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**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 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**

*PURPOSE: The Department of Elementary and Secondary Education (department) is authorized by the Early Childhood Development Education and Care Fund to administer a program of competitive grants to governmental entities, public schools, or private agencies for voluntary, early childhood development, education, and care programs serving children in every region of the state not yet enrolled in kindergarten. This rule sets forth the general provisions governing those programs.*

(1) The Department of Elementary and Secondary Education (department) is authorized to establish procedures for the implementation of the Missouri Preschool Program (MPP) including:

(A) Grants or contracts may be provided for—

1. Start-up funds for necessary materials, supplies, equipment, and facilities;
2. Ongoing costs associated with the implementation of a sliding parental fee schedule based on income; and
3. Grants or contracts may be for up to a maximum of five (5) years, with decreasing amounts in the last three (3) years;

(B) Grant and contract applications shall, at a minimum, include:

1. A funding plan which demonstrates funding from a variety of sources, including parental fees and a method of sustaining the program when the grant ends;
2. A child development, education, and care plan that is appropriate to meet the needs of children;
3. The identity of any partner agencies or contractual service providers;
4. Documentation of community input into program development;
5. Demonstration of financial and programmatic accountability on an annual basis; and
6. The establishment of a parent advisory committee within each program;



(C) Governmental entities, public schools, or private agencies may apply in a competitive bid process to provide preschool education.

1. Religious entities are not eligible to apply to the department for funds based on the *Missouri Constitution* article IX, section 8.

2. All contractors/grantees applying must have the appropriate child care license granted from the Missouri Department of Health and Senior Services (DHSS), Section for Child Care Regulation and continue to maintain it throughout the entire contract period and all renewal periods.

3. The contractor must provide preschool services to age-eligible children. Only age-eligible children should be served in the MPP classroom.

4. Contractors/grantees must serve a minimum of ten (10) age-eligible children per classroom and have no more than twenty (20) age-eligible children in a classroom.

5. Lead teachers and teacher assistants must meet the teacher qualifications. Classrooms with ten (10) children must have a lead teacher. A teacher assistant is required if more than ten (10) children are enrolled in the MPP classroom.

6. The contractor/grantees cannot decrease a program's current license capacity for any age group in order to increase the license capacity of age-eligible children for the purpose of receiving MPP funds.

7. The program must adopt one (1) of the department-approved curriculum models. Lead teachers and teacher assistants in the MPP classrooms must be trained in and implement the curriculum in the classroom.

8. The program must implement a sliding scale fee to ensure all families, regardless of income, have an opportunity to participate.

9. The program must obtain Missouri Accreditation (MoA) or the National Association for the Education of Young Children (NAEYC) Accreditation.

10. Staff evaluations must be completed and documented annually.

11. Lead teachers and teacher assistants must participate in continuous professional development associated with the selected curriculum model.

12. The contractor must maintain records and fiscal information.

13. The MPP funds cannot be used to supplant or replace any existing preschool program or staff.

14. Private agency contractors who failed to meet the requirements of a previously awarded MPP bid will not be eligible for application for five (5) years after the year in which they defaulted.

15. The contractor must ensure an annual health and nutrition screening and a devel-

opmental screening for MPP children.

16. The program must offer no less than two (2) parent-teacher conferences annually; (D) Program Development Requirements.

1. The contractor must agree and understand that the department must have complete and total approval authority of the contractor's activity plan or any part thereof and must have the expressed right to modify, change, or delete all or any part of the plan at any time.

2. The contractor may be required to develop and submit a new or revised activity plan at other times throughout the contract period as well as for each renewal period, if the contract is renewed for additional periods. The contractor must prepare and submit all such future activity plans within a time frame stipulated by the department.

3. Community involvement. A community advisory committee must assist in planning the Preschool Program for age-eligible children and in completing the Community Needs Assessment.

4. Community-based planning. Strong community commitment, leadership, and planning are critical to the success of the programs and services offered under the MPP.

A. Step I—Administration. The contractor appoints an administrator who has both leadership ability and a strong commitment to early childhood education, especially preschool education. This administrator must be able to—

(I) Be knowledgeable and respectful of preschool opportunities within the community;

(II) Set goals and coordinate implementation timetables;

(III) Analyze the results of the programs;

(IV) Exercise sufficient authority within a collaborative framework to accomplish the desired results;

(V) Be knowledgeable about business practices necessary to successfully sustain the program; and

(VI) Report regularly to the Community Advisory Committee and should be prepared to manage a program organizational structure consisting of several different types of operation.

B. Step II—Community Advisory Committee. The Community Advisory Committee, whose membership of citizens representing a variety of community organizations, is established. Primary responsibilities of the Community Advisory Committee are to—

(I) Assist in gathering information needed to complete the Community Needs Assessment;

(II) Make recommendations on the goals and objectives of the MPP;

(III) Assist on options for coordinating programs and services among community, school, and other preschool programs;

(IV) Assist in the Invitation For Bid (IFB) process; and

(V) Serve as a resource.

C. Step III—Program Design. Based on the community needs assessment, the program will be designed to meet the needs of each community.

5. Teacher qualifications. All preschool programs funded by the MPP must utilize teachers and teacher assistants who have one (1) of the following minimum qualifications at the time the program begins operation. These qualifications must be maintained throughout the contract period.

A. Lead teacher—

(I) Early Childhood Teacher Certification;

(II) Early Childhood Special Education Teacher Certificate; or

(III) A four- (4-) year college degree in child development.

B. Teacher assistant, at a minimum—

(I) Child Development Associate;

(II) Two- (2-) Year Associate Degree in Child Care/Education; or

(III) Sixty (60) college hours with a minimum of three (3) 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.

6. Curriculum models. Preschool programs must implement a nationally recognized preschool curriculum model that is approved by the department. The lead teacher and teacher assistant involved in the MPP must be trained in the curriculum model. It is also highly recommended that the director/program administrator be trained in the chosen curriculum model. All curriculum trainings must be provided by the curriculum source. Programs must contact the source to schedule trainings. Any training not scheduled through the source will not be funded and will not meet the requirement. The selected preschool curriculum models meet the following criteria:

A. Based on valid research;

B. Have positive evaluation results;

C. Provide ongoing professional development; and

D. Developmentally appropriate for age-eligible children.

7. Accreditation. Programs are required to obtain accreditation from either the MoA or the NAEYC. The program must be accredited prior to the beginning of year four



(4) operation. MPP operating in a center will be required to accredit the entire center including the infant/toddler classrooms and school age classrooms.

8. Plans for program activities.

A. Parent advisory committee plan. An advisory committee of parents with children in the MPP classrooms must meet at least twice annually. The plan should include the roles of the members, selection procedure, replacement procedure, number of members, and frequency of meetings.

B. Funding plan. The plan must demonstrate funding from a variety of sources including parental fees. A sliding scale fee schedule based on family income is required for families whose income does not exceed one hundred eighty-five percent (185%) of the federal poverty level. Information must include how program growth issues will be addressed, such as recruitment methods.

C. Child development, education, and care plan. The plan should describe how the preschool program will be designed and how it will meet the needs of age-eligible children as identified from the Community Needs Assessment.

D. Professional development plan. Professional development opportunities include college-credit courses, follow-up/advanced training of the selected curriculum model provided only by the approved curriculum source, professional conferences, seminars, consultants, and the department-required meetings. MPP funds only support professional development opportunities that are in addition to the DHSS required clock hours for child care providers. The plan should include a list of the specific professional development opportunities to be provided. Evidence of continuous professional development associated with the selected curriculum model must be included each year in the plan. Professional development opportunities should reflect the general philosophy of the selected curriculum model.

E. Parent education/involvement/communication plan. The plan must address how parents will be informed about their child's development, opportunities to be involved in the preschool program, and how the preschool program will communicate with parents on an ongoing basis. Preschool programs are strongly recommended to collaborate with the district's Parents as Teachers program for parent education. Parent involvement could include serving on the Parent Advisory Committee, classroom volunteer, forming a preschool parent organization, etc. Communication with parents could include newsletters, parent-teacher conferences,

phone calls, etc.

F. Community set-aside plan. The community set-aside is a portion of the award that may be designated to provide professional development opportunities for licensed early care and education providers within the contractor's community. These licensed providers must be caring for age-eligible children;

(E) Funding.

1. Funds may be requested for costs associated with expenses necessary to implement a quality preschool program.

2. These may include the following:

A. Initial staff training on a selected curriculum model;

B. Minor remodeling associated with licensing requirements;

C. Appropriate equipment;

D. Necessary furniture; and

E. Appropriate staffing.

3. Payments will not be made until the program has met contractual requirement; the program is licensed from the DHSS, Section for Child Care Regulation; and a copy of the licensed certificate is submitted to the department.

4. Subject to appropriations and the phased reduction, subsequent contract amounts may be reduced.

*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.*

*\*Original authority: 161.092, RSMo 1963, amended 1973, 2002, 2003 and 313.835, RSMo 1991, amended 1993, 1994, 1996, 1998, 2000, 2001, 2003, 2007, 2010, 2012.*

### 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.*