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**Rules of  
Department of Elementary and  
Secondary Education  
Division 50—Division of Instruction  
Chapter 310—Incentives for School  
Excellence Program**

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

**Division 50—Division of Instruction  
Chapter 310—Incentives for School  
Excellence Programs**

**5 CSR 50-310.010 General Provisions**

*PURPOSE: The purpose of this rule is to establish procedures for the implementation of the Incentives for School Excellence Program (ISE) of the Excellence in Education Act of 1985.*

- (1) For the purpose of this rule, unless the context clearly requires otherwise, the following terms shall mean:
- (A) Applicant—An individual teacher or a teacher representing a group of teachers, a school building or school district;
- (B) Teacher—An individual employed full time by a public school district who is certificated under rules governing teacher certification;
- (C) School—An attendance center where instruction is being provided at public expense;
- (D) School district—A school or group of schools governed by a locally elected board of education or the State Board of Education and operated at public expense;
- (E) Department—Department of Elementary and Secondary Education; and
- (F) Continuation Project—A project approved in the preceding program year. A project may be considered for continuation for only two (2) years beyond the initial approval year.
- (2) Annually, the department shall solicit from school districts, schools, groups of teachers and individual teachers applications for incentive grants for the Incentives for School Excellence Program, which shall be due by an application deadline as established by the State Board of Education.
- (3) These grants may include, but shall not be limited to, the following school improvement activities:
- (A) Teacher aides to assist in classrooms in grades kindergarten through three (3);
- (B) Business/education partnerships;
- (C) Extended contracts for teachers and administrators;
- (D) School improvement councils;
- (E) Improved attendance plans;
- (F) School volunteer projects;
- (G) Parent participation program;
- (H) Instructional improvement projects;
- (I) Writing programs;
- (J) Higher technology projects;
- (K) Advanced placement programs; and
- (L) Opportunity classes for children who are at risk in reading and math in grades one (1), two (2) and three (3).
- (4) From the amount appropriated for matching incentives grants, the State Board of Education may set aside a portion for the following:
- (A) Match-free grants in areas established as priorities by the State Board of Education; and
- (B) Continuation grants for projects which were approved for funding in the preceding program year.
- (5) Annually, the department shall advise school districts of the amount appropriated for the ISE, including the amount and purposes for which match-free grants and continuation grants may be awarded. The maximum state grant for each category shall be as follows: individual teacher—five thousand dollars (\$5,000); a group of teachers—twenty thousand dollars (\$20,000); school—thirty thousand dollars (\$30,000); and school district—fifty thousand dollars (\$50,000).
- (6) Any grant requiring local matching funds or any grant for schools or districts must be approved by the local board of education or its authorized representative prior to the submission of the application to the department, but match-free grants for individual teachers or groups of teachers shall be considered if approved by the building principal.
- (7) Matching fund grants and match-free grants recipients will be selected on the basis of the following criteria:
- (A) The project promotes specific cognitive or affective (behavior) improvements, or improvements in one of the following five (5) correlates of effective school research: the principal is the instructional leader of the school; the school's climate is safe, orderly and conducive to learning; teacher and administrator behaviors convey high expectations of students; there is a pervasive, broadly understood instructional focus; or student progress is measured and monitored;
- (B) The project identifies a clear opportunity or need for improvement;
- (C) The project objectives and activities hold promise of fulfilling the identified opportunity or need for improvement;
- (D) The project, if successful, could be adopted or adapted by other applicants with the expectation of the same effects;
- (E) The project evaluation design contains a reliable method of measuring the results;
- (F) Evidence of opportunity or need for improvement; statement of goals and objectives; planning data; description of activities; evaluation plan; dissemination plan; time line and appropriate materials and equipment; and
- (G) The project is considered creative or innovative at least for the geographic area in which it is to be located.
- (8) Continuation grants recipients will be selected on the basis of the following criteria:
- (A) The criteria listed in subsections (7)(A) through (G);
- (B) Evaluation results of the preceding year of the project indicate the project was substantially successful in achieving its stated objectives; and
- (C) Documentation of successful activities support the achievement of the objectives.
- (9) Eligible applicants for initial grants will be ranked on the basis of the criteria listed in section (7). Proposals will be funded on the basis of the rank order and to the extent appropriations are available.
- (10) Grant moneys received by a district during a budget period must be obligated during the school year or returned to the department. For the purpose of this section, obligations are considered to have been incurred as follows: for equipment and supplies, when the district makes a binding commitment to acquire the equipment and supplies, usually by issuing a purchase order; for personal services, when the services are performed; and for travel, when the travel is taken. All obligations approved for acquisition during the budget period must comply with cost limitations as established by the State Board of Education and must be incurred by March 31 and liquidated by June 30 following budget approval by the department.
- (11) Each district participating in the ISE program must provide the department as part of its independent audit an audit of the ISE program. The audit must be performed in accordance with the department's general policy on audits. ISE program funds may not be used to pay an audit cost.
- (12) If the department, based on its own findings or those of an independent auditor, makes a determination that an applicant has misspent, misapplied or otherwise used the ISE funds in violation of any applicable regulation or statutory provision, the applicant's school district shall refund to the department the amount determined to have been improperly expended. If the applicant's school district does not refund the money within a reasonable time after requested to do so, the department may adjust other district payments from the Excellence in Education fund to recoup funds under this program.



(13) By July 15 of each year, the school district shall file a final expenditure and evaluation report with the department in the form required by the department showing by function and object the purpose for which the ISE funds were approved and expended during the budget period ending on the preceding June 30 and the amount approved but not expended during the budget period which the district must refund.

(14) The variable match provided for in the statute shall be determined by ranking each district by the equalized assessed valuation per pupil as adjusted by the income factor from the lowest wealth per child to the highest wealth per child and dividing such ranking into three (3) groups so that there is a nearly equal number of pupils in each group. The required district match shall be as follows: lowest third—ten percent (10%); middle third—twenty percent (20%); and upper third—thirty percent (30%). Local school districts may use, as matching funds, available revenues from any existing fund or source except—the debt service fund, state aid provided pursuant to section 163.031, section 163.172 or sections 168.500—168.520, RSMo. Revenues in the teacher's fund may only be used for programs which relate to teachers' salaries.

(15) Copyright of any original works produced by a project funded under the incentives for school excellence program shall be owned by the applicant LEA. Each LEA producing materials under the incentives for school excellence program, whether registered or not, must allow any Missouri LEA and the department at their own cost to reproduce the materials. If the LEA makes the material available for sale, it may charge Missouri LEAs no more than the cost of reproduction and delivery. An LEA owning such a copyright may not transfer or sell the rights to reproduce the material to a third party without the expressed prior written consent of the department.

*Auth: section 160.264, RSMo (1986).  
Original rule filed Feb. 26, 1986, effective May 29, 1986. Amended: Filed Dec. 11, 1986, effective March 26, 1987.  
Amended: Filed May 1, 1987, effective Aug. 27, 1987.*