

**MISSOURI STATE BOARD OF EDUCATION AGENDA ITEM:****March 2015**

CONSIDERATION OF AN ORDER OF RULEMAKING TO ADOPT  
 RULE 5 CSR 30-660.080 PERFORMANCE DISTRICTS

**STATUTORY AUTHORITY:**

Section 161.092 and 163.011, RSMo.

Consent  
ItemAction  
ItemReport  
Item

## DEPARTMENT GOAL NO. 4:

The Missouri Department of Elementary and Secondary Education will improve departmental efficiency and operational effectiveness.

## SUMMARY:

On December 4, 2014, the State Board of Education approved a notice of proposed rulemaking to adopt 5 CSR 30-660.080, relating to the identification of "Performance Districts." The notice of the proposed rulemaking was published in the January 15, 2015 edition of the *Missouri Register* for comment. No comments were received during the 30-day comment period.

The Division of Financial and Administrative Services proposes to establish guidelines to identify "Performance Districts" to be used in the foundation formula calculation for funding public schools in years subsequent to fiscal year 2016. This rule provides methodology for determination of performance districts as necessitated by changes in the Missouri School Improvement Program.

## PRESENTER(S):

Ron Lankford, Deputy Commissioner and Roger Dorson, Coordinator, Financial and Administrative Services, will assist in the presentation and discussion of this agenda item.

## RECOMMENDATION:

The Department recommends that the State Board of Education authorize publication of an order of rulemaking in the *Missouri Register* to adopt Rule 5 CSR 30-660.080, relating to establishing guidelines for the identification of "Performance Districts" and that the State Board finds this adoption necessary to carry out the purposes of Sections 161.092 and 163.011.

**Title 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  
**Division 30 – Division of Financial and Administrative Services**  
**Chapter 660 – School Finance**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Education under sections 161.092 and 163.011, the board adopts a rule as follows:

**5 CSR 30-660.080 Performance Districts is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 15, 2015 (40 MoReg 55). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  
**Division 30 – Division of Financial and Administrative Services**  
**Chapter 660–School Finance**

**PROPOSED RULE**

**5 CSR 30-660.080 Performance Districts**

*PURPOSE: The purpose of this rule is to define the process to identify “Performance Districts” as defined in section 163.011, RSMo, and as applied to the foundation formula for funding public schools.*

(1) “Performance Districts” as defined pursuant to section 163.011, RSMo, shall be identified by the Department of Elementary and Secondary Education (Department), and used in the foundation formula calculation for years subsequent to fiscal year 2016, using the following process:

- (A) The Department shall calculate an annual performance report (APR) for school districts that reflects the percentage of possible points earned based upon the accreditation standards applied by the State Board of Education (board) in the classification of schools pursuant to section 161.092(9), RSMo;
- (B) No school district shall be eligible for designation unless it has earned at least ninety percent (90%) of the possible points reported in both school years immediately prior to the year in which the calculation must be made;
- (C) Percentages of the two prior years for districts eligible for designation will be averaged and ranked in order beginning with the highest average; and
- (D) Pursuant to Section 163.011 RSMo, the number of designated Performance Districts will not exceed twenty-five percent (25%) of Missouri schools in fiscal years subsequent to 2018.

*AUTHORITY: sections 161.092 and 163.011, RSMo Supp. 2014.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, ATTN: Ronald Lankford, Deputy Commissioner, Financial and Administrative Services, PO Box 480, Jefferson City, MO 65102-0480, or by email to [deputycommfinancial@dese.mo.gov](mailto:deputycommfinancial@dese.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*