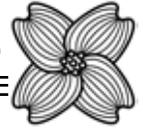




RULES OF
**Department of Elementary and
Secondary Education**
Division 25—Office of Childhood
Chapter 100—Early Childhood Development

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**TITLE 5 – DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 25 – Office of Childhood
Chapter 100 – Early Childhood Development**

**5 CSR 25-100.120 Individuals with Disabilities Education
Act, Part C**

PURPOSE: The Department of Elementary and Secondary Education is eligible to apply for and receive federal funds under the Individuals with Disabilities Education Act of 1986 for the provision of early intervention services to infants and toddlers with disabilities. This rule incorporates by reference changes to the state plan required by federal statutes for the provision of the services to eligible children.

PUBLISHER'S NOTE: The secretary of state has determined that publication of the entire text of the material that is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The Missouri Department of Elementary and Secondary Education, in consultation with the parents, interested community members, early intervention service providers, representatives of special populations, representatives of other state agencies, and the governor, prepares the state plan. The plan identifies specific groups of individuals to be served and indicates the types of services and activities which may be provided.

(2) The Missouri state plan for the regulations implementing Part C of the Individuals with Disabilities Education Act (IDEA) First Steps Program contains the administrative provisions for the delivery of the state's federally assisted early intervention system. The Missouri State Plan for the IDEA, Part C, is hereby incorporated by reference and made a part of this rule. A copy of the State Plan for the IDEA, Part C (revised May 2023), is published by and can be obtained from the Department of Elementary and Secondary Education, Office of Childhood, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

(3) Rules pertaining to the state board of education which is responsible for the administration of the state plan, statements of assurance, methods of coordination, and procedures for the operation of the system are contained in the plan.

(4) Operational procedures are contained in the plan. Additional procedures pertaining to personnel development activities are also included.

(5) The content of this state plan, as submitted to the United States Department of Education, meets the federal statute and Missouri's compliance in the following areas:

- (A) Definitions;
- (B) Lead Agency;
- (C) Public Participation;
- (D) Central Directory;
- (E) Public Awareness;
- (F) State Interagency Coordinating Council;
- (G) Child Find;

- (H) Traditionally Underserved Groups;
- (I) Referral Procedures;
- (J) Eligibility Criteria;
- (K) Evaluation and Assessment Procedures;
- (L) Individualized Family Service Plan;
- (M) Transition to Preschool and Other Programs;
- (N) Comprehensive System of Personnel Development;
- (O) Personnel Standards;
- (P) Parental Rights;
- (Q) Fiscal Administration;
- (R) System of Payments;
- (S) Supervision and Monitoring of Programs;
- (T) Policies for Contracting or Otherwise Arranging for Services; and
- (U) Data Collection and Annual Reports.

AUTHORITY: sections 160.900–160.925, 161.092, and 376.1218, RSMo 2016. This rule previously filed as 5 CSR 70-742.141. Executive Order 94-22 of the Governor, Individuals with Disabilities Education Act, 20 U.S.C. Section 1431, et seq. Original rule filed Dec. 29, 1997, effective March 30, 1998. Amended: Filed July 31, 1998, effective Oct. 30, 1998. Amended: Filed Dec. 7, 2000, effective Feb. 28, 2001. Amended: Filed Dec. 7, 2000, effective March 30, 2001. Amended: Filed Feb. 18, 2003, effective April 30, 2003. Amended: Filed Jan. 5, 2004, effective March 30, 2004. Amended: Filed Nov. 14, 2005, effective Jan. 30, 2006. Amended: Filed Jan. 5, 2007, effective March 30, 2007. Amended: Filed May 12, 2010, effective July 30, 2010. Amended: Filed March 1, 2011, effective May 30, 2011. Moved to 5 CSR 20-300.120, effective Aug. 16, 2011. Amended: Filed Feb. 29, 2012, effective May 30, 2012. Amended: Filed March 1, 2013, effective May 30, 2013. Amended: Filed Jan. 14, 2014, effective March 30, 2014. Moved to 5 CSR 25-100.120, effective Aug. 30, 2021. Amended: Filed Sept. 20, 2022, effective April 30, 2023. Amended: Filed May 17, 2023, effective Jan. 30, 2024.*

**Original authority: 160.900–160.925, RSMo 2005, amended 2007; 161.092, RSMo 1963, amended 1973, 2002, 2003, 2013, 2014; and 376.1218, RSMo 2005, amended 2007.*

**5 CSR 25-100.310 General Provisions Governing Programs
Authorized Under Early Childhood Development,
Education, and Care
(Rescinded March 30, 2022)**

AUTHORITY: sections 161.092 and 313.835, RSMo Supp. 2012. This rule previously filed as 5 CSR 20-600.130. Original rule filed Aug. 30, 2012, effective March 30, 2013. Moved to 5 CSR 20-100.310, effective Sept. 18, 2018. Moved to 5 CSR 25-100.310, effective Aug. 30, 2021. Rescinded: Filed Sept. 8, 2021, effective March 30, 2022.

5 CSR 25-100.320 Prekindergarten Program Standards

PURPOSE: This rule requires that any school district reporting children ages three (3) to five (5) for calculation in their average daily attendance must meet standards approved by the State Board of Education.

- (1) Any school district or charter school reporting children ages three (3) to five (5) for calculation in their average daily attendance must meet standards approved by the State Board of Education (board) including:
 - (A) A lead teacher in each prekindergarten classroom who holds a bachelor's degree and teaching certificate in early



childhood education or early childhood special education; and

(B) A teacher assistant or paraprofessional who holds an associate’s degree in early childhood, or child development, or sixty (60) college hours with a minimum of nine (9) college credit hours in early childhood, child development, or child/family related courses and experience working in a program with young children and their families for any classroom with more than ten (10) children.

(2) Any school district or charter school contracting with an early childhood education program reporting children ages three (3) to five (5) for calculation in their average daily attendance must meet standards approved by the board set forth in (1)(A) and (B) of this rule, and including:

(A) The program provides school day, school year programming with options for full day, full year programming;

(B) The program has a teacher-to-child ratio of one (1) to ten (10), maximum class size of twenty (20) children;

(C) The program implements a developmentally appropriate curricula aligned with the early learning standards, and approved by the Department of Elementary and Secondary Education (DESE);

(D) The program aligns with the early learning standards that implement a developmentally appropriate, culturally and linguistically appropriate, authentic, reliable, and valid general development and social/emotional screening tool and summative assessment used with all children. Information from the screenings and assessments will be used for educational purposes;

(E) The program develops and implements procedures to ensure all staff members of the early childhood education program shall undergo background checks as described in section 168.133, RSMo; and

(F) The program is accredited by Missouri Accreditation of Programs for Children and Youth within ninety (90) days of a fully executed contract.

AUTHORITY: sections 161.092, 163.011, and 168.011, RSMo 2016, and section 163.018, RSMo Supp. 2019. This rule previously filed as 5 CSR 20-600.140. Original rule filed Feb. 20, 2015, effective Oct. 30, 2015. Moved to 5 CSR 20-100.320, effective Sept. 18, 2018. Amended: Filed Aug. 16, 2019, effective March 30, 2020. Moved to 5 CSR 25-100.320, effective Aug. 30, 2021.*

**Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003, 2013, 2014; 163.011, RSMo 1963, amended 1967, 1973, 1977, 1982, 1985, 1986, 1988, 1992, 1993, 1996, 1997, 1998, 1999, 2001, 2002, 2005, 2006, 2007, 2008, 2009, 2014, 2015, 2016; 163.018, RSMo 2014, amended 2016, 2018, 2019; and 168.011, RSMo 1963, amended 1984.*

5 CSR 25-100.330 General Provisions Governing Programs Authorized Under the Early Childhood Development Act

PURPOSE: The Department of Elementary and Secondary Education is authorized by the Early Childhood Development Act to administer a program of grants to local public school districts for the provision of early childhood screening, parent education, and programs for developmentally delayed children. This rule sets forth the general provisions governing those programs.

PUBLISHER’S NOTE: The secretary of state has determined that publication of the entire text of the material that is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and

shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) All programs and projects carried out by school districts under the Early Childhood Development Act (ECDA) shall be conducted in conformity with –

(A) The school district’s annual application for district program approval under the ECDA, pursuant to applicable state laws and regulations and the following:

1. The school district shall designate a supervisor who will be responsible for the oversight, delivery, and evaluation of the parent education program including presenting the goals, objectives, and effectiveness of the program regularly to the local school board;

2. The school district shall establish a Community Advisory Committee or utilize an existing committee that includes key stakeholders such as families, early childhood providers, school administration, school board members, and other community leaders. The purpose of the Community Advisory Committee is to promote, plan, and evaluate the parent education program. The Community Advisory Committee shall meet, at a minimum, twice during the program year;

3. The school district shall provide families with access to qualified parent educator(s) who provide parent education services. The parent educator(s) shall be trained in an approved curriculum and complete the required hours of annual professional development;

4. The school district shall provide an approved parent education program that supports families expecting a child or who have a child under the age of kindergarten entry. These services shall be provided for, at a minimum, nine (9) months during the program year;

5. The school district shall offer families access to personal visits, developmental screenings, group connections, and a network of resources within the community to support their child’s education and development;

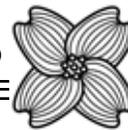
6. The school district shall, annually, gather and summarize feedback from families regarding the services received and use the results for program improvement;

7. The school district shall utilize a systematic method for collecting, reporting, and securely storing data;

8. If a school district fails to offer or is unable to offer an approved parent education program, the district shall enter into a contract with another district, public agency, or state-approved not-for-profit agency to offer a program compliant with this rule; and

9. Funds received from the department, subject to appropriation by the General Assembly, for this parent education program cannot be used to support other programs and services provided in the school district. Prior to payment for programs and projects carried out by school districts under the ECDA, the school district shall agree to follow all procurement assurances, including monitoring, for the use of state and/or federal funds by written agreement with the department.

(B) *The Early Childhood Development Act (ECDA) Administrative Manual for Missouri Parents as Teachers Parent Education Program* contains the administrative provisions for the delivery of the state’s school district parent education services. The *ECDA Manual* is hereby incorporated by reference and made a part of this rule. A copy of the *ECDA Manual* (revised September 2022) is published by and can be obtained



from the Department of Elementary and Secondary Education, Office of Childhood, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480, and at its website at <https://dese.mo.gov/governmental-affairs/dese-administrativerules/incorporated-reference-materials>. This rule does not incorporate any subsequent amendments or additions.

(2) Any rule or interpretation of a rule promulgated by the State Board of Education in exercising its responsibilities under the statute may be waived by the assistant commissioner, Office of Childhood, upon determination that a situation exists in which the application of the rule or interpretation would cause an extreme hardship upon the affected party, or would work to the detriment of the intended beneficiaries of the program.

AUTHORITY: sections 161.092, and 178.691–178.699, RSMo 2016 and Supp. 2022. This rule previously filed as 5 CSR 50-270.010 and 5 CSR 20-600.110. Original rule filed April 4, 1985, effective Sept. 3, 1985. Rescinded and readopted: Filed Feb. 27, 1992, effective Sept. 6, 1992. Amended: Filed June 29, 1995, effective Jan. 30, 1996. Amended: Filed May 29, 1998, effective Dec. 30, 1998. Amended: Filed July 28, 2000, effective Feb. 28, 2001. Amended: Filed Oct. 29, 2002, effective April 30, 2003. Amended: Filed Jan. 16, 2008, effective Aug. 30, 2008. Amended: Filed June 10, 2010, effective Dec. 30, 2010. Moved to 5 CSR 20-600.110, effective Aug. 16, 2011. Amended: Filed Feb. 27, 2013, effective Sept. 30, 2013. Amended: Filed May 28, 2015, effective Dec. 30, 2015. Moved to 5 CSR 20-100.330 and amended: Filed Nov. 29, 2018, effective June 30, 2019. Non-substantive change filed July 30, 2019, published Sept. 30, 2019. Moved to 5 CSR 25-100.330, effective Aug. 30, 2021. Amended: Filed June 24, 2022, effective Feb. 28, 2023.*

**Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003, 2013, 2014; 178.691, RSMo 1984; 178.693, RSMo 1984, amended 1985, 1993; 178.694, RSMo 2022; 178.695, RSMo 1984, amended 1992; 178.697, RSMo 1984, amended 1993, 2010; 178.698, RSMo 1993; and 178.699, RSMo 1984.*

5 CSR 25-100.340 Early Childhood Education Standards

PURPOSE: This rule establishes policies and standards for state-funded prekindergarten education program grants.

(1) Any program that receives state funding to deliver prekindergarten education shall meet the following quality early childhood education (ECE) standards:

- (A) The prekindergarten program shall include –
 1. Voluntary, universal access for all children to participate;
 2. A schedule that identifies daily instructional time and the duration of the academic year;
 3. A work schedule for the teachers that covers the entire instructional time identified in the annual calendar and daily schedule; and
 4. The daily work schedule for qualified teaching assistant(s) or paraprofessional(s) that must cover the entire instructional time identified in the annual calendar and daily schedule;

(B) The program shall use a comprehensive department-approved curriculum or department-approved supplemental curriculum that aligns with all areas of the Missouri Early Learning Standards;

(C) The program shall conduct assessments aligned with the Missouri Early Learning Standards;

- (D) Any teacher in a prekindergarten classroom shall have –
 1. A current Missouri early childhood or early childhood special education teaching certificate;

2. A bachelor’s degree or higher in ECE, early childhood special education, or child development;

3. A bachelor’s degree or higher in any field with a minimum of thirty-six (36) college credit hours in ECE or child development; or

4. An associate’s degree in ECE or child development; associate’s degree in any field with a minimum of eighteen (18) college credit hours in ECE or child development; or sixty (60) college credit hours with a minimum of twenty-four (24) college credits in ECE or child development with –

A. Active enrollment in pursuit of one (1) of the credentials listed in paragraphs (1)(D)1.-3.; and

B. Teaching under the supervision and mentorship of an individual who meets one (1) of the credentials listed in paragraphs (1)(D)1.-3.;

(E) Any prekindergarten classroom with eleven (11) to twenty (20) children shall have a teaching assistant or a paraprofessional;

(F) Any teaching assistant in a prekindergarten classroom shall have –

1. A current Preschool Child Development Associate (CDA) credential; or

2. Nine (9) college credit hours in ECE or child development;

(G) Any paraprofessional in a prekindergarten classroom shall have a department paraprofessional credential;

(H) The program shall participate in the Quality Assurance Report (QAR) and will demonstrate quality within two (2) years of participation in QAR;

(I) All teachers, assistant teachers, and paraprofessionals shall complete a minimum of eighteen (18) clock hours annually of professional development in at least four (4) Missouri professional development content areas; and

(J) The policies and standards identified in this regulation shall not supersede requirements set forth by the funding for prekindergarten education.

AUTHORITY: sections 161.092 and 161.213, RSMo 2016. Emergency rule filed Dec. 6, 2023, effective Dec. 20, 2023, expired June 16, 2023. Original rule filed Dec. 6, 2023, effective June 30, 2024.*

**Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003, 2013, 2014, and 161.213, RSMo 2006.*

5 CSR 25-100.350 Early Learning Quality Assurance Report

PURPOSE: This rule implements the provisions of section 161.217, RSMo, for the purpose of recognizing quality in early learning and education programs and supporting the implementation of essential quality practices.

(1) General Requirements.

(A) Participation shall be voluntary.

(B) Participation is open to eligible programs.

1. Local education agencies.

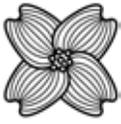
A. Local education agencies shall designate which classrooms will participate in the quality assurance report.

2. Child care programs licensed by the Department of Elementary and Secondary Education (the department).

3. Programs exempt from licensure per section 210.211, RSMo, and contracted with the department to accept child care subsidy.

(C) Participation requires providing services to children between birth to kindergarten entry.

(D) Participation requires all classrooms serving children



between birth to kindergarten entry within programs in paragraphs (1)(B)2. and (1)(B)3. to participate in the quality assurance report.

(2) Quality Indicators.

(A) Quality interactions.

- 1. Teacher–child interactions.
- 2. Classroom environment.

(B) Operational practices.

- 1. Business practices.
- 2. Staff qualifications.
- 3. Professional development.
- 4. Health and wellness.
- 5. Enhanced program features.

(C) Responsive practices.

- 1. Curriculum.
- 2. Child assessment.
- 3. Inclusion and expulsion policy.
- 4. Family/community engagement.
- 5. Cultural and linguistic competency.

(3) Quality Designations.

(A) A program will be recognized as demonstrating quality when –

- 1. Quality interactions have been achieved based on an average of the assessment scores;
- 2. Three (3) operational practices have been achieved; and
- 3. Three (3) responsive practices have been achieved.

(B) A program will be recognized as exhibiting high quality when –

- 1. Quality interactions have been achieved based on average assessment scores;
- 2. Four (4) operational practices have been achieved; and
- 3. Four (4) responsive practices have been achieved.

(C) Quality indicators shall be assessed every two (2) years.

(D) The department shall not publish the quality designation for any program that is subject to legal proceedings for licensing revocation, that are operating under a probationary license, or that is no longer contracted with the department to accept child care subsidy. However, a program that meets one of these criteria may continue to participate in the quality assurance report without receiving any recognition or privileges associated with the quality designation.

(4) Programs may receive coaching to improve quality that is customized and based on an agreed-upon frequency between the program administrator and a quality specialist.

(A) All classrooms may receive coaching from a quality specialist until both paragraphs (2)(A)1. and (2)(A)2. assessment scoring thresholds have been achieved.

(B) Program administration may receive technical assistance from a quality specialist to work towards achieving a quality designation.

(5) Continuing Eligibility.

(A) If a program transfers ownership, the program may maintain its quality designation if –

- 1. The departmental vendor number remains the same;
- 2. The program remains in the same physical location;
- 3. The program capacity and age groups served remains the same; and
- 4. The program retains at least fifty percent (50%) of instructional and administrative staff.

(B) Programs will be removed from the quality assurance report if –

1. The program provides inaccurate or fraudulent information;

2. The program does not achieve a quality designation in the first four (4) years;

3. The program staff are uncooperative with the department or designees; or

4. The program is no longer eligible to participate.

(C) Programs that have been removed from the quality assurance report may not return to the quality assurance report for twelve (12) months from the date of removal.

(6) Programs may appeal department decisions related to the following:

(A) Quality interactions assessment if –

- 1. The assessor did not use the appropriate assessment tool;
- 2. The observation and rating protocol of the department approved assessment tool was not followed; or
- 3. The assessor had a conflict of interest or exhibited bias during the assessment;

(B) Operational practices and responsive practices quality indicators if –

- 1. Submitted documentation was not reviewed; or
- 2. Program disagrees with the result; and

(C) Programs shall submit appeals in writing to the department within fifteen (15) calendar days of the assessment or quality indicator decision.

1. Appeals shall be reviewed by a three- (3-) person panel including department staff, a quality specialist, and a quality supervisor.

A. Panelists shall be from a different region than the program.

B. Panelists shall not have direct experience working with the program.

2. The decision of the panel will be final.

A. If the original decision is upheld, the program will be notified.

B. If the original decision is overturned, the program will be notified. If the indicator is in –

(I) Quality interactions, the program will be reassessed by a different assessor; and

(II) Operational practices or responsive practices, the appealed indicator will be awarded.

*AUTHORITY: section 161.092, RSMo 2016, and section 161.217, RSMo Supp. 2024. * Original ruled filed Nov. 19, 2024, effective June 30, 2025.*

**Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003, 2013, 2014, and 161.217, RSMo 2016, amended 2018, 2022.*