## **Regulation I – General Provisions**

NOTE: This chart only shows substantive changes being proposed to the Part B State Regulations implementing the Individuals with Disabilities Education Act (IDEA). Other changes of a non-substantive nature, such as terminology or wording changes, spelling/punctuation/grammar corrections, etc. are not shown here. For a complete picture of all changes being proposed, the reader

is directed to the regulatory document itself.

Regulation	Page	Current Regulation	Proposed Regulation	Rationale
I	11	Services Plan: Services plan means a written statement that describes	Services Plan: Services plan means a written statement that describes	Add wording to align with
		the special education and related services the LEA will provide to a	the special education and related services the LEA will provide to a	20 U.S.C. § 1412(a)(10)(A)
		parentally-placed child with a disability enrolled in a private school	parentally-placed child with a disability enrolled in a nonprofit private	and 34 C.F.R. §§ 300.130
		who has been designated to receive services, including the location of	elementary or secondary school who has been designated to receive	through 300.144 and federal
		the services and any transportation necessary, consistent with 34 CFR	services, including the location of the services and any transportation	Office of Special Education
		300.132 and is developed and implemented in accordance with 34	necessary, consistent with 34 CFR 300.132 and is developed and	Programs (OSEP) guidance
		CFR 300.137 through 300.139.	implemented in accordance with 34 CFR 300.137 through 300.139.	for providing proportionate
				share services to parentally
				placed private, parochial,
				and home schooled students
				described in a February
				2022 OSEP Q&A
				document.

## **Regulation IV – FAPE/IEP/LRE**

NOTE: This chart only shows substantive changes being proposed to the Part B State Regulations implementing the Individuals with Disabilities Education Act (IDEA). Other changes of a non-substantive nature, such as terminology or wording changes, spelling/punctuation/grammar corrections, etc. are not shown here. For a complete picture of all changes being proposed, the reader is directed to the regulatory document itself.

Regulation	Page	Current Regulation	Proposed Regulation	Rationale
IV	45	AGENCY RESPONSIBLE FOR FAPE	AGENCY RESPONSIBLE FOR FAPE	Add description of
				MOCAP hosted district
		The public agency or special school district in which a student with a	The public agency or special school district in which a student with a	enrollment because it is an
		disability resides is responsible for implementation of FAPE. Students	disability resides is responsible for implementation of FAPE. Students	exception to the residency
		with disabilities or severe disabilities who are admitted to programs and	with disabilities or severe disabilities who are admitted to programs	rule and is a new addition
		facilities of the Department of Mental Health or whose domicile is in	and facilities of the Department of Mental Health or whose domicile is	to Section 161.670 RSMo.
		one public agency, but actually reside in another public agency as a	in one public agency, but actually reside in another public agency as a	
		result of a placement arranged by or approved by the Department of	result of a placement arranged by or approved by the Department of	
		Mental Health, the Department of Social Services, or a court of	Mental Health, the Department of Social Services, or a court of	
		competent jurisdiction shall be provided special education and related	competent jurisdiction shall be provided special education and related	
		services in the public agency where the student actually resides.	services in the public agency where the student actually resides.	
			Students enrolled in full-time MOCAP approved virtual education	
			programs hosted by a Missouri school district are enrolled in the	
			host school district. The host school district is responsible for	
			implementation of FAPE.	
IV	46	Listed below are the statutes of the state of Missouri which provide the	Listed below are the statutes of the state of Missouri which provide the	Add Section 160.670
		legal basis and source Missouri's policy relating to FAPE.	legal basis and source Missouri's policy relating to FAPE.	RSMo, implementing new
		(4) 9 1 4 (2 (50 ) 7 (3) (4	(4) 0 1 4 (0 (50 D0))	requirements to the
		(1) Section 162.670, RSMo	(1) Section 162.670, RSMo	MOCAP statute, to the list
		(2) Section 162.675, RSMo	(2) Section 162.675, RSMo	of state statutes that
		(3) Section 162.680, RSMo	(3) Section 162.680, RSMo	provide the legal basis and
		(4) Section 217.355(4), RSMo	(4) Section 217.355(4), RSMo	source of Missouri's policy
		(5) Section 162.700(1), RSMo	(5) Section 162.700(1), RSMo	relating to FAPE.
		(6) Section 219.021, RSMo	(6) Section 219.021, RSMo	
		(7) Article IV, Section 37(a), Missouri Constitution	(7) Article IV, Section 37(a), Missouri Constitution	
			(8) Section 161.670 Subsection 3(4), RSMo	

## Regulation V – Procedural Safeguards/Discipline

NOTE: This chart only shows substantive changes being proposed to the Part B State Regulations implementing the Individuals with Disabilities Education Act (IDEA). Other changes of a non-substantive nature, such as terminology or wording changes, spelling/punctuation/grammar corrections, etc. are not shown here. For a complete picture of all changes being proposed, the reader is directed to the regulatory document itself.

Regulation	Page	Current Regulation	Proposed Regulation	Rationale
V	65	D. PROCEDURAL SAFEGUARDS NOTICE (34 CFR 300.504)  A copy of the state approved procedural safeguards available to the parents of a student with a disability shall be given to parents only one (1) time a school year, except that a copy also shall be given to the parents:	D. PROCEDURAL SAFEGUARDS NOTICE (34 CFR 300.504)  A copy of the state approved procedural safeguards available to the parents of a student with a disability and a copy of the Parents' Bill of Rights, per section 161.850 RSMo, shall be given to parents only one (1) time a school year, except that a copy also shall be given to the parents:	Add wording to describe when a copy of the Parents' Bill of Rights is to be provided to parents per RSMo 161.850.

# **Regulation VIII - Personnel Standards**

NOTE: This chart only shows substantive changes being proposed to the Part B State Regulations implementing the Individuals with Disabilities Education Act (IDEA). Other changes of a non-substantive nature, such as terminology or wording changes, spelling/punctuation/grammar corrections, etc. are not shown here. For a complete picture of all changes being proposed, the reader

is directed to the regulatory document itself.

Title Responsibilities Educational Qualifications Certificates or License  Orientation and Mobility (O&M) Specialist  Provides orientation and mobility services to eligible students with visual impairments  Bachelor's Degree with specialization in orientation and mobility teaching the blind and visually impaired, rehabilitation teaching, special education, occupational therapy or closely related area  Bindness Professional Certification (NOMC), or hold a nationally recognized certification and Mobility Certification (NOMC), or hold a nationally recognized certification and mobility erecuring the blind and visually impaired, rehabilitation and Mobility Certification (NOMC), or hold a nationally recognized certification and mobility or Current (O&M services contract with Rehabilitation Services for the Blind  Add names of additional nationally recognized certification apartician patrician and nationally recognized certification and mobility certification (NOMC), or hold a nationally recognized certification and mobility or Current (O&M services contract with Rehabilitation Services for the Blind  Add names of additional nationally recognized certification apartician and nationally recognized certification and Education and Mobility Certification (NOMC), or hold a nationally recognized certification and Education and Mobility Certification (NOMC), or hold a nationally recognized certification apartician and mobility or Current (NOMC), or hold a nationally recognized certification apartician and mationally recognized certification and mobility or Certification of Vision Rehabilitation and Mobility Certification apartician apartician and mobility or Certification of Vision Rehabilitation and Mobility Certification and Mobility Certification apartician apartician apartician and nationally recognized certification apartician apartician apartician and mobility certification apartician apar	Regulation	Page	<b>Current Regulation</b>		Proposed Regulation		Rationale
		Page	Title Orientation and Mobility (O&M)	Responsibilities  Provides orientation and mobility services to eligible	Educational Qualifications  Bachelor's Degree with specialization in orientation and mobility teaching the blind and visually impaired, rehabilitation teaching, special education, occupational therapy or closely	Certified by the Academy for Certification of Vision Rehabilitation and Education Professionals (ACVREP) as a Certified Orientation and Mobility Specialist (COMS), the National Blindness Professional Certification Board (NBPCB) with a National Orientation and Mobility Certification (NOMC), or hold a nationally recognized certification related to orientation and mobility or Current O&M services contract with Rehabilitation Services for	Add names of additional nationally recognized certification agencies to meet the requirements of the BRITE Act, 167.225 Sections 9(4) and 10(3) RSMo.  Remove wording that does not comply with BRITE Act

Regulation	Page	<b>Current Regulation</b>	Prop	osed Regulation		Rationale
VIII	107					Add title,
		Title	Responsibilities	Educational Qualifications	Certificates or License	responsibilities,
		Teacher  • Accessible Assistive Technology	Provide instruction in accessible assistive technology, consultation, and training with teachers, and conduct assistive technology assessment	Bachelor's Degree	Certification in blind and partially sighted issued by the State Board of Education, hold a valid and current Certified Assistive Technology Instructional Specialist for People with Visual Impairments (CATIS), or hold a valid and current National Certification in Access Technology for the Blind (NCATB) or other nationally recognized certification related to assistive technology instruction for individuals with visual impairments	educational qualifications and certificates or license requirements to meet the requirements of the BRITE Act, 167.225 Section 10(2) RSMo.
VIII	107					There is a fundamental
		Title	Responsibilities	Educational Qualifications	Certificates or License	misunderstanding of the early learning blended
		Teacher  • Early childhood blended funding program	Direct instruction, consultation with teachers, develop IEPs, writing evaluation reports, travel training, individualized assessments	Bachelor's Degree	Certification in early childhood or early childhood special education issued by the State Board of Education	program which uses blended funding to operate. Funding sources may or may not include ECSE funding. Blended funding programs have
						no clear special education instruction requirements. Adding funding program to the title aligns to the program name used by

VIII   107   Title   Responsibilities   Educational Qualifications   Certificates or License   Certification in blind and partially sighted issued by the State Board of Education in the BritTe Act, 167, 225   Section 10(1) RSMo.	Regulation	Page	<b>Current Regulation</b>	Prop	posed Regulation		Rationale
VIII   107   Title   Responsibilities   Educational Qualifications   Certificates or License   Certification in blind and partially sighted issued by the State Board of Education in Braille or other related instruction   Bachelor's Degree   Certification in blind and partially sighted issued by the State Board of Education in Unified English Braille (NCUEB) working under the supervision of a reading speciality, or hold a nationally special collection   Responsibilities   Responsibi							Office of Childhood and
VIII 107  Title Responsibilities Teacher Specialized instruction in Braille or other related instruction  Visually Impaired  Title Responsibilities Teacher Specialized instruction in Braille or other related instruction Bachelor's Degree  Fiducational Qualifications Certification in blind and partially sighted issued by the State Board of Education in did a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally recognized certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally recognized certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally							stands in contrast to the
VIII 107  Title Responsibilities Educational Qualifications Certificates or License  Teacher Specialized instruction in Braille or other related instruction Bachelor's Degree Certification in blind and partially sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally specialist, or hold a nationally section in 10(1) RSMo.							integrated ECSE
class size and caseload requirements. The integrated ECSE model operates using special education funding and has very clear guidance on the makeup of the classroom and requires special education funding and has very clear guidance on the makeup of the classroom and requires special education instruction provided by teacher holding Early Childhood Special Education certification instruction certification.  VIII 107  Title Responsibilities Educational Qualifications Certificates or License  Teacher Specialized instruction in Braille or other related instruction Bachelor's Degree Certification in blind and partially sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally section 10(1) RSMo.							classroom model listed in
VIII 107  Title Responsibilities Educational Qualifications Certificates or License Teacher Specialized instruction in Braille or other related instruction  Visually Impaired  Visually Impaired  Title Responsibilities Educational Qualifications Certification in blind and partially sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally specialist or hold a national special education finding and has very clear guidance on the elastrom on the classroom and the supervision of the classroom and the supervision of the classroom and the supervision of the special education in the classroom and has very clear guidance or the supervision of the classroom							State Plan Regulation IX,
VIII 107  Title Responsibilities Educational Qualifications Certificates or License  Tacher Specialized instruction in Braille or other related instruction Bachelor's Degree Certification in blind and partially sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally							class size and caseload
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has very clear guidance on the makeup of the classroom and requires special education instruction provided by a teacher holding Early Childhood Special Education certification.  VIII  107  Title  Responsibilities  Feacher  Specialized instruction in Braille or other related instruction  Visually  Impaired  Teacher  Specialized instruction in Braille or other related instruction  Toucher  Specialized instruction in Braille or other related instruction  Bachelor's Degree  Certification in blind and partially sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille  (NCUEB) working under the supervision of a reading specialist, or hold a nationally  Responsibilities  Add names of additional nationally sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille  (NCUEB) working under the supervision of a reading specialist, or hold a nationally							
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VIII 107  Title Responsibilities Educational Qualifications Certificates or License  Teacher Specialized instruction in Braille or other related instruction Plant of Education, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally recognized certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally							_
VIII 107  Title Responsibilities Educational Qualifications Certificates or License  Teacher Specialized instruction in Braille or other related instruction Bachelor's Degree Certification in blind and partially sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally							instruction provided by a
VIII 107  Title Responsibilities Educational Qualifications Certificates or License  Teacher Specialized instruction in Braille or other related instruction  • Visually Impaired  Visually Impaired  Title Responsibilities Educational Qualifications Certificates or License  Certificates or License  Certification in blind and partially sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally							
VIII  Title Responsibilities Educational Qualifications Certificates or License  Teacher Specialized instruction in Braille or other related instruction  Visually Impaired  Visually Impaired  Add names of additional nationally recognized certification in blind and partially sighted issued by the State Board of Education, hold a current and valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally							- 1
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• Visually Impaired  • Visuall			Teacher	Specialized instruction in Braille or other related instruction	Bachelor's Degree		meet the requirements of
Impaired  Valid National Certification in Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally  Section 10(1) RSMo.			Visually				the BRITE Act, 167.225
Unified English Braille (NCUEB) working under the supervision of a reading specialist, or hold a nationally			·				Section 10(1) RSMo.
(NCUEB) working under the supervision of a reading specialist, or hold a nationally							
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