

Title 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 30 – Division of Finance and Administrative Services
Chapter 4 – General Administration

EMERGENCY RULE

5 CSR 30-4.050 Local School District Application for Exemption Under the School Start Date Law

PURPOSE: This emergency rule sets out the process for local school districts to apply for an exemption under section 171.031, RSMo, regarding the school start date for the 2020-2021 school year. It also sets forth the criteria that must be met.

*EMERGENCY STATEMENT: This emergency rule is necessary due to the novel COVID-19 pandemic and school district's need for flexibility in their methods to address their students' educational needs. The State Board of Education (board) voted on May 12, 2020, to grant an exemption to the school start date under its authority under section 171.031.6, RSMo. The board also granted the Commissioner of Education the ability to grant these exemptions to expedite and streamline the approval process. This applies only for the 2020-2021 school year to local school districts that meet certain criteria. Because COVID-19 has caused a disruption in the provision of educational services during the 2019-2020 school year, this emergency rule is necessary to protect the health, safety, and welfare of those students by ensuring that there will be regulations in place that provide school districts with notice of the criteria set forth by the board on May 12, 2020. As a result, the board finds a compelling governmental interest, which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The board believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed on May ____, 2020 becomes effective _____, and expires _____.*

- (1) Any local school district that wishes to apply to the board for a waiver to section 171.031, which will be valid for the 2020-2021 school year, must provide the following information to the Department of Elementary and Secondary Education via online submission.
 - (a) how the local school district garnered local input before submitting the exemption, which must include, but is not limited to, a public hearing;
 - (b) how the exemption will benefit the local school district's students and their learning; and
 - (c) how the exemption will minimize the transmission of COVID-19.

AUTHORITY: sections 161.092 and 171.031, RSMo 2016. Emergency rule filed on May ____, 2020 becomes effective _____, and expires _____.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective. .

PRIVATE COST: This emergency rule l will not cost private entities more than five (\$500) in the time the emergency is effective.