Permit in Applied Music from the Department of Elementary and Secondary Education (DESE) and the local superintendent or high school principal.

(2) Students must take a final examination under an examiner approved by the DESE and the applied music board. Credit may be granted in the various fields of applied music as follows: piano, one-half to two (1/2–2) units; violin, one-half to two (1/2–2) units; cello, one-half to two (1/2–2) units; viola, one-half to two (1/2–2) units; and voice, one-half to one and one-half (1/2–1 1/2) units.

**AUTHORITY:** section 161.092, RSMo 1986. *Original rule filed Nov. 5, 1969, effective Nov. 15, 1969.*


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5 CSR 50-340.030 Standards for Missouri School Library Media Centers

**PURPOSE:** The Division of School Improvement in the Department of Elementary and Secondary Education provides guidelines for public school districts, media, and school library media centers.

(1) The Standards for Missouri School Library Media Centers establish guidelines for a variety of print and nonprint resources needed to support the teaching and learning of staff and students. The standards also recommend facility space and expenditures per pupil to maintain and operate library media centers.


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5 CSR 50-340.050 Policies and Standards for Summer School Programs

**PURPOSE:** This rule establishes policies and standards for public school districts which choose to conduct summer school programs that will qualify for state aid in accordance with section 163.031, RSMo.

(1) Summer school programs may be held any time between the close of the regular school term and the beginning of the next regular term and must be approved by the local school board. A summer school program shall consist of a planned schedule of course offerings for resident students at the elementary or high school level. An approved summer school program for nonhandicapped students must be in session for at least one hundred twenty (120) clock hours. Summer school programs for handicapped students must be in session for at least sixty (60) clock hours depending upon the hours needed to comply with the Individual Education Program (IEP).

(2) A school board may authorize the operation of summer school programs at the elementary or high school level, or both. Each approved summer school program shall have at least the required minimum clock hours of instruction. An elementary summer school program may include any combination of grades kindergarten through eight (K–8). A high school summer school program may include any combination of grades seven through twelve (7–12). Elementary and high school summer school programs may not be combined to meet the minimum clock-hour requirement. A school district may operate one (1) or more summer school programs at any level. Each summer school program that is operated separately with different opening and closing dates must meet the minimum clock hours of instruction requirements.

(3) The curriculum in an approved summer school program at any level must include one (1) or more of the following academic areas as the major portion of the clock hours of instruction in the program: elementary school—language arts, mathematics, science, social studies; and high school—language arts, mathematics, science, social studies, practical arts.

(A) Any course which may be offered in the regular school term may be approved as part of the summer school program. Special approval must be requested for summer school courses that would require special approval during the regular term.

(B) The following are examples of courses which may be approved as part of the summer school program but must be in addition to, and not in place of, the academic areas: driver education, art, crafts, physical education and music.
(C) Activities such as gymnastics, weight lifting, tennis and swimming lessons conducted under the sponsorship of the school cannot be included as part of the approved summer school program unless they are an integral part of a comprehensive physical education course which is part of the scheduled clock hours of instruction in the approved summer school program.

(D) Activities such as recreation programs, athletic practices, isolated music rehearsals and isolated band practices may be offered by the school but shall not be included as part of the clock hours of instruction in an approved summer school program and shall not be counted for summer school state aid purposes.

(4) The attendance of resident pupils between the ages of six and twenty (6–20) in grades one through twelve (1–12) and pupils five (5) years old attending kindergarten in approved summer school programs may be counted for state aid purposes. A district’s summer school ADA for the immediate preceding school year does not exceed five percent (5%) of the preceding school year ADA shall count once for state aid purposes.

(5) Individual school district’s summer school average daily attendance (ADA) that does not exceed five percent (5%) of the ADA for the immediate preceding school year, the ADA shall be doubled for state aid purposes. A district’s summer school ADA greater than five percent (5%) of the preceding school year ADA shall count once for state aid purposes.

(6) Some high school courses may be offered for credit and some courses for no credit in an approved summer school program. High school pupils may earn one-half (1/2) unit of high school credit for laboratory courses which meet at least seventy-five (75) clock hours and one-half (1/2) unit of high school credit for other courses which meet for sixty to seventy-five (60–75) clock hours. One-fourth (1/4) unit of high school credit may be granted for driver education classes which provide thirty (30) clock hours of classroom instruction, six (6) clock hours behind the wheel and twelve (12) clock hours as an observer in a driver education car. Minimum time requirements exclude any passing time, break time and lunch time.

(7) Summer school teachers shall have Missouri certification at the appropriate level in the area of service.

(8) Transportation for handicapped summer school pupils is reimbursable as provided in 5 CSR 40-261.040 Allowable Cost for State Transportation Aid.

(9) School food services for summer school pupils are not required but may be provided.

(10) Facilities and equipment used for summer school shall be of a quality equal to that used during the regular term.

(11) Textbooks, library resources and other instructional materials and aids shall be of a quality equal to that used during the regular term.

(12) State Board of Education classification standards pertaining to class size are applicable to summer school programs.

(13) Department of Elementary and Secondary Education (DESE) staff will review applications for approval of summer school programs, consult with local school officials as needed and approve eligible summer school programs for state aid. Approved summer school programs will be visited and reviewed by department staff.

(14) Local school districts must keep individual pupil membership and attendance records for summer school programs. The summer school records shall be audited as required by law.

(15) Summer school program applications and reports shall be submitted in a form and at a time as may be required by the DESE.


5 CSR 50-340.070 Standards for Part-Time Schools

PURPOSE: The State Board of Education is authorized under section 178.310, RSMo to establish standards for part-time schools. This rule establishes standards for those part-time schools, departments or classes.

(1) Part-time schools, departments or classes for employed children between fourteen and sixteen (14-16) years of age established by school districts under the provisions of section 178.300, RSMo must meet all requirements pertaining to teacher certification as set forth in 5 CSR 80-800.010 and the issuance of credits as set forth in 5 CSR 50-340.010. For the purposes of classification and accreditation, the part-time schools, departments or classes will be considered a part of the regular school district program.
(2) Student attendance in part-time schools, departments or classes provided as required in section 178.300, RSMo and meeting the standards of the classification and accreditation program will be eligible for any applicable federal aid and for state aid on the same basis as other part-time students in regular classes and in accordance with law.

AUTHORITY: section 178.310, RSMo 1986.*

*Original authority: 178.300, RSMo 1963.

5 CSR 50-340.090 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 goal 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 granted credit for the off-campus experience to make the transition from school to an occupation may earn up to four (4) units of credit at 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 at 5 CSR 60-120.020 and must be provided supervision time in accordance with that rule;
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 certified 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.

5 CSR 50-340.100 Approval of Utilizing Courses Delivered Primarily Through Electronic Media

PURPOSE: This rule establishes standards and procedures for approving and implementing courses delivered primarily through electronic media and monitored by teachers who are certificated but not fully qualified to teach the courses without the support of electronic media.

(1) Courses delivered primarily through electronic media may be offered by school districts and counted toward meeting the curriculum standards and state minimum graduation requirements if approved and implemented in accordance with this rule.

(2) The Department of Elementary and Secondary Education will accept applications for
approval of electronically delivered courses submitted by school districts, developers of courses and sponsors of courses. Each application must be submitted by dates and on forms specified by the department. Each application for approval of a course must show that the course meets the following criteria. The course—

(A) Has been developed on the basis of clearly stated learner outcomes or objectives; 
(B) Is logically organized and developmentally suitable for the grade level at which it is intended to be used; 
(C) Includes teaching strategies and resource materials which are educationally sound, address a variety of learning modalities and are consistent with the learning styles of the age group for which intended; 
(D) Includes both formative and summative tests which are closely aligned with stated learner outcomes or objectives and provide for frequent feedback to students; 
(E) Has been demonstrated to be effective in achieving stated learner outcomes; 
(F) Has been reviewed by subject matter experts for content validity and objectiveness of presentation; 
(G) Meets high standards of quality in production and presentation; and 
(H) Includes instructional and technical inservice education for the local classroom teacher.

(3) The department will empanel a committee of curriculum specialists and teachers to review the course, judge it against the criteria in section (2) and make a recommendation to the department. The department will notify the applicant and all public schools of its decision.

(4) Any school district may apply for permission to use an approved course by submitting an application in a form and by a date specified by the department annually. Each application for permission to use an approved course must include enough information to permit the department to determine that—

(A) The local board of education has approved implementing the course; 
(B) Each electronically delivered course will be under the direct supervision of a teacher holding a valid Missouri teaching certificate and that the teacher has academic preparation as determined by the department as a result of its review of the approved course, recommendations of the developer or sponsor of the course and the content of related inservice education; 
(C) The teacher will participate in instructional and technical inservice education developed and made available by the developer or sponsor of the approved course; 
(D) The local district will provide and maintain the equipment and other learning resources prescribed by the developer of the course; 
(E) The district will implement the course in a manner which will give students full advantage of the course, including live interactive broadcasts if these broadcasts are essential to the course; and 
(F) The district will continuously monitor and evaluate the effectiveness of the course.

(5) Department staff members will review all applications, give applicant school districts an opportunity to correct any deficiencies and notify the districts of approval or disapproval to use the course.

(6) The commissioner of education or a designee has the authority to waive this rule when the course is offered simultaneously at various school sites through two (2)-way interactive video and is taught by a teacher properly certificated in the subject area. 

AUTHORITY: section 161.092, RSMo 1994.*


5 CSR 50-340.110 Policies and Standards Relating to Academically Deficient Schools

PURPOSE: This rule establishes the criteria and procedures to be used to identify academically deficient schools and sets the standards to be used for an educational audit in order to implement section 160.538, RSMo.

(1) For the purposes of this rule—

(A) A “school” shall mean a grouping of grade levels reported by a school district under a building number used for reporting school data to the Department of Elementary and Secondary Education. A physical structure may contain more than one (1) “school.” A school designated as an elementary school, a middle school, a junior high school or a high school and assigned a number by the department shall be included in the listing of schools subject to this rule; 
(B) “Concerned school” means any school which meets the criteria in subsections (2)(A) and (2)(B) using the results of the Missouri Assessment Program (MAP), the assessment system developed pursuant to the provisions of section 160.518, RSMo. Only schools containing one (1) or more of the assessed grade levels shall be considered as a concerned school; 
(C) “State-determined academically deficient school” shall mean a concerned school whose MAP results for two (2) consecutive testing years place the school in the lowest fifty (50) schools when considering the percent of students who score in Step 1 and Progressing on the MAP and who are identified as academically deficient by the State Board of Education; 
(D) “Locally determined academically deficient school” shall mean a school in a district whose graduation rate is below sixty-five percent (65%) as defined in section 160.011, RSMo, that meets the fifteen percent (15%) criteria set in subsection (2)(B) and is determined to be academically deficient by the local board of education; 
(E) “Certificated staff member in the school” shall include any member of the certificated staff of the school during the year the tests were given, the results of which caused the school to be declared academically deficient or was a member of the staff during all or part of the time from the first audit team visit to the second audit team visit and continues to be employed in the school district; and 
(F) “Contributing teacher” is any certificated staff member in an academically deficient school or who taught students prior to their entering that school and whose students perform poorly for two (2) or more years as determined by local board of education policy. Through policy, local boards of education may establish teacher performance expectations based upon student achievement results to further define a contributing teacher.

(2) Determination of academically deficient schools by the state—

(A) The list of potential concerned schools will first be made by identifying all schools in K–12 districts whose average graduation rate for the most recent three (3) years is lower than one (1) standard deviation below the mean graduation rate for all K–12 districts for the most recent three (3) years in addition to all schools in K–8 districts; 
(B) Concerned schools will be those from subsection (2)(A) that have fifteen percent (15%) or more students in Step 1 and Progressing using the MAP. This percent will be determined by adding the numbers of students scoring at the Step 1 and Progressing levels in each subject area assessed in the school for the most recent two (2) years. That sum will be divided by the corresponding sum of the “reportable students” on the same MAP assessments administered in that
school, and will be stated as a percent, carried to four (4) places;

(C) Each year, the lowest fifty (50) concerned schools will be considered for an educational audit. The lowest fifty (50) schools will be determined by ranking of the percent of students scoring in Step 1 and Progressing as determined by applying the criteria in subsection (2)(B). No more than five (5) schools in one (1) school district shall be identified for an audit in any one (1) year; therefore, if five (5) schools are identified from one (1) district prior to identifying a total of fifty (50) schools, all other schools from that district will be removed from consideration and the next lowest schools from the remaining list will be identified until the total is fifty (50). Schools identified as academically deficient in a single district shall not exceed ten (10). At no time can there be more than a total of one hundred (100) schools either identified for an audit team or awaiting the second audit team visit;

(D) Within sixty (60) days of the identification of a concerned school, the State Board of Education shall appoint an audit team of at least ten (10) people as described in section 160.538.2(4), RSMo, and designate the chairperson of the committee for any school identified in the lowest fifty (50) as determined by subsections (2)(A), (B) and (C). A Department of Elementary and Secondary Education state supervisor cannot be on a team relating to an academically deficient school in a school district which she/he supervises;

(E) If, after considering relevant information and data provided by the school, the audit team finds that the school is an academically deficient school, the audit team shall determine the factors that contributed to the lack of student achievement which resulted in that finding using research based educational practices and the Missouri School Improvement Program (MSIP) Performance Standards. The audit team shall report the factors and the findings to the State Board of Education within one hundred twenty (120) days of its appointment. An audit team which finds a reasonable explanation for the low state assessment scores shall report such to the State Board of Education;

(F) The State Board of Education shall declare any school which an audit team finds academically deficient to be academically deficient. The State Board of Education shall, within sixty (60) days of its decision, appoint a management team of at least ten (10) people as described in section 160.538.2(4), RSMo, for each school so designated. A management team may serve more than one (1) school. No person, except Department of Elementary and Secondary Education personnel, can serve on a management team while serving on an audit team for the same school;

(G) Within sixty (60) days of their appointment, the management team shall study the audit report and the factors that contribute to the deficiency and shall make recommendations that the team believes are appropriate and necessary in the management and administration of the school to promote increased student achievement. With consideration given to the financial condition of the district and the school, the team may make recommendations that local resources be more effectively utilized, additional local resources be given to the school, and/or that additional state resources be allocated to the school. The items outlined in section 160.538.2(5), RSMo, and section 160.538.5, RSMo, shall be considered in the recommendations to the state board. The State Board of Education shall allocate from the "statewide areas of critical need" money to fund the operation of the management teams and to provide resources specified by the management teams needed in the academically deficient school and approved by the State Board of Education pursuant to section 160.530.2(1), RSMo;

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

(I) A school shall remain an academically deficient school until the second educational audit is conducted at least two (2) school years after the year of the filing of the management team’s report with the State Board of Education and the audit determines the building to be no longer academically deficient and so recommends to the State Board of Education.

1. If a school is found to be still academically deficient after the second educational audit—

A. Then the local board may suspend, after due process, the indefinite contracts of "contributing teachers";

B. The commissioner of education may, upon recommendations of the second audit team, conduct a recall election of board members;

C. The local board may not grant tenure to any probationary teacher until one (1) year after the academically deficient designation is lifted; and

D. The local board may not issue new contracts or renew contracts to either the superintendent or the principal for a period of longer than one (1) year (section 160.538.4, RSMo).

2. The building will remain an academically deficient school until the State Board of Education determines that performance on the MAP has improved sufficiently to warrant the change in status.

3. Determination of academically deficient schools by the local board of education:

(A) A local board may designate a school within its jurisdiction as an academically deficient school if that school is a concerned school and meets the criteria set out in subsection (2)(B); and

(B) The board may suspend or terminate contracts of contributing teachers, principal, and any administrators having responsibility for the school, subject to sections 168.114 to 168.120, RSMo or section 168.221, RSMo, whichever is applicable, and reconstitute the school with new teachers and administrative staff.


5 CSR 50-340.150 Priority Schools

PURPOSE: This rule establishes procedures to improve student performance in lower performing schools.

(1) The Department of Elementary and Secondary Education (DESE) shall designate priority school districts and priority school buildings.

(A) Identification of priority school districts and priority school buildings is based upon the following:

1. Academically deficient school buildings pursuant to applicable state laws and regulations;

2. Unaccredited or provisionally accredited school districts pursuant to applicable state laws and regulations; and/or

3. School districts and/or buildings which do not meet any of the Missouri Assessment Program (MAP) grade span and reading standards as based on the district’s or building’s annual performance report (APR)
for two (2) successive years beginning in 2002–2003 school year.

(B) At the time the State Board of Educa-
tion (board) takes official action to designate a school district as unaccredited, provisionally accredited or designating a school building as academically deficient, that school will become a priority school and shall comply with the applicable state laws and regulations.

(C) Priority school districts and/or build-
ings remain priority schools until the status of unaccredited, provisionally accredited or the academically deficient designation is removed pursuant to applicable state laws and regulations.

(D) Priority school districts and/or build-
ings which failed to meet any of the MAP stan-
dards for two (2) successive years must meet at least one (1) standard for two (2) successive years to be removed as a priority school.

(2) Priority school districts and/or buildings shall submit a comprehensive school improvement plan which includes:

(A) An accountability compliance state-
ment which must:
1. Identify and analyze student perfor-
ance deficiency areas by school, grade and academic content areas;
2. Provide a comprehensive strategy addressing student performance deficiency areas which includes:
   A. Alignment of curriculum with deficiency areas;
   B. Development of an individual performance plan (IPP) for a student performing at the lowest level or LND on the MAP and is not under an individualized education plan (IEP) and receiving special education services; and
   C. Enrollment and satisfactorily progressing towards National Board Certification;
   (II) Any individual is exempt from the professional development as listed above if the individual has:
      (a) Taken or takes the appropriate content knowledge specialty area exit assessment and achieves the qualifying score on that exit assessment as promulgated in the rules by the board;
      (b) National Board Certification;
      (c) Been a certified scorer for the MAP;
      (d) Designated by DESE as a regional resource teacher;
      (e) Served as a mentor teacher for one (1) year in a program approved by the board;
      (f) Completed an appropriate administrator academy pursuant to applicable state laws and regulations;
E. Establishment of school accountability councils or aligning existing parent advisory councils pursuant to applicable state laws and regulations;
F. Development of a district resource reallocation plan which includes but is not limited to one (1) of the following:
   (I) Reduction in class size in the academically deficient areas;
   (II) Establishment of:
      (a) Full-day kindergarten;
      (b) Preschool programs;
      (c) Afterschool tutoring and other programs which extend time for learning;
      (d) Programs of teacher home visitation;
      (e) “School within a school” program; or
   (III) Employment of DESE approved regional resource teachers or national board certified teachers; and
G. Evaluation of the need to implement strategies in any feeder schools of the priority school;
3. Disclose the student performance deficiency areas in the school report card pursuant to applicable state laws and regulations; and
4. Review school discipline provisions pursuant to applicable state laws and regulations; and
(B) Any school building within a priority school district that meets all of the MAP standards applicable to the grade level configuration for that building will be exempt from submitting a comprehensive school improvement plan except that the priority school district and/or building must:
1. Develop an IPP pursuant to this rule for students performing at the lowest achievement level or LND on the MAP and who are not under an IEP and receiving special education services; and
2. Focus professional development funds in the areas of academic need.

(3) The accountability compliance statement should be submitted to DESE within one hundred twenty (120) days of notice that the school district and/or building is a priority school. In no event shall the accountability compliance statement be submitted later than August 15 of the school year following designation as a priority school.

(A) Within thirty (30) days of receipt of the accountability compliance statement, DESE shall review the statement and identify any plan deficiencies.

(B) The priority school shall forward to DESE within thirty (30) days of receipt of plan deficiencies the appropriate changes to the accountability compliance statement.


5 CSR 50-340.200 Annual Public Reporting of Information by School Districts

PURPOSE: This rule incorporates legislative changes to public reporting of information by school districts on an annual basis.

(1) School districts shall prepare and publish, prior to December 1 of each school year, a school accountability report card for each
attendance center in the district. These
reports shall be made available to all district
patrons and to every household with a student
enrolled in the district. The reports shall be
distributed to all media outlets serving the
district, and shall be made available, upon
request, to all district patrons and to each
member of the general assembly representing
a legislative district that contains a portion of
the school district. Methods of distribution
may include, but are not limited to:
(A) Distribution at the time and place of
student enrollment;
(B) Inclusion with student grade reports;
(C) Newspaper publication;
(D) Posting by the school district by Inter-
net or other electronic means generally acces-
sible to the public;
(E) Making copies available upon request
at all school or administrative buildings in the
school district; or
(F) Any combination of these methods.

(2) Data to be reported shall include the fol-
lowing:
(A) Enrollment. The number of resident
and nonresident students enrolled the last
Wednesday of September;
(B) Rates of pupil attendance. The average
daily attendance of the regular school term
divided by the average of the September and
January membership or total hours of student
attendance divided by the sum of total hours
of student attendance and total hours of
absence;
(C) High school dropout rate. The number
of dropouts divided by the total of September
enrollment plus transfers in, minus transfers
out, minus dropouts, added to total Septem-
ber enrollment, then divided by two (2).
Dropout rate shall be reported for any
racial/ethnicity group with more than thirty
(30) students and which exceeds five percent
(5%) of attendance center enrollment;
(D) Staffing ratios. The student number is
the September enrollment. The teachers and
administrators are determined based on the
Core Data position codes, as follows:
1. Students to all teachers—position
   Code 60;
2. Students to administrators—position
   Codes 10 and 20; and
3. Students to classroom teachers—posi-
   tion Code 60, excluding special education,
   remedial readings, Title I, and vocational
   teachers;
(E) Average years of experience of profes-
   sional staff. Based on the total years of pub-
   lic school experience;
(F) Advanced degrees earned. Percent of
   staff whose highest degree is above a bache-
   lor’s degree;
(G) Average regular and total teacher
   salaries compared to the statewide average
   as reported on Core Data for Position Code 60;
(H) Average administrator salaries com-
   pared to the statewide average as reported
   on Core Data for Position Codes 10 and 20;
(I) Average per pupil expenditures for the
district as a whole. Current expenditure per
average daily attendance (ADA);
(J) Average per pupil expenditures for each
attendance center in the district. See Appen-
dix A, included herein, for calculation
model;
(K) Voted tax rates. Tax rate ceiling for
operations and tax rate ceiling for debt ser-
vice;
(L) Adjusted tax rates. Actual tax rates
levied by fund (after voluntary and Proposi-
tion C rollbacks) as filed by September 1 with
the county clerk;
(M) Assessed valuation. Assessed valu-
ation minus tax increment financed assessed
valuation as of December 31 of previous cal-
endar year;
(N) Percent of the district’s operating bud-
get received from:
1. State. All state revenues received in the
   General, Special Revenue, and Capital
   Projects Funds divided by total revenues
   received in the General, Special Revenue,
   and Capital Projects Funds;
2. Federal. All federal revenues received in
   the General, Special Revenue, and Capital
   Projects Funds divided by total revenues
   received in the General, Special Revenue,
   and Capital Projects Funds; and
3. Local. All local and county revenues
   received in the General, Special Revenue,
   and Capital Projects Funds divided by total
   revenues received in the General, Special
   Revenue, and Capital Projects Funds;
(O) Number of students eligible for free
and reduced lunch. Full-time equivalency
count of resident pupils eligible for free or
reduced lunch as reported on Core Data;
(P) School calendar information:
1. Days for student attendance;
2. Days for parent-teacher conferences; and
3. Days for staff development or inser-
   tive training for certificated staff;
(Q) Data on course offerings. List of
   courses offered with units of credit identified;
(R) Rates of participation in:
1. Parent-teacher conferences. The num-
   ber of students enrolled with one (1) or more
   of their parents or guardians attending a con-
   ference divided by the number of students
   enrolled the last Wednesday of September;
2. Special education programs. The num-
   ber of students served in special educa-
   tion programs divided by the number of stu-
   dents enrolled in any school district;
3. Early childhood special education
   programs. The number of students enrolled in
   the programs;
4. Parents as teachers programs. The
   number of families served;
5. Vocational education programs. The
   number of students enrolled in vocational
   education programs by the number of
   students enrolled in vocational
   education programs divided by the num-
   ber of students enrolled in vocational
   education programs;
6. Gifted or enrichment programs. The
   number of students enrolled in gifted or
   enrichment programs divided by the num-
   ber of students enrolled the last Wednesday of
   September;
7. Advanced placement programs. The
   number of students enrolled in Advance
   Placement programs divided by the number of
   students enrolled the last Wednesday of
   September;
8. College admissions testing. The num-
   ber of high school graduates taking the Amer-
   ican College Test (ACT) or Scholastic Apti-
   tude Test (SAT) divided by the number of
   high school graduates;
9. Number of students continuing educa-
   tion in post-secondary programs. The previ-
   ous year’s graduates who are attending a two
   (2) or four (4)-year college as reported on
   Core Data;
10. Information about job placement for
   students who complete the district’s vocation-
   al education programs as reported on Core
   Data;
11. The district’s most recent accredita-
   tion. Missouri School Improvement Program
   accreditation rating and measures for school
   improvement identified in the school
   improvement plan;
12. Disciplinary actions within the school
   district. The number of suspensions or expul-
   sions of ten (10) or more days and durations
   and reasons for those suspensions and expul-
   sions as reported on Core Data; and
13. The certification status of teachers
   (expressed as a percentage of total teachers)
   based on the following categories:
   1. Life, Professional (Professional Class
      I (PC I), Professional Class II (PC II) and
      Continuing Professional Certificate (CPC)),
      or Provisional certificates;
   2. Temporary Authorization certificates
      or Special Assignment certificates; and
   3. Substitute certificates or no certifica-
   tion.
(3) Achievement data including ACT, SAT,
   and Missouri Assessment Program (MAP)
   shall be reported using:
(A) At least one (1) comparison of district average with state average or district average with districts having a similar characteristic or characteristics using the same variables for three (3) consecutive years; and/or
(B) No less than three (3)-year history of district scores. The district achievement history becomes comparison variable.

(4) Reporting shall permit disclosure of data on a school-by-school basis, but shall not be personally identifiable by any student or employee. Disaggregated achievement data shall be reported for any racial/ethnicity group with more than thirty (30) students and which exceeds five percent (5%) of attendance center enrollment.

(5) The regulation shall apply to charter schools and to each attendance center in a public school district. Attendance center reports shall include students attending alternative programs within the district.
MODEL (EXAMPLE)
CURRENT EXPENDITURE PER ADA PER ATTENDANCE CENTER
This worksheet provides a model calculation to determine current expenditure per ADA per attendance center meeting the reporting requirements found in Section 160.522, RSMo. If available, existing attendance center expenditure data may be used in lieu of this worksheet. This worksheet may be modified as necessary to more accurately present attendance center data. Data Source: District accounting records and the final Annual Secretary of the Board Report (ASBR).

Enter Attendance Center Code (1050, 4020, etc)

Part I: Current Instructional Expenditure Per ADA for Attendance Center

<table>
<thead>
<tr>
<th>A</th>
<th>111-B 1999</th>
<th>Total Instruction</th>
<th>6100-6400</th>
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<tr>
<td></td>
<td>111-B 2110</td>
<td>Attendance</td>
<td>6100-6400</td>
</tr>
<tr>
<td></td>
<td>111-B 2120</td>
<td>Guidance</td>
<td>6100-6400</td>
</tr>
<tr>
<td></td>
<td>111-B 2130-90</td>
<td>Health, Psych, Speech/Audio</td>
<td>6100-6400</td>
</tr>
<tr>
<td></td>
<td>111-B 2220-90</td>
<td>Media (Library)</td>
<td>6100-6400</td>
</tr>
</tbody>
</table>

TOTAL CURRENT INSTRUCTIONAL EXPENDITURES FOR ATTENDANCE CENTER $_______

B Minus Part II, 5170 Student Activities (General + Special Revenue Funds Only) $_______

C Net Total Current Instructional Expenditures for Attendance Center $_______

D Total Resident and Non-resident ADA for Attendance Center _________

E Current Instructional Expenditure per ADA for Attendance Center (Item C divided by Item D) $_______

Part II: Current Support Expenditure Per ADA (District-Wide Expenditures)

<table>
<thead>
<tr>
<th>F</th>
<th>111-B 2999</th>
<th>Total Support Services</th>
<th>6100-6400</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>111-B 2110</td>
<td>Attendance</td>
<td>6100-6400</td>
</tr>
<tr>
<td></td>
<td>111-B 2120</td>
<td>Guidance</td>
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<td></td>
<td>111-B 2220-90</td>
<td>Media (Library)</td>
<td>6100-6400</td>
</tr>
</tbody>
</table>

SUBTOTAL CURRENT SUPPORT EXPENDITURES FOR ALL ATTENDANCE CENTERS $_______

G Minus

| Part II, 5150-64 | Food Service Program (General Fund Only) |
| Part II, 5165 | Food Service-Non Program (General Fund Only) |
| Part II, 5333 | Food Service-State (General Fund Only) |
| Part II, 5445-48 | Food Service-Federal (General Fund Only) |
| Part II, 5481 | Summer Food Service Program (General Fund Only) |

H Net Total Current Support Expenditures $_______

I Total Resident and Non-resident ADA for District _________

J Current Support Expenditure Per ADA (Item H divided by Item I) $_______

Part III: Calculation For Expenditure Per ADA For Attendance Center

<table>
<thead>
<tr>
<th>K</th>
<th>Current Instructional Expenditure Per ADA For Attendance Center (Item E)</th>
</tr>
</thead>
<tbody>
<tr>
<td>L</td>
<td>Current Support Expenditure Per ADA (Item J)</td>
</tr>
</tbody>
</table>

M Total Current Operating Expenditure Per ADA For Attendance Center (Item K + Item L) $_______
5 CSR 50-340—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
