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

<b>Title</b>	<b>Page</b>
<b>5 CSR 25-100.120</b> Individuals with Disabilities Education Act, Part C. ....	3
<b>5 CSR 25-100.310</b> General Provisions Governing Programs Authorized Under Early Childhood Development, Education, and Care (Rescinded March 30, 2022) .....	3
<b>5 CSR 25-100.320</b> Prekindergarten Program Standards .....	3
<b>5 CSR 25-100.330</b> General Provisions Governing Programs Authorized Under the Early Childhood Development Act .....	4



**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 annual program plan required by new federal statutes for the provision of the services to eligible children.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which 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 IDEA, Part C (revised December 2013) is published by and can be obtained from the Department of Elementary and Secondary Education, Special Education Compliance Section, 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 Supp. 2013.\* 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.*

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

(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 must designate a supervisor who will be responsible for the oversight and delivery of the Parents as Teachers (PAT) program;

2. The school district must establish a Community Advisory Committee;

3. The school district must use parent educators that meet the minimum requirements established by the Department of Elementary and Secondary Education (department) and renew curriculum subscription(s) annually through Parents as Teachers National Center;

4. The school district must provide a PAT program that promotes early learning, knowledge and understanding of child development, partnerships between families and schools, and access to community resources for a minimum of nine (9) months during the program year;

5. The PAT program must be implemented to provide family personal visits using the department approved curriculum, developmental screenings for age eligible children using a department approved screening instrument, group connections, and access to a resource network;

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

7. The school district must maintain documentation to verify services that maintains confidentiality of participating families; and

8. The school district must collect and report all data requested by the department.

(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 Early and Extended Learning, upon his/her determination that a situation exists in which the application of the rule or interpretation would work 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.\* 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.*

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