



Winter 2012

MARE

Our goal is to work in cooperation with all other education organizations, but our programs and effort will be designed to meet the specific needs of schools in rural Missouri.

Please copy and share this newsletter with board members and other school staff.

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MARE Calendar

2011-2012

February 23, 24, 25, 2012

MARE Conference &

Board Training

Resort at Port Arrowhead

Lake Ozark, MO

* *

April 11-13, 2012

Board Training

K-8 Conference

Chateau on the Lake

Branson, MO

May 7, 2012

Board Meeting

Jefferson City, MO

10:00 a.m.



MARE Conference 2012

February 23-25

Resort at Port Arrowhead

"Celebrating 25 Years of Promoting
Rural Education"

Program Schedule

Thursday – February 23

- 1:00 p.m. Opening Remarks/Color Presentation/Pledge
- 1:10 p.m. Commissioner of Education Dr. Chris Nicastro
- 1:30 p.m. General Session – Guin Martin & Associates – Legal Update
- 3:25 p.m. General Session – Common Core Standards Overview – Alan Bancroft – University of Central Missouri
- 4:20 p.m. Legislative Update – SAC Lobbyists
- 5:30 p.m. Opening Reception and Exhibits

Friday – February 24

- 7:15 a.m. Breakfast
- 7:30 a.m. Exhibits Open
- 8:30 a.m. Small Group Sessions
 - Four Day School Week – Bryan Prewitt, Albany R-III School District
 - How to Select and Work with Your Architect – Dwight Dickinson, Dickinson & Hussman Architects
 - Winning Before You Start – Effective – Heather Mudd, Piper Jaffray
 - 403(b): The Consequences of Consolidation – Eliminating Choice.... – Terence O'Malley, FTJ & Co.
 - CDHP: A Better Tool for Rural School Health Insurance Budgets – Anthony Hartfield, Pemiscot Co. R-III
 - Last minute E-Rate Briefing for 2012 filings – Richard Senturia, eRate Program, LLC
- 9:30 a.m. Small Group Sessions
 - Four Day School Week – Bryan Prewitt, Albany R-III School District (Session Repeat)
 - The Three "R's" for Rural School Improvement Resources – Darl Davis, NE RPDC
 - 5 Important Things to Transforming Your School – Mike Ringen, Holden R-III School District
 - Teacher Recruitment, Induction, and Retention – Dr. Jack Green, East Central University
 - 21st Century Learning: Visionary Leadership – Dan Snodgrass, STI
 - Cost Effective Services provided by Cooperating School Districts – Stephen Keyser
- 10:30 a.m. General Session – Cyberbullying: The Law, The Leader, and Some Lessons – Donna McCaw
- 12:00 Noon Lunch
- 1:10 p.m. General Session – I Can't Breathe – Reducing the Impacts – Dave Thompson, Green Clean Institute
- 2:00 p.m. -- Frequently Asked Questions About Safe Rooms – Brian Orr, Toth & Associates, Inc.
- 3:00 p.m. Keynote Speaker – Thomas Dismukes, "Stories That Tell" www.StoriesThatTell.com
- 4:30 p.m. Annual MARE Membership Meeting
- 6:30 p.m. Annual Rural Education Awards Banquet

Saturday – February 25

- 7:15 a.m. Breakfast
- 8:30 a.m. Small Group Sessions
 - Construction Projects – What You Wish You Would Have Know – Steve Book, Guin Martin & Mundorf
 - Overview of Some of the MARE Services – Dr. Mike Jinks, MARE Superintendent Search Consultant
 - Setting up an Electronic Board Meeting – Kenneth Cook, Malden R-I School District
 - Bringing i-Pad Technology to your School – Dr. Michael Brown, Grandview C-4 School District
 - Building a Rural School Foundation – Julie Leeth, Community Foundation of the Ozarks
 - Character Plus – Tami Bopp (CSD)
- 9:30 a.m. General Session – Budgeting for the Future – Alan Crader and Roger Adamson (L.J. Hart & Co.)
- 10:45 a.m. General Session – Mickes Goldman and Associates – Legal Issues
- 12:00 Noon – Conference Adjournment
(16 Hour School Board Training Sessions -- Thursday Afternoon, Friday all day, Saturday Morning)

School Cafeterias / Food Prep Areas

By David V. Kromm, AIA, LEED AP

In schools today, the role of the cafeteria is important for reasons other than merely feeding students. It is a place where students interact in a dynamic outside of the structured classroom setting. Learning spaces outside the classroom are just as important as the classroom itself. As such, the cafeteria should create an atmosphere conducive to social learning. Four key factors contribute to the creation of such a space: access, ambiance, function and time to design.

The process begins with providing time to design with the design team and school staff. Patricia Thompson, Superintendent of Crawford Co. R-I School District, realized the benefits of providing ample planning time while working with KRJ. “We were provided with plenty of time during construction planning to gather staff input, discuss various options, and formulate a design that is tailored to the needs of our school community. The end result is an efficient layout that can be utilized not only during mealtimes but for during the day and evening events as well.”

Access

The school cafeteria serves as a major traffic junction. It is the forum for students to casually meet with friends and interact with peers. It also provides visual access to the happenings of the other social areas, such as the playground, entrance, and main corridor. It is important that the cafeteria be positioned so that it is not isolated from the rest of the school. However, different grade levels require different access points and different kinds of accessibility.

For example, high school cafeterias can be designed with the greatest number of access points and the highest level of accessibility. The room should, if possible, easily open to the outdoors, the commons, the gymnasium and main entrance.

While older students can enjoy a greater freedom to roam around the school, children in intermediate grades require a higher level of supervision. Security needs often limit a cafeteria’s access to the outdoors. If possible, supervised access is ideal. Cafeterias at these schools should focus on being accessible to a secured major entrance and the playground.

Elementary schools require the most restrictive level of accessibility. At elementary schools, the cafeteria needs to have secured access from outside the building to keep outsiders from the children. They should, instead, have easy access to a highly visible main corridor.

Ambience

The physical surroundings of a school cafeteria must provide a comfortable atmosphere. A comfortable atmosphere is not only conducive to social interaction among students, but aids in fostering psychological comfort derived from familiar surroundings.

The school cafeteria should be a space that brings people closer together. Seating should be arranged in order to allow people to see each other’s faces. The room should be free from glare and provide good acoustics. The room’s design should feature familiar aesthetics, such as patterns of doors, windows, materials, colors and shapes, to those that are found in homes and other buildings in the community. The design should also allow for enough seating room to accommodate those eating, and separate standing room for those waiting in line.

At the Festus Intermediate School in Festus, MO., KRJ kept these principles in mind. Round tables facilitate face-to-face interaction. Windows were positioned to avoid direct sunlight during the school’s lunch hours. In addition, acoustical panels absorb sound.

Different grade levels require specialized ambience. Older children, such as those in intermediate and high school, tend to feel more comfortable with more space. Young children, however, need a greater sense of security. The space around an elementary school-age child needs to be smaller and less imposing. Thompson added, “Our cafeteria design includes a large enough space on one side of the kitchen to seat two grade levels and a space on the other side of the kitchen large enough to seat one grade level at a time. This has been ideal for our kindergarten students who need more assistance and monitoring during lunchtime. This smaller space adjacent to the school entrance is also an ideal location for parent pick up at the end of the day.” Large patterns on the floor make a large room look more intimate and keep it from looking empty. At Festus Intermediate, a serving area separate from the dining room helps the room feel smaller.

It is also important to remember that in many schools, the cafeteria may serve a secondary purpose as space for pep rallies or craft activities. Therefore, the area should be designed to accommodate activities other than eating. Folding tables with connected chairs or benches are recommended, so that they may be put away or moved around for almost any type of activity. Connected chairs or benches also keep chairs from being scattered and lost

Function

Function is the most important element in the design of a school cafeteria, no matter what the grade level. The room must meet the requirement of food service and safety.

Functional cafeterias, and those most popular to students, are designed to accommodate a variety of foods. Food choices create discussion and interaction among students. Especially for older children, multiple choices also allow students to express their indi-

(Continued on page 4)

learning environments



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(School Cafeterias / Food Prep Areas—Continued from page 2)

viduality.

Cafeterias should feature serving lines that allow for a wide selection, but with minimal waiting. In addition, cooks need to have proper facilities that enable them to cook and serve a wide variety of food. Organization throughout the kitchen area is key.

Architects should work closely with the school’s dietician to determine which types of foods will generally be served, and customize the kitchen accordingly. A generic kitchen arrangement will generally not suffice since schools have varying menus and cooking styles. Thompson found an added benefit to tailoring the serving lines. “Warming and cooling racks located behind the serving lines have provided an opportunity for our cafeteria workers to stock the racks prior to lunch with prepared food and then provides for quick access when the serving line needs to be restocked.”

As any child will tell you, the reputation of the cafeteria is only as good as the food it serves. The quality of food is important to create a positive energy throughout the cafeteria and make the most out of the various design elements.

One way to ensure superior food quality is to carefully select the amount and location of storage facilities. It is important to have adequate and accessible freezer space and dry goods storage in schools. The ability to store supplies for a week or longer can save schools money. The school’s dietician can help in deciding storage needs.

A well-designed cafeteria should allow for sensitive supervision. The ability for teachers and faculty to keep watch over students without intimidation is important, especially in high schools. Students should not feel they are under constant surveillance. However, the design must allow faculty the ability to stop fights and provide security from outsiders.

The supervision takes a different focus in different age groups. For example, the supervisory role in elementary schools is primarily to assist students, helping with spills and such. This role in high schools, on the other hand, plays more of a monitoring role, such as settling disputes.

Many schools are considering the community benefits of designing their school cafeterias to serve as FEMA Tornado Safe Rooms. Dr. Daniel Slack, Superintendent of East Carter Co. R-II School District, commented on how their community was impacted. “In addition to the cafeteria space situation, the district campus had experienced a few tornadoes that had passed by only to miss by a short distance over the years. To define that, we had a tornado that occurred in the late afternoon in May (2011) that came through and missed the school by approximately 1 mile. Even though the tornado missed the school, it still caused considerable damage to structures as it passed. On that day, our storm shelter had several district residents taking cover in the safety of the building as the storm passed.”

As schools continue to face challenges such as non-ideal sites, budgetary constraints, finding locations for new cafeterias and discovering uses for old cafeterias, the principles of access, ambience and function can be applied to create effective spaces that foster social development while serving a practical purpose. Providing ample time to design at the beginning of the process can result in long term benefits for the school community.

David V. Kromm, AIA, LEED AP is President of Kromm, Rikimaru & Johansen (KRJ) in St. Louis, MO. KRJ’s mission is “Achieving energy savings while building healthy learning communities”. The architectural heritage of communities is reflected in KRJ’s comprehensive planning and architectural work with districts throughout the state. David Kromm has lectured throughout the nation and published numerous articles on architectural planning and design issues. He may be reached at david.k@krjarch.com or 314-432-7020.

Missouri Association of Rural Education

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2011-2012

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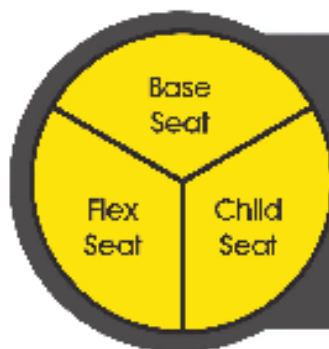
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Missouri Association of Rural Education

Legislative Platform

2011-2012

State Issues

Student Educational Attainment:

1. Supports increased appropriations for the public schools, which are sufficient to fully fund the foundation formula and further equalize support of each child in Missouri.
2. Supports increased funding for Small Schools Grant in order to expand the program to include districts with an ADA of 351 to 450+ with consideration being given to a *District Size Modifier* in the formula.
3. Supports legislation to provide adequate educational resources (funding) for district summer school programs.
4. Supports legislation to assist districts (through funding) wishing to share staffs or programs.
5. Supports allowing the local school district the option to provide a hiring incentive or salary schedule modification to attract/retain teachers based upon demonstrated need for teachers certified in identified shortage subject areas.
6. Supports increased funding for the use/upgrade of technology, internet connection, MOREnet, and alternative instructional options.
7. Supports increased funding in early childhood programs, safe schools grants and alternative education programs.
8. Supports legislation for the creation of state funding to support school facility replacement and/or improvement.
9. Supports legislation to create educational standards for home-schooled students and institutes procedures for enforcement of those standards.
10. Supports legislation to require all charter schools to be held accountable in the same manner as all public school districts.
11. Opposes decreased funding for career, technical and vocational education programs.
12. Opposes legislation mandating that school districts educate students who have been suspended or expelled.
13. Opposes legislation that would expand Charter School Districts at the expense of public school funding.
14. Opposes legislation restricting school administrators from prior review of student publications.
15. Opposes legislation mandating new programs without appropriating the necessary funds to implement or maintain such programs.

School Finance:

1. Supports efforts to work with the Governor, the Missouri Legislature, and DESE to identify long-term solutions for full funding of Missouri public education, which might include new sources of revenue.
2. Supports efforts for restoration of formula shortfalls for FY10, FY11, and FY12 as well as cuts and/or withholdings of categorical funds including transportation, parents as teachers, career ladder, testing programs, and support for local professional development centers.
3. Supports increased funding for transportation to address the increasing operational costs and concerns for student safety.
4. Supports the on-going evaluation of the effectiveness of the *Dollar Value Modifier* on rural school districts.
5. Supports legislation requiring the State to provide assistance to rural provisionally accredited and unaccredited school districts to aid those districts in returning to full accreditation status.
6. Supports legislation exempting public schools from paying motor fuel tax for fuel consumed by buses.
7. Supports legislation restricting any political subdivision from abating existing taxes or re-directing potentially new taxes to another subdivision.
8. Supports legislation preventing further erosion of and shifting of tax burdens from business to individual taxpayers forcing school districts to adjust levies upward to recover revenues lost due to the adverse decisions of the State Tax Commission.
9. Supports legislation that would allow Missouri voters to amend the State Constitution to provide for a simple majority approval of public school general obligation bond issues.
10. Supports legislation that would increase the bonding capacity to 20% to keep up with the growth and building costs under the current limitation of 15%.
11. Supports increased funding for mandated increases in the minimum teacher's salary program.
12. Supports legislation for the extension of "25 and out" and the "2.55 factor after 31 years of service" plan designs as funded through the Public School Retirement System of Missouri.
13. Opposes legislation removing the local board of education authority to set salaries/benefits for any member of the district staff.

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The Forgotten Hearing

Written by N. Scott Kimble
Thomas A. Mickes
Mickes Goldman O'Toole, LLC

As the superintendent for your school district you have many responsibilities. One such responsibility, and perhaps the most important, is to ensure that you employ competent professionals to help run the day to day operations at the district's school buildings. Those competent professionals, a.k.a. principals and assistant principals, are then tasked with the responsibility of hiring competent teachers. Those competent teachers are then tasked with the ultimate responsibility of facilitating learning and developing the minds of the district's students. Thus, with circular logic, it can be said that without solid leadership, students suffer. As superintendent, you do your best in hiring competent principals and assistant principals so that the district's schools will operate and function at a high level. However, sometimes you get it wrong. Sometimes you hire an individual that is not up to the task. In a situation such as this, what are you and your board of education to do? The simple answer is to non-renew the principal's or assistant principal's administrative contract.¹ However, in making the determination to non-renew, don't forget about the "forgotten hearing"....

It is common knowledge that school administrators are ineligible for tenure in their administrative position and, thus, are not entitled to the same sorts of protections tenured teachers are provided under the Teacher Tenure Act. However, there is one statute in particular that does provide administrators, and more specifically, principals and assistant principals, with some level of protection if they are ultimately non-renewed in their position as an administrator.

Specifically, RSMo. § 168.101.6 provides as follows:

If such certificated employee has been reemployed five times within the district, the school board, if requested in writing by such certificated employee within ten days after receipt of notice of demotion or lack of reemployment on the same terms and in the same staff position, shall make available in writing a statement of reasons for demotion or lack of reemployment within ten days after receipt of the request. The board shall grant such certificated employee a hearing if requested in writing by him within ten days after the receipt of statement of reasons, the hearing to be held within ten days after the request therefore, and to be open at the request of the certificated employee. The certificated employee may have counsel at the hearing, may testify and offer testimony of witnesses as well as other evidence sustaining his defense and may cross-examine adverse witnesses.

(emphasis added).

By the plain language of the statute, a principal or assistant principal, if having been reemployed five times within the same district in the same position, is non-renewed as an administrator; they are entitled to a hearing before the board of education. Thus, it follows that if a board of education is contemplating non-renewing a principal or assistant principal that has not been reemployed five times in that same position, then this statutory provision does not apply and a district may non-renew the administrator without fear of providing a hearing.²

Many superintendents and boards of education misconstrue the "reemployed five times" provision. The term "reemployed" carries with it an implied requirement that one must first be "employed." To state that one must be reemployed five times means that the administrator must be in his or her sixth contract in that same administrative position. Also, to be clear, the five year reemployment provision applies to principals or assistant principals who have been reemployed five times in that same position, not as a teacher and then as an administrator. *See Beal v. Board of Educ., Laclede County Sch. Dist. R-I*, 637 S.W.2d 309 (Mo. Ct. App. 1982) ("reemployed five times" meant reemployed as a principal, and thus high school principal, who had combined employment in district as teacher and as principal for 27 years but who had not been reemployed five times within the district as principal, was not entitled to statutory procedures relative to appeal of school board actions). Thus, as a practical matter, before a board of education decides to renew or non-renew an administrator, the board needs to determine how many times the administrator has been reemployed in that same administrative position. If the administrator is struggling and the board feels that said administrator will not make significant improvement before he or she has been reemployed five times, the board may want to move to non-renew sooner than they had intended to avoid the possibility of a hearing.

Section 168.101.6 further provides that upon request and within 10 days of having been non-renewed in their position as an administrator, the district must provide the principal or assistant principal with a statement of reasons for their demotion or lack of reemployment in that same position. As such, a statement of reasons is not required unless the principal or assistant principal asks for the reasons of their non-renewal. Moreover, if said employee asks for a statement of reasons on the eleventh day instead of within the 10 day parameter as provided in the statute, the district need not, and should not, provide a statement of reasons. Further, if the administrator has not asked for a statement of reasons within the 10 day parameter, the administrator is not entitled to a hearing before the board of education.

Conversely, if a statement of reasons is requested within the 10 day parameter, said statement must be given within 10 days of having been requested. After said statement has been given to the administrator, he or she may request a hearing before the board of education within 10 days of having received said statement.³ If a hearing is requested, a hearing must be held within 10 days of the request.⁴ It is vitally important that the reasons provided to the administrator for his or her non-renewal be well organized, complete and concise. Take the time necessary to craft a comprehensive statement of reasons as these reasons will potentially be scrutinized by the administrator, the administrator's attorney,

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¹. An administrator must be informed by April 15th that they will be non-renewed in their administrative position.

². All references herein are in regard to the non-renewal of an administrator at the end of the academic year, not a mid-contract termination.

³. Obviously, a hearing should come after the board of education has already voted to non-renew the administrator. To provide a hearing before the board of education has voted to non-renew would grant the administrator more protection than he or she is entitled to.

⁴. The parties may agree to postpone the hearing to a mutually agreeable date; however, if the administrator does not agree to a postponement, the hearing must go forward within the 10 day period.

(Continued from page 9)

the board of education and a judge or judges if the matter is appealed to the circuit court and beyond. While it would be ideal for the district to have already contacted its attorney prior to this point in the process, it is necessary to involve the district's attorney at this time. By involving the district's attorney early in the process, it will allow the attorney to determine whether the district has a strong case or whether the district needs to reconsider its determination to non-renew. It will also allow the district's attorney to aid in drafting the statement of reasons to which the attorney will be bound if the matter proceeds to a hearing and potentially to the circuit court. Further, because the hearing must be held within 10 days of the administrator's request, it is important for the district to have its documentation organized and ready to present to the board of education.

Superintendents, in their desire to hire the best and brightest principals and assistant principals, are sometimes unsuccessful. When it has been determined that a mistake in hiring has been made, a decision to non-renew must be made.

In these tough economic times, it is vitally important that school districts do not lose sight of the "forgotten hearing" as school districts must be mindful of unnecessary pitfalls that can potentially cost them thousands of dollars. Hearings before the board of education are costly and with the ability to appeal those board decisions, the costs can quickly spiral out of control. By simply being mindful of the amount of times an administrator has been renewed in that same position and that an administrator has the right to a hearing after he or she has been reemployed five times in the same position, a district could potentially save itself from unnecessary expense.⁵

⁵ A hearing before the board of education in this instance is a contested case hearing. As noted in the statute, the administrator is entitled to be represented by counsel, present evidence and cross-examine witnesses. There must also be a transcript of the hearing which, in most instances, requires the assistance of a court reporter. As the hearing is a contested case, the administrator has the ability to appeal the decision of the board of education to the circuit court. If the administrator is not pleased with the outcome at the circuit court level, he or she may appeal to the Missouri Court of Appeals and eventually to the Missouri Supreme Court.



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(Legislative Platform Continued from page 7)

- 14. Supports the affordability/accessibility of healthcare.**
- 15. Oppose legislative/constitutional mandates that would interfere with the local board of education's efforts/responsibilities to operate the school district. (i.e. 65% solution, Taxpayer Bills of Rights).**
- 16. Opposes legislation creating any new property tax relief programs by freezing, reducing, limiting, eliminating or exempting the current property tax base.**

School Governance:

- 1. Supports legislation that defines the parameters of collective bargaining for public school employees while preserving the local boards' authority to make final decisions in the best interest of their respective districts.**
- 2. Supports legislation to expand the prohibition of punitive damages against political subdivisions; Extension of Sovereign Immunity protection to all employees and volunteers of political subdivisions, and to *Reverse* the consequences of the Schoemhl Decision.**
- 3. Supports legislation that would mandate the utilization of seat belts on school buses on the basis that *scientific evidence* can demonstrate a marked increase in student safety and such a mandate would be totally funded (by the State) to include ALL costs associated with such legislation. (Funding to include additional equipment, equipment upgrades, personnel, etc.)**
- 4. Supports legislation removing school districts from prevailing wage requirements.**
- 5. Supports legislation that would prevent a school board member from filing for re-election if the required 16 hours of board training had not been completed within three years.**
- 6. Supports the maintenance of a strong Public School Employee Retirement System (PSRS/PEERS).**
- 7. Supports efforts to work with the IRS and the Missouri Office of Administration to ensure that all members of the Missouri Public School Retirement System holding a valid teacher certificate continue to be exempt from payment of Social Security Taxes.**
- 8. Opposes legislation that would require PSRS/PEERS to combine/consolidate in whole or part and/or asset investments with any or all of the other state retirement system.**
- 9. Opposes legislation that would restrict/remove the Board of Education's local control of public school districts.**
- 10. Opposes legislation forcing non-voluntary school consolidation.**
- 11. Opposes legislation forcing non-voluntary open enrollment between school districts.**
- 12. Opposes legislation allowing state funding (tax dollars) in the form of vouchers/scholarships/tuition tax credits, for non-public schools.**
- 13. Opposes legislation restricting/changing the basic governance, policies and services provided by educational support organizations to the local school district (i.e. MSHSAA, MUSIC, etc.).**

Federal Issues

- 1. Supports assessments to improve student achievement, but opposes the expansion of testing under NO Child Left Behind for grades 9 through 11.**
- 2. Supports the critical role that career and technical education plays in preparing rural students for the workforce and further education.**
- 3. Supports the expansion of the definition of a high-need school district to include rural school districts in addition to high-poverty districts, recognizing the unique staffing needs and shortages of geographically isolated districts.**
- 4. Supports maintaining E-Rate as an element of the Universal Service Fund.**
- 5. Supports the fulfillment of Congress' promise of mandatory funding of IDEA at 40 percent of the National Average per Pupil Expenditure for every child in special education.**
- 6. Supports the reimbursement of rural districts for medical expenses attributed to Medicaid eligible students.**
- 7. Supports the use of poverty indicators in place of census poverty as the measure of student poverty within rural school districts.**
- 8. Supports the *Formula Fairness Campaign* to end Title I formula discrimination against disadvantaged rural students with the elimination of the "Number Weighting" provision.**
- 9. Supports the continuation as well as increased funding of the Rural Education Achievement Program (REAP).**
- 10. Supports the continued funding of Title I dollars in meeting the needs of poor rural school districts.**
- 11. Supports fully funding of the authorized amounts promised under NCLB.**
- 12. Supports effort to work with the IRS and SSA to ensure that all members of the Missouri Public School Retirement System holding a valid teacher certificate remain exempt from Social Security taxes.**
- 13. Supports legislation to repeal the WEP and GPO provisions of Social Security.**
- 14. Opposes the use of Federal Funds to fund private schools through vouchers, scholarships, or tuition tax credits.**
- 15. Opposes the federal government issuing any un-funded mandates within education.**
- 16. Opposes legislation that would force mandatory Social Security for new teachers.**
- 17. Opposes mandates in the Child Nutrition Bill that would require school food service directors to be certified.**

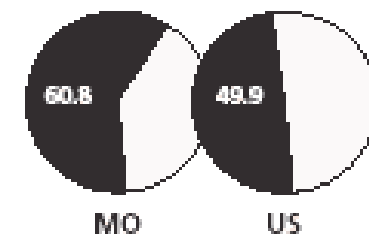
MISSOURI - More than one in four students in Missouri is enrolled in a rural school district. The state is above the national average on each importance indicator with a large absolute student population and a high percentage of small rural districts. Rural minority and ELL enrollments are among the lowest proportionally in the US. Missouri scored lower than average on every Educational Policy Context indicator, with only two states paying lower average teacher salaries. Educational outcomes for Missouri's rural students were close to average with slightly higher than average rural high school graduation rates. Longitudinal indicators show an increase of 8.3 percentage points in the rural student poverty rate over the past 9 years.

PRIORITY RANKING
21

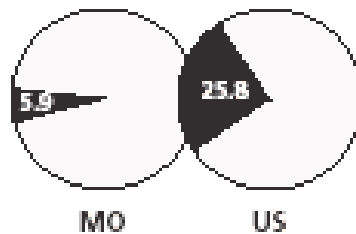
GAUGE 1:

Importance	Notable Important Very Important Crucial			
	19			
	MO	Rank*		
Percent rural schools	46.3%	21		
Percent small rural districts	60.8%	14		
Percent rural students	27.1%	23		
Number of rural students	241,979	18		
Percentage of state education funds to rural districts	30.7%	22		

Percent small rural districts



Percent rural minority students



GAUGE 2:

Student and Family Diversity	Fair Serious Critical Urgent			
	35			
	MO	Rank*		
Percent rural minority students	5.9%	47		
Percent rural ELL students	0.6%	40		
Percent rural IEP students	13.8%	23		
Percent rural student poverty	44.0%	17		
Percent rural mobility	12.4%	14		

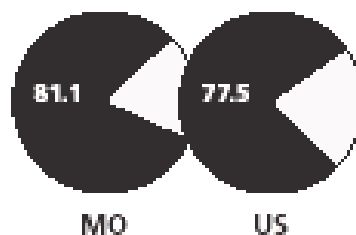
GAUGE 3:

Educational Policy Context	Notable Important Very Important Crucial			
	9			
	MO	Rank*		
Rural instructional expenditures per pupil	\$4,996	13		
Ratio of instructional to transportation expenditures	\$10.85	27		
Median organizational scale (x 100)	1,656.1	39		
State revenue to schools per local dollar	\$0.78	11		
Rural salary expenditures per instructional FTE	\$43,716	3		

Rural salary expenditures per instructional FTE



Rural high school graduation rate



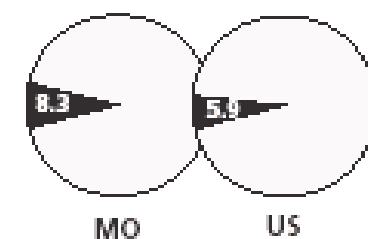
GAUGE 4:

Educational Outcomes	Fair Serious Critical Urgent			
	25			
	MO	Rank*		
Rural high school graduation rate	81.1%	30		
Rural Grade 4 NAEP scores (math)	241	20		
Rural Grade 4 NAEP scores (reading)	226	32		
Rural Grade 8 NAEP scores (math)	284	19		
Rural Grade 8 NAEP scores (reading)	266	23		

GAUGE 5:

Longitudinal Gauge	Notable Important Very Important Crucial			
	28			
	MO	Rank*		
Increase in absolute rural student enrollment (1999-00 to 2008-09)	9,880	25		
Percent change in number of rural students (1999-00 to 2008-09)	4.3%	28		
Percent change in number of rural Hispanic students (1999-00 to 2008-09)	138.2%	23		
Change in percent rural student poverty (1999-00 to 2008-09)	8.3%	11		
Change in rural students as a percent of all students (1999-00 to 2008-09)	1.4%	24		

Change in percent rural student poverty



* A rank of 1 is most crucial or most urgent

(Continued from page #12)

Why Rural Matters 2011–12 is the sixth in a series of biennial reports analyzing the contexts and conditions of rural education in each of the 50 states and calling attention to the need for policymakers to address rural education issues in their respective states. While it is the sixth in a series, this report is not simply an updating of data from earlier editions. On the contrary, from one report to the next, we have deliberately altered the statistical indicators and gauges to call attention to the variability and complexity of rural education. Our intent in these reports is not — as it is in many state-by-state analyses — to compare states in terms of their differing rates of progress toward an arbitrary goal. Rather, our intent is (1) to provide information and analyses that highlight the priority policy needs of rural public schools and the communities they serve, and (2) to describe the complexity of rural contexts in ways that can help policymakers better understand the challenges faced by their constituencies and formulate policies that are responsive to those challenges.

STATE-BY-STATE RESULTS

To download any of the state reports or to copy the complete report, go to **The Rural School and Community Trust website — www.ruraledu.org**

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(No Registration Fee for Spouse/Associates/Guests/Board Trainees)
Meal packages for Spouse/Associates/Guests/Board Trainees listed below)

1st & 2nd registration from same school district *(all meals included)* _____ # @ \$120. each = _____
 3rd & 4th registration from same school district *(all meals included)* _____ # @ \$100. each = _____
 5th + registrations from same school district *(all meals included)* _____ # @ \$75. each = _____

_____ # Total number of individuals attending.

Spouse/Guest/Board Trainee Meal Package:

Package A: All meals (2 Breakfast, 1 Luncheon, 1 Dinner) _____ # @ \$60. Each = _____
Package B: Additional individual meal prices:
 Friday Breakfast: _____ # @ \$13. Each = _____
 Friday Luncheon: _____ # @ \$15. Each = _____
 Friday Dinner: _____ # @ \$22. Each = _____
 Saturday Breakfast: _____ # @ \$13. Each = _____

Total Amount Due: _____

NAME	Type (Superintendent, Board Member, Board Member Trainee, Guest, Associate, Exhibitor)	√ If Attending Board Training
_____	_____	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>
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_____	_____	<input type="checkbox"/>
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_____	_____	<input type="checkbox"/>

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**The Fight about RSMo. § 167.131 and
Why It Matters to Missouri Rural Schools**

Written By: Duane Martin
Guin Martin Mundorf, LLC

The applicable Missouri statute regarding student transfers permits all “pupil residents” of “unaccredited districts” to attend any school of the same or adjoining county if the unaccredited district pays tuition and provides transportation. See RSMo § 167.131. Until 2010, it was presumed by DESE and others that accredited districts had the discretion to deny admission to students transferring from unaccredited districts. In July 2010, the Missouri Supreme Court in the case of *Turner v. Clayton School District*,¹ declared that the language of RSMo § 167.131 requires accredited districts to accept students transferring from unaccredited districts. The decision was remanded back to a St. Louis County court for “resolution of all issues.”

RSMo § 167.131 is currently the subject of litigation in the St. Louis and Kansas City areas involving the transfer of students from urban schools to surrounding suburban schools. These cases involve the remand of the *Turner* case regarding the remaining issues in the case, and the *Blue Springs School District, et al. v. Kansas City, Missouri School District* matter challenging student transfers from the unaccredited Kansas City Public Schools to five surrounding districts pursuant to RSMo § 167.131.² These fights have the potential to directly impact Missouri’s rural schools in a number of profound ways, including:

1. RSMo. §167.131 can be interpreted to mean that all K-8 districts are “unaccredited” for purposes of the statute; and
2. The application of RSMo. § 167.131 could potentially have an adverse impact on state funding for all Missouri schools.

Interpreting RSMo § 167.131

One cause for the current litigation is that the language of RSMo § 167.131 is open to interpretation in a number of respects. The statute leaves many questions unanswered and presents numerous practical problems in its application including violations of the Hancock Amendment,³ impossibility of compliance, etc. In addition to the problems presented by its application in the urban to suburban context, some issues regarding the interpretation of RSMo § 167.131 are peculiar to rural schools that send or receive students from K-8 districts.

Application of RSMo § 167.131 to Students from K-8 Districts

To understand the potential interpretations of RSMo § 167.131, one must begin with a reading of the text of the current statute itself. RSMo § 167.131.1 currently states:

The board of education of each district in this state that does not maintain an accredited school pursuant to the authority of the state board of education . . . shall pay the tuition of and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited school in another district of the same or an adjoining county.

The statutory language regarding “each district in this state that does not maintain an accredited school” has been interpreted by most commentators to include K-8 districts. Indeed, although no Missouri court has determined that RSMo § 167.131 applies to K-8 districts, it is clear that legislators, DESE and litigants alike seem to have assumed that it does. In fact, legislation was proposed last year to differentiate between K-8 districts and districts that do not maintain an accredited school under that RSMo § 167.131 but the bill failed.⁴

If K-8 districts are considered “unaccredited” for purposes of RSMo § 167.131, then K-8 students can attend any accredited school in the county or an adjoining county. The sending K-8 district will have to pay tuition as set by the receiving district and will have no authority to limit which districts their students attend. Furthermore, the receiving district will not have discretion to deny transfer of a K-8 student who lives in the county or an adjoining county.

Districts whose students transfer under RSMo § 167.131 must “provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited school in another district of the same or an adjoining county.” In turn, RSMo. § 167.241 permits the sending districts to designate the accredited districts to which they will provide transportation. As a result, although

(Continued on page 15)

¹ *Turner v. Sch. Dist. of Clayton*, 318 S.W.3d 660 (Mo. 2010).

² The author serves as counsel for the five surrounding school districts in this matter.

³ The Hancock Amendment prohibits the State from “requiring any new or expanded activities by . . . political subdivisions without full state financing.” Mo. Con. Art. X, § 16. Where the State requires a political subdivision to implement a “new activity or service” or to increase the level of a current activity or service, the State must make and disburse a specific appropriation. Mo. Con. Art. X, § 21.

⁴ See Senate Bill 14, sponsored by Senator David Pearce.

(The Fight about RSMo. § 167.131 and Why It Matters to Missouri Rural Schools—Continued from page 14)

the sending K-8 district may be required to pay tuition to any accredited district in the county or adjoining county, the number of districts to which K-8 districts will provide transportation for students transferring pursuant to RSMo § 167.131 may be limited.

Despite the prevailing view, one could argue that the plain language of RSMo § 167.131 indicates that the statute only applies to districts that do not maintain an accredited school. Because K-8 districts maintain an accredited school, so the argument goes, RSMo § 167.131 should not apply to them. Significantly, prior to the 1993 amendments to RSMo § 167.131, the statute expressly applied to districts that did not maintain a high school, i.e., K-8 districts. Prior to 1993, RSMo § 167.131 stated:

The board of education of each district in this state that does not maintain *an approved high school offering work through the twelfth grade* shall pay the tuition of each pupil resident therein who has completed the work of the highest grade offered in the schools of the district and who attends *an approved high school* in another district of the same or an adjoining county . . .
“ (emphasis added).

In 1993, the General Assembly amended the statute to replace the language regarding “an approved high school” with “an accredited school” and in doing so, created a question as to whether the statute as amended continued to apply in the K-8 context. The plain language of the current statute could be read to exclude the vast majority of K-8 districts because K-8’s “maintain an accredited school pursuant to the authority of the state board of education.” Prior to the *Turner* decision in 2010, this issue was not as significant because receiving districts could simply deny admission if they chose to do so.

In the wake of the *Turner* decision, if K-8 districts are considered “unaccredited” for purposes of RSMo § 167.131, parents of K-8 students can insist that their students be allowed to attend any accredited district in the county or an adjoining county. The K-8 district must pay tuition to the accredited district of the student’s choosing. The K-8 district must provide transportation to the accredited district or districts designated by the K-8 district. Finally, the receiving district has no discretion to deny admission to students transferring from K-8 districts in their county or an adjoining county.⁵

The Application of RSMo § 167.131 and Its Potential Impact on Rural School Funding

If RSMo § 167.131 is ultimately determined to permit all pupil residents of the St. Louis and Kansas City School Districts to transfer to accredited schools, it could have an adverse impact on all Missouri public schools. The term “pupil residents” as used in RSMo § 167.131 is not defined. If it is interpreted to include all school-aged children who live in the district, then the doors will be opened for all private, charter and home-schooled children to attend an area district at the expense of the unaccredited district. The costs will be potentially staggering.

By way of one example, it is estimated that approximately 2,757 private or parochial students reside in the St. Louis Public School District and intend to transfer to an accredited district in St. Louis County if transfers are permitted pursuant to RSMo § 167.131. Using the average rate of tuition for St. Louis County districts of \$11,613, tuition for private/parochial students alone will amount to approximately \$32 million. Because these students are currently not attending a Missouri public school, these students would require new additional State funding. These students would also require transportation to the accredited school. Other additional costs include the costs associated with students with disabilities who transfer to an accredited school. Currently, it is estimated that costs to St. Louis Public Schools beyond the basic tuition costs could increase \$134 million, resulting in total costs of \$309 million annually. This amount would exceed the St. Louis Public School’s operating budget and leave the students that remain with greatly reduced resources. Because it is the State’s responsibility to provide an education for all children, these costs would eventually be the responsibility of the State.

This example describes the potential costs associated with only private and parochial students in the St. Louis District. It does not account for the additional costs associated with other students who may be eligible for transfer out of the St. Louis Public Schools, the costs of transferring similarly situated students from the Kansas City Public Schools, or other home-schooled, charter or private school students who want to transfer under RSMo § 167.131. With such added costs, it is likely that Foundation Formula funding will be further reduced resulting in a reduction in funds available to every school district in Missouri, including Missouri’s rural schools.

Conclusion

The foregoing provides but a glimpse into the substantial issues relating to the fights over RSMo § 167.131. This article highlights only two of the numerous issues presented by this legal imbroglio. These issues have the potential to have a profound impact on Missouri’s rural school districts. Although the popular sentiment appears to be that the issues associated with RSMo § 167.131 are primarily an urban or suburban problem, the truth is that these issues have the potential to significantly and adversely impact all Missouri school districts, including our rural schools.

⁵ Although this appears to be the current state of the law, the author believes that the unfunded mandate for receiving districts to accept all student transfers, and the sending district to transport students, pursuant to RSMo § 167.131 constitutes a violation of the Hancock Amendment.



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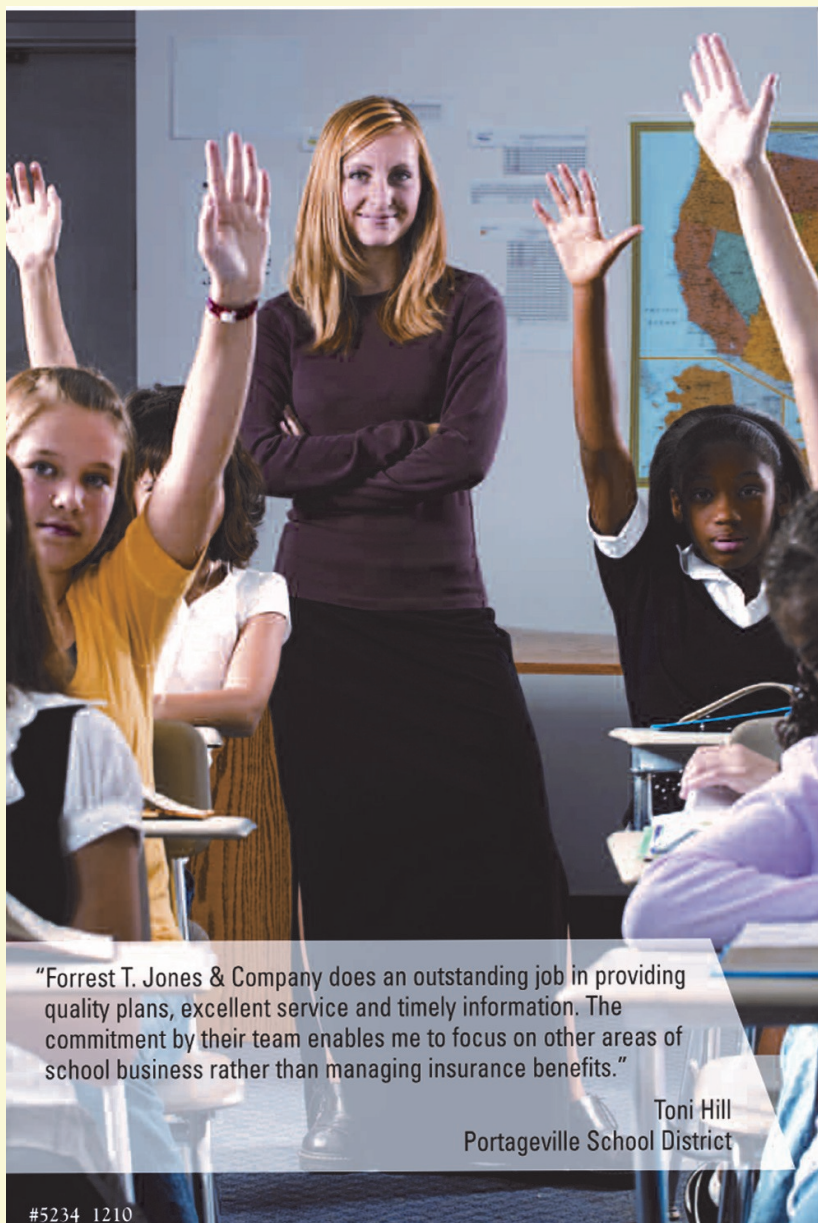
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Once a farmer has nominated a school district, the Monsanto Fund will notify the administrator that the district can submit a grant application. The Monsanto Fund will award 199 grants this year. There will be 177 \$10,000 grants and 22 grants of \$25,000 awarded. Visit GrowRuralEducation.com to see a complete list of eligible states and regions. Overall, the Monsanto Fund will donate more than \$2.3 million to school districts in 39 states through this program. Winning grant applications will be chosen by the America's Farmers Grow Rural Education Advisory Council, a group of 26 farmer leaders from across the country.

During a successful pilot program in Illinois and Minnesota, more than \$266,000 was donated to rural school districts in 16 USDA-appointed Crop Reporting Districts (CRD). This year, the program expanded to 1,245 counties in 39 states. More than \$2.3 million will be donated to public school districts across the country.

The program is part of a broad commitment by the Monsanto Fund to invest in farm communities, in order to highlight the important contributions farmers make every day to our society. Farmers can nominate a school district online at GrowRuralEducation.com, or by calling 1.877.267.3332. Farmers, age 21 and over, who are actively engaged in farming a minimum of 250 acres of corn, cotton, and/or soybeans; or 40 acres of open field vegetables; or at least 10 acres of tomatoes, peppers and/or cucumbers grown in protected culture are eligible. Farmers can nominate a school district now through April 15, 2012. A list of eligible school districts is available at GrowRuralEducation.com.



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ANNUAL ELECTION OF EXECUTIVE BOARD MEMBERS

Missouri Association of Rural Education Executive Board Members shall serve two-year terms and are eligible for re-election. Elections or appointments shall be scheduled by the executive board with new executive board members taking office effective July 1, which is the beginning of the new fiscal year, and seated at the summer board meeting.

Members to be elected in even numbered years (**2012**) are:

Five (5) members, one from each of the determined regions of the state: B, D, F, H, and J

One (1) member from Higher Education

One (1) member from the board of education whose school is a member of MARE. (One position for a two-year term.)

REGIONAL OFFICERS

Interested Candidates may file, in writing, with the Executive Directors office, or rpatrick@moare.com. All Regional Candidates' names will be listed on a ballot in the order received and mailed to the member schools in the counties making up that particular region. The candidate receiving the highest number of votes will be declared elected to a two-year term.

Dr. Yancy Poorman of the North St. Francois Co. R-I School District is completing two-year term in **Region "B"**.

Mr. Eric Cooley of the Stoutland R-II School District is completing two-year term in **Region "D"**.

Mr. John Brinkley of the East Lynne #40 School District is completing a two-year term in **Region "F"**.

Mr. Fred Weibling of the Madison C-3 School District is completing a two-year term in **Region "H"**.

Mr. Jim Shultz of the North Andrew R-VI School District is completing a two-year term in **Region "J"**.

All are eligible for re-election unless the individual moves from the region or resigns/retires from their current position

OTHER OFFICERS

Interested Candidates may file, in writing, with the Executive Directors office, or rpatrick@moare.com. The ten board members representing the ten determined regions of the state will then meet as a selection committee and select a member for each position from the list of declared candidates.

Mr. John Poston Board of Education Member of the North St. Francois Co. R-I School District is completing a two-year term. *Mr. Poston is eligible for re-appointment*

Higher Education: Dr. Terry Reid – Lindenwood University. *Dr. Reid is eligible for re-appointment*

The MARE Executive Director has set the deadline for Interested Candidates to file for office on the MARE Board of Directors for Friday, April 27, 2012 12:00 noon.

Representative Regions by Counties

Region B: Counties of – Gasconade, Franklin, Crawford, Washington, Iron, Reynolds, St. Francis, Ste Genevieve, Jefferson, St. Louis

Region D: Counties of – Laclede, Camden, Miller, Cole, Osage, Maries, Phelps, Pulaski, Dent.

Region F: Counties of – Jackson, Cass, Lafayette, Johnson, Henry, Saline, Pettis, Cooper, Moniteau, Morgan.

Region H: Counties of – Scotland, Knox, Shelby, Monroe, Audrian, Callaway, Clark, Lewis, Marion, Ralls, Pike, Montgomery, Lincoln, Warren, St. Charles.

Region J: Counties of – Atchison, Holt, Nodaway, Andrew, Buchanan, Platte, Clay, Worth, Gentry, DeKalb, Clinton, Ray, Caldwell, Daviess, Harrison

MARE Superintendent Search

The MARE organization is available to all school districts throughout Missouri to facilitate superintendent searches. MARE prides itself in being able to help school districts locate and employ leaders in a very cost competitive manner.

In an effort to maintain cost effectiveness, MARE's superintendent searches make significant utility of technology to facilitate its work with boards of education who are seeking interested candidates. Mailings, notifications, listings, reviews, profiles, and other search techniques are efficiently designed and delivered to allow MARE to offer its search services at a reasonable cost to the school district. The following charges apply:

District Enrollment	Charges	District Enrollment	Charges
500 students or less	\$2,500	2501 - 3000 students	\$5,000
501 - 1000 students	\$3,000	3001 - 3500 students	\$5,500
1001 - 1500 students	\$3,500	3501 - 4000 students	\$6,000
1501 - 2000 students	\$4,000	Above 4000 students	\$6,500
2001 - 2500 students	\$4,500		

If a school district is current in their annual membership with MARE, the above professional charges will include the official mailings to every district in the state of Missouri. If a non-member district engages MARE to conduct their superintendent search, MARE will include in the above professional charges a full year's membership in the MARE organization for that school district.

School districts interested in more information about the superintendent search services should forward inquiries to:

MARE Superintendent Searches

Dr. Ray V. Patrick
201 South Holden St., Ste 202
Warrensburg, MO 64093

Phone: (660) 747-8050
Cell Phone: (660) 909-5118
Fax: (660) 747-8160
Email: rpatrick@moare.com

MARE will provide the following services to school districts wishing to conduct their own search:

- Listing of the opening in the MARE Focus (emailing to all Missouri districts)
- Listing of the opening on the MARE website (home page with link) and MO Administrator Jobs site
- Sample sets of interview questions (no cost)
- Set of Missouri School District mailing labels (cost - \$10.00) or will provide by email for district download at no charge.



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A Quality Website = Good PR

If you have a goal to improve district communications, you'll want to take a critical look at your website.

Good public relations start with a carefully crafted message. The beauty of a content management system is it allows you to control the message and how it is presented. The key is keeping the content up to date.

Students and parents today expect to find relevant information online. A website that utilizes technology with a proliferation of content reflects quality in the minds of your audience.

Viewers will judge your website content on four main factors:

- Is the information available online?
- Is it easy to find?
- Is it complete?
- Could they respond?

If a viewer answers, "No," to one or more of these questions, they may not come back anytime soon. But if they find what they are looking for quickly, they will come back to your website again and again.

Make your website the source for news

Once your website is established as a reliable resource for school information, your audience will automatically go to it when you need to communicate an important message like school closings, referendum proposals or emergency situations. You will want your website to be the source for critical issues—not the news media.

In a digital world, information is pushed out from all different directions. You need a system that enables you to be the first to present your views.

SOCS, Simplified Online Communication System, will help you accomplish that. Because posting content is so simple, staff members focus on the message not the process. SOCS is the tool you need to help you with your public relations goals. For more information, contact Stacey Anderson at 800.850.8397, ext. 6991 or staceym@fes.org.

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Through this type of SHARING and COOPERATION we can improve the OPPORTUNITIES for the CHILDREN of rural Missouri.

Disclaimer – The view expressed in the articles printed in this publication do not necessarily reflect the opinions held by the MARE organization, or the Board of Directors. Please direct any comments and/or suggestions to the Executive Director at (660) 747-8050 or email: rpatrick@moare.com

Superintendency Search

The MARE organization is available to all school districts throughout Missouri to facilitate superintendency searches. MARE prides itself in being able to help school districts locate and employ leaders in a very cost competitive manner.

School districts interested in more information about the superintendency search services should forward inquires to:

MARE Superintendency Searches

**MARE
201 South Holden
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Warrensburg, MO 64093**

**Phone: (660) 747-8050
Fax: (660) 747-8160**

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