

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

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**Title 5—DEPARTMENT OF
ELEMENTARY AND
SECONDARY EDUCATION
Division 50—Division of School
Improvement**

**Chapter 340—School Improvement and
Accountability**

**5 CSR 50-340.010 Classification and
Accreditation of Public School Districts
(Rescinded August 30, 2000)**

AUTHORITY: sections 160.041, 161.092 and 167.131, RSMo 1986, 163.021, RSMo Supp. 1991 and 171.031, RSMo Supp. 1992. Original rule filed Aug. 27, 1973, effective Sept. 7, 1973. Amended: Filed May 13, 1976, effective Sept. 1, 1976. Amended: Filed Feb. 1, 1978, effective May 15, 1978. Amended: Filed May 25, 1978, effective Sept. 18, 1978. Amended: Filed Oct. 12, 1978, effective Jan. 15, 1979. Amended: Filed July 15, 1980, effective Oct. 13, 1980. Amended: Filed July 13, 1982, effective Oct. 12, 1982. Amended: Filed Aug. 12, 1983, effective Dec. 12, 1983. Amended: Filed Dec. 5, 1983, effective May 14, 1984. Amended: Filed Dec. 7, 1983, effective April 12, 1984. Amended: Filed Feb. 8, 1985, effective July 1, 1985. Emergency amendment filed Sept. 2, 1988, effective Sept. 13, 1988, expired Nov. 24, 1988. Amended: Filed Aug. 1, 1988, effective Oct. 27, 1988. Amended: Filed Oct. 3, 1989, effective Jan. 26, 1990. Amended: Filed Feb. 27, 1992, effective Sept. 6, 1992. Amended: Filed July 23, 1993, effective July 1, 1994. Rescinded: Filed Jan. 19, 2000, effective Aug. 30, 2000.

Op. Atty. Gen. No. 416, Groves (9-25-69). 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.

Op. Atty. Gen. No. 415, King Jr. (12-29-64). As regards the University of Missouri and its branches, Lincoln University and the five state colleges, that— 1. Under the constitution and statutes of Missouri a graduate of an accredited high school does not have an absolute right to be admitted. 2. The governing boards of these institutions have the authority to set through rules admissions requirements which are reasonable and not arbitrary. 3. The provisions of neither Article IX, section 1(a), Missouri Constitution of 1945, nor section 160.090(2), RSMo (1959) prevent the governing boards of these institutions from adopting reasonable and nonarbitrary admission requirements.

Op. Atty. Gen. No. 6, Bell (7-28-61). 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 50-340.018 Military Service Credit

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

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

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

5 CSR 50-340.019 Military Science Credit

PURPOSE: This rule establishes guidelines for public school districts for the operation of a Junior Reserve Officer Training Corps program.

(1) A school district may establish a Junior Reserve Officer Training Corps (JROTC) Program on a voluntary basis as part of the regular secondary educational program.

(2) The school district may provide elective credit for a JROTC course, military science on the same basis as credit given for other elective courses.

(3) Credit may be given only for those courses taught by teachers with a Missouri teaching certificate in military science.

(4) Officers and noncommissioned officers with a baccalaureate degree and a request from the employing school district will be certificated for military science by the Department of Elementary and Secondary Education. These certificated personnel shall be paid from the teachers’ fund.

(5) School districts operating JROTC programs may request a special two (2)-year teaching certificate in military science for military personnel without baccalaureate degrees. Renewal of this two (2)-year certificate will require the earning of a minimum of eight (8) semester hours of appropriate credit from an accredited higher education institution.

(6) Noncertificated personnel in the Reserve Officer Training Corps (ROTC) Program may assist certificated personnel in the ROTC Program in the same manner that teacher aides assist certificated teachers. Noncertificated personnel shall be paid from the incidental fund.

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

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

5 CSR 50-340.020 Instruction for Prekindergarten

(Moved to 5 CSR 20-600.120)

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.*

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

5 CSR 50-340.022 State Reading Circle Program

PURPOSE: This rule establishes the State Reading Circle Program which encourages elementary school students to read extensively and establish guidelines for its operation.

(1) Any pupil in the public or nonpublic elementary schools of Missouri, grades kindergarten to eight (K-8), who reads a required number of books and passes a test given by his/her teacher may become a member of the program and receive a certificate.

(2) At the close of each school year, each teacher in participating schools should certify to the principal or superintendent of schools the names of pupils from each grade who have qualified for reading circle certificates.

(3) Certificates of attainment signed by the commissioner of education will be issued to each pupil who has qualified for the certificate.

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

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

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.

AUTHORITY: section 161.092, RSMo 2000. Original rule filed Nov. 5, 1969, effective July 1, 1970. Rescinded and readopted: Filed Oct. 15, 1980, effective Jan. 15, 1981. Amended: Filed March 29, 2002, effective Oct. 30, 2002.*

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

5 CSR 50-340.050 Policies and Standards for Summer School Programs
(Moved to 5 CSR 20-100.160)

5 CSR 50-340.060 Policies and Standards for Part-Time Public School Students

PURPOSE: This rule establishes policies and standards for public school districts that authorize resident public school students, who are not subject to the provisions of section 167.031, RSMo to attend public school part-time during the regular school term.

(1) A school board may adopt reasonable rules to govern part-time membership and part-time attendance of resident public school students who are not subject to the provisions of section 167.031, RSMo, the compulsory school attendance law. Reasonable rules governing part-time students may preserve the discipline, health and academic standards of the school but these rules may not be such as to place an unreasonable burden on part-time attendance.

(2) A school district that enrolls a resident student, who is eligible to attend full-time but is not subject to the provisions of section 167.031, RSMo for part-time attendance during the regular school term, may count that student for state aid in accordance with sections 163.011 and 163.031, RSMo. The full time equivalent (FTE) membership shall be limited to time enrolled in courses that are

counted as part of the regular school curriculum for public school students attending school full-time. The FTE attendance shall be limited to the actual clock hours of attendance in courses that are part of the regular school curriculum for public school students attending school full-time. A resident public school student FTE membership cannot exceed 1.0 and FTE attendance cannot exceed 1.0.

AUTHORITY: sections 161.092(2), 163.031, RSMo 1986, 163.011 and 163.021(2), RSMo Supp. 1988. Original rule filed Nov. 15, 1977, effective Feb. 15, 1978.*

**Original authority: 161.092(2), RSMo 1963, amended 1973; 163.011, RSMo 1963, amended 1967, 1973, 1977, 1982, 1985, 1986, 1988; 163.021(2), RSMo 1963, amended 1973, 1982, 1983, 1984, 1988; and 163.031, RSMo 1963, amended 1965, 1967, 1969, 1975, 1976, 1977, 1982, 1984, 1985, 1986.*

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 rule filed Jan. 31, 1979, effective May 14, 1979.*

**Original authority: 178.310, RSMo 1963.*

5 CSR 50-340.090 Standards for Innovative and Experimental Programs
(Moved to 5 CSR 20-200.250)



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 provides 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. * Original rule filed Sept. 25, 1987, effective Jan. 29, 1988. Amended: Filed Sept. 27, 1995, effective March 30, 1996.*

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

5 CSR 50-340.110 Policies and Standards Relating to Academically Deficient Schools (Rescinded October 30, 2005)

AUTHORITY: sections 160.538, RSMo 2000 and 161.092, RSMo Supp. 2002. Previously filed as 5 CSR 30-340.010. Original rule filed

Sept. 5, 1996, effective March 30, 1997. Rescinded and readopted: Filed March 22, 1999, effective Sept. 30, 1999. Amended and moved to 5 CSR 50-340.110: Filed Sept. 27, 2001, effective May 30, 2002. Amended: Filed April 23, 2003, effective Nov. 30, 2003. Rescinded: Filed April 1, 2005, effective Oct. 30, 2005.

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 buildings or attendance centers (priority school(s)).

(A) During the first year of implementation, all schools previously designated academically deficient will be designated priority schools.

(B) Designation of priority schools is based upon the following criteria:

1. Beginning September 1, 2006, Title I schools in school improvement which meet any of the following:

A. Have assessment performance index scores for state required subject areas in the bottom five percent (5%) of the state population for two (2) successive years;

B. Have a school attendance rate of less than ninety percent (90%) for two (2) successive years;

C. Have a graduation rate and placement rate below seventy percent (70%) for two (2) successive years; or

D. Are identified persistently dangerous pursuant to state regulation.

(C) Priority schools must exceed the designation criteria for two (2) successive years to have the priority school designation removed.

(2) The board of education of any district that contains a priority school(s) shall submit a school improvement plan for each priority school that provides for the following:

(A) Identification of the areas of academic deficiency in student performance on the required statewide assessments established pursuant to state law by disaggregating scores based upon school, grade, academic content area and student demographic subgroups;

(B) Implementation of research-based strategies to assist the priority school in addressing the areas of deficiency;

(C) Alignment of the priority school's curriculum to address deficiencies in student achievement; and



(D) Reallocation of district resources to address the areas of deficiency, which shall include focusing available funding on high quality professional development in the areas of deficiency.

(3) For priority schools designated as a result of low student achievement, the school improvement plan must include the components outlined above. Priority schools identified for other reasons must submit a school improvement plan which includes the components outlined above with the exception of identification of the areas of academic deficiency in student performance on the required statewide assessment and alignment of the priority school's curriculum to address deficiencies in student achievement.

(4) The State Board of Education (board) may appoint a team to provide an educational audit of any priority school.

(A) Priority schools may request services for an educational audit upon designation to assist in identification of factors contributing to the designation and make recommendation to address those factors. Any school maintaining priority school status more than two (2) years will be identified for a required educational audit.

(B) The educational audit may coincide with the scheduled Missouri School Improvement Program (MSIP) review for the district in which the building is located. If the priority school is located within a district which has been waived from an on-site MSIP review, the priority school is not waived from the educational audit.

(C) The educational audit team shall report its findings to the board and the local board of education. The board may require all or part of the team's findings to be addressed in the comprehensive school improvement plan.

(5) Local boards of education in districts with priority schools must submit the school improvement plan(s) to DESE on or before August 15 following the school year of designation. In the case where an educational audit has occurred, the findings of the audit must be addressed in that plan.

(A) DESE shall review and identify areas of concern in the school improvement plan within sixty (60) days of receipt of the plan.

(B) Changes to the school improvement plan shall be forwarded to DESE within sixty (60) days of notice to the district of the areas of concern.

(C) DESE shall withhold funds pursuant to state law from any school district that fails to submit a school improvement plan based upon the standards and timelines.

(6) All school buildings and attendance centers declared to be priority schools must be listed in the district's annual school accountability report distributed pursuant to state law.

AUTHORITY: sections 160.720 and 161.092, RSMo Supp. 2004. Original rule filed Sept. 25, 1987, effective Jan. 29, 1988. Amended: Filed Sept. 27, 1995, effective March 30, 1996. Rescinded and readopted: Filed Oct. 12, 2004, effective May 30, 2005.*

**Original authority: 160.720, RSMo 2002, amended 2004 and 161.092, RSMo 1963, amended 1973, 2002, 2003.*

5 CSR 50-340.200 Annual Public Reporting of Information by School Districts
(Rescinded January 30, 2006)

AUTHORITY: sections 160.522 and 161.092, RSMo Supp. 2002. Original rule filed Oct. 25, 2001, effective May 30, 2002. Amended: Filed April 23, 2003, effective Nov. 30, 2003. Rescinded: Filed June 30, 2005, effective Jan. 30, 2006.