

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:
Boldface text indicates new matter.
[Bracketed text indicates matter being deleted.]

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 10—Commissioner of Education
Chapter 2—Education Scholarships**

PROPOSED RULE

5 CSR 10-2.010 Scholarship Granting Organizations

PURPOSE: This rule sets forth the requirements to qualify as a scholarship granting organization to grant scholarships permitted in section 135.1220, RSMo Supp. 2013 and the annual requirements, once approved.

- (1) As used in this regulation, the following terms mean:
(A) Charitable organization. Any organization which is organized and operated for any charitable purpose and no part of the net earning of the organization inures to the benefit of any private sharehold-

er or individual member of the organization and is exempt from the payment of federal income taxes as provided in Section 501(c)(3) of the *Internal Revenue Code*;

- (B) Eligible child as defined in section 135.1220.2(6), RSMo;
- (C) Eligible student as defined in section 135.1220.2(7), RSMo.

(2) To qualify as a scholarship granting organization, an organization must submit to the Commissioner of Education (commissioner), by November 1 of the year prior to the school year for which scholarships will be granted, documentation which demonstrates that they—

- (A) Are a charitable organization; and
- (B) Are exempt from federal income tax; and
- (C) Do not accept contributions from any donor on behalf of any child or student with the obligation to provide support to that child or student; and
- (D) Intend to provide educational scholarships to eligible students attending qualified schools as defined in section 135.1220.2(11), RSMo; and/or
- (E) Intend to provide scholarships to eligible children receiving services from qualified service providers as defined in section 135.1220.2(12), RSMo.

(3) Within thirty (30) days of applying to be a scholarship granting organization, and before any new board members are appointed or new employees hired, the scholarship granting organization, in cooperation with the Department of Elementary and Secondary Education (department), shall conduct a criminal background check of all employees and board of directors' members. No one shall be employed or serve on the board of directors if the background check shows they have been convicted within the previous five (5) years of a crime involving dishonesty, misappropriation of funds, theft, stealing, forgery, or fraud or are currently serving probation for a conviction of a crime involving dishonesty, misappropriation of funds, theft, stealing, forgery, or fraud.

(4) By February 1 of each year, the commissioner shall determine which organizations may be classified as scholarship granting organizations for the school year beginning July 1. The list of scholarship granting organizations shall be posted on the department's website.

(5) By March 1 of each year, scholarship granting organizations shall notify the department of its intent to provide scholarships.

(6) The scholarship granting organization shall provide each donor with a receipt in the format provided by the department for contributions made to the organization.

(A) Receipts issued by a scholarship granting organization before the commissioner has publicly announced that the child or student limit has been reached shall be valid.

(7) A scholarship granting organization may decline contributions from donors.

(8) By February 1 of each year, the scholarship granting organization shall submit to the department a list of each donor making a contribution in the prior calendar year.

(9) Within five (5) calendar days of the decision to award a scholarship to a child or student, the scholarship granting organization shall notify the commissioner of the name of the child or student, the age of the child or student, the street address of the child or student, the email address of the parent, the qualifying disability, and the amount awarded. Personally identifiable information about the child or student shall be treated as an educational record and not released to the public.

(10) Scholarship granting organizations shall distribute the scholarship payments as checks made out to the child's or student's parent and mailed to the qualified school or qualified service provider. The parent must endorse the check before it can be deposited.

(11) Scholarship granting organizations must have sufficient cash on hand on the date the scholarship is awarded to cover the total amount of scholarship.

(12) By June 1 of each year, the scholarship granting organization shall publicly report the following information to the department:

(A) The name and address of the scholarship granting organization; and

(B) The total number and total dollar amount of contributions during the previous calendar year; and

(C) The total number and total dollar amount of educational scholarships awarded during the previous calendar year to eligible students by qualifying disability; and

(D) The total number and total dollar amount of educational scholarships awarded during the previous calendar year to eligible children by qualifying disability; and

(E) The total number and total dollar amount of educational scholarships awarded during the previous calendar year to students eligible for free and reduced lunch; and

(F) The total number of schools and providers that had to provide documentation for using student, teacher, teaching, or school influences that has not been determined by analysis to rank in the desired zone of effect as evaluated by John Hattie as set forth in his book *Visible Learning* or subsequent published research.

(13) Annually, by August 1 of each year, each scholarship granting organization shall submit to the department an annual assurance statement assuring that—

(A) At least ninety percent (90%) of its revenue from donations are spent on educational scholarships;

(B) All revenues from interest or investment is spent on educational scholarships;

(C) Scholarships provided do not and will not exceed an average of fifty thousand dollars (\$50,000) per eligible student;

(D) Scholarships provided do not and will not exceed an average of twenty thousand dollars (\$20,000) per eligible child;

(E) Scholarships awarded are portable and can be used at any qualified school that accepts the student;

(F) Scholarships awarded are portable and can be used at any qualified service provider;

(G) Parents have been informed that accepting a scholarship releases the department and the local school district from the obligation to provide the student with a free appropriate public education for that school year; and

(H) All schools or service providers accepting scholarship funds from the scholarship granting organization shall—

1. Comply with all health and safety laws and codes that apply to nonpublic schools or service providers;

2. Hold a valid occupancy permit if required by the municipality where located;

3. Provide academic accountability to parents by reporting at least quarterly to parents on the child's or student's progress;

4. Adhere to the recommendations of the Missouri Autism Guideline Initiative when serving a child or student with a diagnosis of autism spectrum disorder or an Individualized Education Program (IEP) based on autism spectrum disorder;

5. Not use any interventions with a child or student with a diagnosis of autism spectrum disorder or an IEP based on autism spectrum disorder that have been found ineffective by the commission on Medicare as described in the Missouri Autism Guidelines Initiative Guide to Evidence-based Interventions;

6. Provide documentation in the child's or student's record of the rationale for using any intervention that is categorized as unestab-

lished, insufficient evidence, or level three (3) by the Missouri Autism Guidelines Initiative Guide to Evidence-based Interventions;

7. When providing education services or behavior strategies to a scholarship recipient with a diagnosis of Down syndrome, Angelman syndrome, or cerebral palsy, use student, teacher, teaching, and school influences that rank in the zone of desired effects as evaluated by John Hattie or document to the scholarship granting organization why it used a method not in the zone of desired effects;

8. When providing education services or behavior strategies to a scholarship recipient with an individualized family services program based on Down syndrome, Angelman syndrome, or cerebral palsy, use the teaching methods that rank in the zone of desired effects as evaluated by John Hattie or document to the scholarship granting organization why it used a method not in the zone of desired effects.

(14) Annually, by August 1 of each year, each scholarship granting organization shall demonstrate its financial accountability by submitting to the department—

(A) A financial information report prepared by a certified public accountant (CPA) that complies with Generally Accepted Accounting Principles (GAAP); and

(B) Certification from an auditor that the financial information report is free from material misstatements.

(15) By August 1 of each year, any scholarship granting organization willing to receive donations in excess of fifty thousand dollars (\$50,000) per year, shall demonstrate its financial viability by filing with the department—

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) Financial information that demonstrates the financial viability of the scholarship granting organizations including financial statements prepared in accordance with Generally Accepted Accounting Principles (GAAP).

(16) Annually, by April 1 of each year, the scholarship granting organization shall survey scholarship recipients and their parents. Results of the survey shall be made available to the department on request. The survey should determine—

(A) Children's or students' satisfaction with the program;

(B) Parent's satisfaction with the program;

(C) Whether the students were bullied or harassed in their current placement and in their prior placement because of their autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy, using the definitions of bullied and harassed found in section 160.775, RSMo;

(D) The class size of the current school; and

(E) Whether the student exhibited behavior problems at their current placement which had been identified in the last IEP, and, if so, how frequently.

(17) The department may hold a hearing seeking to bar a scholarship granting organization from participating in the scholarship program if the department believes the scholarship granting organization has intentionally and substantially failed to comply with statutory and regulatory requirements—

(A) The hearing will be held by the commissioner or the commissioner's designee;

(B) The department has the burden to prove the intentional violation of the statutes or regulations;

(C) A decision shall be issued within thirty (30) days of the conclusion of the hearing;

(D) A scholarship qualifying organization barred from the program can appeal the commissioner's or commissioner's designee's decision to the administrative hearing commission;

(E) If the scholarship granting organization is barred from participating in the program, the department shall notify affected scholarship children or students and their parents of the decision within fifteen (15) days.

AUTHORITY: sections 135.1220.12 and 161.092, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities twenty-five thousand three hundred seventy-six dollars and fifty cents (\$25,376.50) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Cynthia Quetsch, PO Box 480, Jefferson City, MO 65102-0480 or by email at Bryceslaw@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Title 5-Department of Elementary and Secondary Education
Division Title: Division 10-Commissioner of Education
Chapter: Chapter 2-Education Scholarships

Rule Number and Title:	5 CSR 10-2.010 Scholarship Granting Organizations
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
5 scholarship granting organizations	Not for profit	

III. WORKSHEET

Cost	Item description
\$ 700.00	Submission of application- postage and copy costs
\$ 1,344.00	Background checks for employees and board of directors 5 orgs X 6 checks X \$44.80
\$ 5.00	Notification of intent to provide scholarship - postage and copy cost
\$ 1,000.00	Giving receipt to each donor 1,000 donors
\$ 5.00	Annual notification to Department of list of donors postage and copy cost
\$ 700.00	Notification to Commissioner when each scholarship is awarded postage and copy costs
\$ 17.50	Mail copy of annual report 5 X 3.50
\$ 5.00	Submission of annual assurance statement
\$ 200.00	Annual financial information report 5 X 40
\$ 200.00	Certification from auditor that financial report is accurate 5 X 40
\$ 5,000.00	Surety bond if issue over \$50,000 in scholarships 2% of award - computed on \$50,000 X 5
\$ 200.00	Financial statement if issue more than \$50,000 in scholarships 5 X 40
\$16,000.00	Parent survey cost based on recent contract Department signed for parent survey preparation and analysis
\$25,376.50	Total

IV. ASSUMPTIONS

Five applications will be received and approved permitting scholarship granting organizations to award scholarships to students or children with special needs as described in 134.1220 RSMo. Each organization will have two employees and four board of directors members.

The worksheet shows the cost per organization so if there are more than five, the costs would be larger and could be determined using the formulas in the worksheet.

Not all available scholarships will be awarded each year - cost based on 700 total scholarships.

The not for profit organizations will already have annual financial reports from which to draw the information required by the rule.

Some of the items were required by the statute but the costs were included in the cost of the rule.

All transmission of information to the Department will be by mail - although electronic transmittal is permitted.

All five organizations will be the same size and be required to get surety bonds.

Each organization designs and processes their own parent survey.

Number of donors is speculative - there could be only a few large donations or many small donations.

Cost of the parent survey based on a contract the Department recently signed for a parent survey.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 10—Commissioner of Education
Chapter 2—Education Scholarships**

PROPOSED RULE

5 CSR 10-2.020 Scholarships

PURPOSE: This rule sets forth the requirements for scholarships permitted in section 135.1220, RSMo Supp. 2013.

(1) By May 1 of each year, the Commissioner of Education (commissioner) shall determine the maximum number of scholarships available to eligible students with autism spectrum disorder, Down syndrome, Angelman syndrome, and cerebral palsy who have Individualized Education Programs (IEPs).

(2) By May 1 of each year, the commissioner shall determine the maximum number of scholarships available to eligible children age birth to five (B-5) with autism spectrum disorder, Down syndrome, Angelman syndrome, and cerebral palsy.

(3) The commissioner shall publicly announce and post on the Department of Elementary and Secondary Education (department) website the number of scholarship opportunities available each year in each category.

(4) The commissioner shall keep a running tally of the number of scholarships granted in the order in which they were reported. When the annual limit for each category is reached, the commissioner shall notify all participating scholarship granting organizations that they shall not issue any more scholarships in that category. When the annual limit of both categories is reached, the commissioner shall notify all participating scholarship granting organizations that they shall not issue any more receipts for contributions.

(5) Scholarships awarded by a scholarship granting organization shall not exceed an average of fifty thousand dollars (\$50,000) per eligible student.

(6) Scholarships awarded by a scholarship granting organization shall not exceed an average of twenty thousand dollars (\$20,000) per eligible child.

(7) If a child or student who has received a scholarship transfers to a new qualified school or a different qualified service provider, the scholarship can be prorated between the schools or providers.

(8) Scholarships cannot be awarded to a student to attend a school with paid staff or board members who are related to the student within the first degree of consanguinity or affinity.

(9) Scholarships cannot be awarded to a child to receive services from a qualified service provider with paid staff or board members who are related to the child within the first degree of consanguinity or affinity.

(10) Definitions—as used in this regulation, the following terms shall mean:

- (A) Category means either eligible child or eligible student as defined in section 135.1220, RSMo;
- (B) Eligible child as defined in section 135.1220.2(6), RSMo; and
- (C) Eligible student as defined in section 135.1220.2(7), RSMo.

AUTHORITY: sections 135.1220.12 and 161.092, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Cynthia Quetsch, PO Box 480, Jefferson City, MO 65102-0480 or by email at Bryceclaw@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 10—Commissioner of Education
Chapter 2—Education Scholarships**

PROPOSED RULE

5 CSR 10-2.030 Eligibility for Scholarships

PURPOSE: This rule sets forth the requirements to be eligible for scholarships permitted in section 135.1220, RSMo Supp. 2013.

(1) There are two (2) ways for a child to be eligible for the scholarship program in section 135.1220, RSMo—

(A) Currently enrolled in the First Steps Program (Individuals with Disabilities Education Act (IDEA) Part C) and—

1. They are birth to age five (B-5); and
2. They live in Missouri; and
3. They have an individualized family services plan (IFSP) as a part of the First Steps Program; and
4. The parent or guardian has completed the complaint procedure under the IDEA Part C and received an unfavorable response as defined herein;

(B) Not participating in the First Steps Program (IDEA Part C) and—

1. They are birth to age five (B-5); and
2. They live in Missouri; and
3. They have been evaluated for, and a qualified health professional has determined they have, autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy, and they have a developmental delay of less than fifty percent (50%) but greater than twenty-five percent (25%) as measured by appropriate diagnostic measures and procedures conducted by a qualified health professional.

(2) A student is eligible for the scholarship program in section 135.1220, RSMo if—

(A) They have an Individualized Education Program (IEP) based on autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy; or

(B) They have a medical diagnosis by a qualified health professional of autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy; and

(C) They attended public school in Missouri the semester preceding the semester they desire to utilize the scholarship; or

(D) They will be attending school in Missouri for the first time; and

(E) They will be attending an elementary or secondary school; and

(F) They are age five to twenty-one (5–21) and have never received a high school diploma.

(3) As used in this regulation, the following terms mean—

(A) Qualified health professional—

1. An individual having a current license in good standing as a physician issued by the Missouri Board of Healing Arts who has examined, assessed, or evaluated the child or student; or

2. An individual having a current license in good standing as a psychologist issued by the Missouri state committee of psychologists who has examined, assessed, or evaluated the child or student; or

3. An individual having a current license in good standing as a clinical social worker issued by the Missouri State Committee for Social Workers who has examined, assessed, or evaluated the child or student;

(B) Unfavorable response. A decision by an independent hearing officer following the filing of a due process complaint that found the child the subject of the complaint was not eligible for services from the First Steps program or found that the First Steps program was not required to provide the services requested in the due process complaint.

AUTHORITY: sections 135.1220.12 and 161.092, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Cynthia Quetsch PO Box 480, Jefferson City, MO 65102-0480 or by email at Bryceslaw@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 100—Office of Quality Schools**

PROPOSED RECISSION

5 CSR 20-100.170 Missouri School Improvement Program. This rule established standards for the Missouri School Improvement Program (MSIP).

PURPOSE: This rule is being rescinded since the Department of Elementary and Secondary Education has discontinued the application of the standards contained in this rule.

AUTHORITY: sections 161.092 and 168.081, RSMo Supp. 2003 and 162.081 and 167.131, RSMo 2000. This rule previously filed as 5 CSR 50-345.100. Original rule filed June 30, 2004, effective Jan. 30, 2005. Moved to 5 CSR 20-100.170, effective Aug. 16, 2011. Rescinded: Filed Oct. 29, 2013.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the

Department of Elementary and Secondary Education, Attention: Dennis Cooper, Assistant Commissioner of the Office of Quality Schools, PO Box 480, Jefferson City, MO 65102-0480 or by email at qualityschools@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.375 Districts Effectively Evaluating Educators

PURPOSE: The growth and learning of children is the primary responsibility of those who teach in our classrooms and lead our schools. Student growth and learning can be observed and measured. Educators, in partnership with students, parents, and community, are accountable for ensuring the improvement of student achievement. Effective educator evaluation systems promote the improvement of professional practice resulting in the improvement of student performance.

(1) Pursuant to section 168.128, RSMo, the board of education of each school district shall maintain a comprehensive, performance-based evaluation for each teacher employed by the district. It is required that these evaluations shall be ongoing and of sufficient specificity and frequency to provide for demonstrated standards of competency and academic ability. With the primary goal of improving educator quality to promote high levels of student learning, the Department of Elementary and Secondary Education (department) establishes the following principles of effective evaluation:

(A) The evaluation process should use research-based performance targets aligned with state model teacher and leader standards;

(B) The evaluation process should establish indicators of performance articulated across differentiated levels with standards specifying expectations at all levels of practice;

(C) The evaluation process should be aligned with the probation period for the educator as specified in state law and provide for the accurate and appropriate accumulation of performance data;

(D) The evaluation process should use student growth in learning as a significant contributing factor in the evaluation of practice at all levels, using a wide variety of student performance measures;

(E) The evaluation process should assess performance on a regular basis, providing timely feedback from multiple sources that promotes formative development at all career stages and supporting overall improvement;

(F) The evaluation process should be designed to ensure that evaluators who collect evidence of performance and provide feedback are highly trained and objective, ensuring that ratings are fair, accurate, and reliable; and

(G) The evaluation process should be designed to guide district decisions regarding determinations of status, recognition, development, interventions, and policies that impact student learning in the system.

(2) These essential principles outlined here are the overall framework of Missouri's model Educator Evaluation System. School districts not electing to adopt the state model shall align their local evaluation process to these same principles and shall submit their process to the department for review and approval.

AUTHORITY: section 161.092, RSMo Supp. 2013, and section 168.128, RSMo 2000. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will cost approximately nine hundred thousand dollars (\$900,000) for the initial training cost and three hundred thousand dollars (\$300,000) recurring cost each year from the department's revolving fund.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480, or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 5 – Department of Elementary and Secondary Education
Division Title: Division 20 – Division of Learning Services
Chapter Title: Chapter 400 – Office of Educator Quality

Rule Number and Name:	5 CSR 20-400.375 Districts Effectively Evaluating Educators
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Elementary and Secondary Education	Approximately \$900,000 initial training cost and \$300,000 recurring cost each year from Department Revolving Fund.

III. Worksheet

All educators are required to have an annual evaluation as part of the certification renewal process. The following information is submitted to illustrate the cost of providing a comprehensive, research-based training program statewide to ensure an effective evaluation process. These costs relate to statewide costs only, not district. District cost could vary from nothing to some other number based on local decisions and resources.

Superintendents, Assistant Superintendents	831
Principals, Assistant Principals	3,408
Charter School Principals	58
Master Teacher from Secondary Buildings	949
Master Teacher from Elementary Buildings	1,236
TOTAL:	6,482

Training Outcomes provided to the target audience *

- Use of the evaluation process for probationary educators (5 successive years or less) to identify strengths and areas for growth to accelerate effective practice and increase retention
- Increased skill level of evaluators to generate reliable performance assessment data and increase inter-rater reliability
- Ability to deliver meaningful feedback to all educators based on strengths and areas for growth promoting improvements in practice
- Appropriate and accurate use of measures of growth in student learning as a

- significant factor in the educator evaluation process
- Integration of professional learning aligned to educator evaluation results and directly linked to increases in student achievement
- Development and use of educator evaluation systems that respect the rights of students, families, teachers and administrators and address the student improvement priorities of districts/schools

* Session trainings include training on the state model as application of the 6 outcomes above

IV. ASSUMPTIONS

Training:

100 participants per each six-day training = 65 six-day trainings

Cost per each training session—

Trainers \$300 per session (2 trainers per session) = \$600

Materials \$100

Lunches for participants \$1,600

Location \$100

Recurring cost each year:

Anticipated administrator turnover—

Superintendent and Assistant Superintendents 80

Principals and Assistant Principals 320

Additional teachers each year 2,185

2,585 participants per each six-day training = 26 six-day trainings

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.500 Application for Certificate of License to Teach

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the procedures for application for a certificate of license to teach.

(1) An applicant for a Missouri certificate of license to teach who possesses good moral character and has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or earned a doctoral degree may be granted an initial Missouri certificate of license to teach in their major area of study, subject to the specific content area certification requirements established by the State Board of Education (board), which can be found in 5 CSR 20-400.500-5 CSR 20-400.700.

(2) Applications for a Missouri certificate of license to teach shall be submitted on the forms provided by the department, accompanied by the appropriate fee, and may be obtained by writing the Educator Certification Section of the department at PO Box 480, Jefferson City, MO 65102-0480 or downloading from the Internet.

(3) An application is not considered officially filed with the board until it has been determined by the board or the department staff to be complete and the application is submitted on the forms provided by the department, signed, and accompanied by two (2) full sets of fingerprints with the appropriate fee as set by the Missouri State Highway Patrol (Highway Patrol) and/or the Federal Bureau of Investigation (FBI) and any other applicable forms and/or fees. All information should be received by the department within ninety (90) days of the date of the application.

(A) The applicant is responsible for submitting the fingerprints in the manner acceptable to the Highway Patrol and/or FBI and the payment of any fees required by the Highway Patrol and/or FBI.

(4) The applicant shall submit verification of certification or licensure directly to the department, including information regarding any disciplinary action from each state or United States' territory regulatory entity in which a professional license, including a certificate of license to teach, is held or has been held.

(5) An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the department must comply with the following additional criteria in addition to any requirements specific to the content area for which the applicant seeks certification:

(A) The applicant must possess a baccalaureate degree from a regionally accredited college or university;

(B) The applicant must possess an overall grade point average to meet the following specifications:

1. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

2. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is

sought; or

3. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

(C) The applicant must request and obtain the recommendation of the designated certification official from a baccalaureate or higher-level educator preparation program approved by the department; and

(D) The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

(6) An applicant for a Missouri certificate of license to teach who possesses a valid certificate of license to teach from another state and who possesses good moral character may be granted a Missouri certificate of license to teach.

(7) An applicant for a Missouri certificate of license to teach who has successfully obtained certification by the National Board for Professional Teaching Standards (NBPTS), or for school psychologists, the certificate of nationally certified school psychologists issued by the National Association of School Psychologists (NASP), and possesses good moral character may be granted a Missouri certificate of license to teach in their area of NBPTS or NASP certification most closely aligned with the current areas of certification approved by the board. The certificate of license to teach will be an initial student services classification or a career continuous student services classification if the applicant possesses four (4) years of student services experience.

(8) An applicant for an initial Missouri certificate of license to teach who has earned a doctoral degree from an institution of higher education accredited by a regional accreditation agency including but not limited to the Higher Learning Commission of the North Central Association of Colleges and Schools (NCA) must comply with the following additional criteria:

(A) The applicant must have completed and provide documentation of a doctoral degree earned in an area of study for which an initial professional certificate (IPC) of license to teach may be issued;

(B) The applicant must achieve a score equal to or in excess of the qualifying score on the pedagogy assessment approved by the department for the specific grade levels as defined in the rules promulgated by the board. The official score report shall be submitted to the department; and

(C) The applicant may only be granted an IPC level certificate of license to teach in their major area of study pursuant to the rules promulgated by the board. A career continuous professional level certificate of license to teach will not be issued.

(9) An applicant for an initial Missouri certificate of license to teach in the area of personal finance, banking, or financial responsibility who has earned a bachelor's degree, or higher degree, from an institution of higher education accredited by a regional accreditation agency including, but not limited to the Higher Learning Commission of the NCA must comply with the following additional criteria:

(A) The applicant must provide documentation of a valid degree being conferred and achieve a score equal to or in excess of the qualifying score on the assessment designated by the board. The official score report shall be submitted to the department;

(B) Comply with the professional experience requirements specific to the particular content area for which certification is sought as set forth in rules 5 CSR 20-400.500-5 CSR 20-400.700; and

(C) The applicant may only be granted an initial career education level of certificate of license to teach in the field of personal finance.

(10) Additional professional certificates of license to teach may be granted as follows:

(A) The applicant may take the appropriate content knowledge or specialty area exit assessment(s) for certification and must achieve a score equal to or in excess of the qualifying score on the content knowledge or specialty area exit assessment(s) as defined in the rules promulgated by the board; or

(B) If the board has not designated a content knowledge or specialty area exit assessment(s) for a particular certification area or grade level or the applicant chooses not to take the appropriate content knowledge or specialty area exit assessment(s), the applicant must meet the specific content area certification requirements found in 5 CSR 20-400.500-5 CSR 20-400.700.

(11) Following review by the department the applicant shall be informed of the decision regarding the application for certificate of license to teach.

(12) The holder of a certificate of license to teach shall ensure that the department has their current legal name and address.

(A) A holder of a certificate of license to teach whose name is changed shall notify the department within ninety (90) days of the name change and provide a copy of the appropriate documents verifying the name change.

(B) A holder of a certificate of license to teach whose address has changed shall inform the department of the change within ninety (90) days of the effective date of the change.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.510 Certification Requirements for Teacher of Early Childhood Education (Birth – Pre-Kindergarten)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Early Childhood Education.

(1) An applicant for a Missouri certificate of license to teach Early Childhood Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Early

Childhood Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Early Childhood Education:

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score.

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements. A minimum of thirty-six (36) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for the following topics:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

- A. Consultation and Collaboration; and
- B. Legal/Ethical Aspects of Teaching;

4. Teaching and Supporting Learning of the Young Child (minimum requirement of twenty-one (21) semester hours)—

- A. Early Childhood Principles;
- B. Language Acquisition; and
- C. Methods of Teaching and Differentiated Instruction in the

following areas:

(I) Language Arts (including reading, writing, speaking, and listening);

- (II) Math;
- (III) Health;
- (IV) Science;
- (V) Nutrition;
- (VI) Social Studies;
- (VII) Music;
- (VIII) Safety;
- (IX) Movement;
- (X) Art; and
- (XI) Drama;

5. Home-School-Community Relations (minimum requirement of six (6) semester hours)—

- A. Families as First Teachers;
- B. Family Involvement; and
- C. Linking Families with Community Resources;

6. Program Management (minimum requirement of eight (8) semester hours)—

- A. Program Administration and Management;
- B. Health, Nutrition, and Safety of Young Children; and
- C. Environmental Organization and Design; and

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close-partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of forty-five (45) clock hours). This limited field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Experiences (one (1) semester hour with a minimum of forty-five (45) clock hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

**5 CSR 20-400.520 Certification Requirements for Teacher of
Elementary Education (Grades K-6)**

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Elementary Education.

(1) An applicant for a Missouri certificate of license to teach Elementary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Elementary Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Elementary Education:

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in

5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements. A minimum of thirty-six (36) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for the following topics:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Learning Strategies (minimum requirement of fifteen (15) semester hours)—

A. Elementary Literacy (three (3) courses required, minimum total of nine (9) semester hours)—to include coursework in reading and writing, and to include instructional interventions for students with reading deficits. At a minimum, the teaching method competencies shall include:

B. Children's Literature;

C. Language Arts;

D. Science;

E. Social Science to include Geography and Economics;

F. Art;

G. Music;

H. Physical Education;

I. Technology in Education; and

J. Mathematics (two (2) courses required, minimum of six (6)

total semester hours) to include instructional interventions for students with mathematics deficits; and

5. Content Knowledge for Teaching and Learning (a minimum of eighteen (18) semester hours) in Content Knowledge for Teaching and Learning to include all of the following areas:

A. English/Language Arts;

B. Mathematics;

C. Science;

D. Social Studies;

E. Health and Safety;

F. Physical Education;

G. Art; and

H. Music; and

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of thirty (30) clock hours). The early field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Field Experiences (one (1) semester hour with a minimum of forty-five (45) semester hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.530 Certification Requirements for a Teacher of Middle School Education (Grades 5-9)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Middle School Education.

(1) An applicant for a Missouri certificate of license to teach Middle School Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Middle School Education subject to the certification requirements found in 5 CSR

20-400.500 and the following additional certification requirements specific to middle school education:

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements. A minimum of forty-five (45) semester hours in professional education. Competency must be demonstrated in the following areas listed to the satisfaction of the educator preparation institution:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationship between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional

responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Middle School Literacy (minimum of nine (9) semester hours): to include coursework in methods of teaching reading and writing in the content area, and to include instructional interventions for students with reading deficits; and

5. Content Knowledge for Teaching (minimum requirement of twenty-four (24) semester hours). Subject area certification in grades five through nine (5-9) will be granted upon the basis of a minimum of twenty-one (21) semester hours with appropriate distribution as determined by the educator preparation institution and/or the department, in one (1) of the following areas:

A. Agricultural Education (5-9);

B. Business Education (5-9);

C. Technology and Engineering (5-9);

D. Language Arts (5-9);

E. Mathematics (5-9);

F. Science (5-9);

G. Social Science (5-9); and

H. Speech/Theatre (5-9); and

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of thirty (30) clock hours). The early field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Field Experiences (one (1) semester hour with a minimum of forty-five (45) semester hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION**

**Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

**5 CSR 20-400.540 Certification Requirements for Teacher of
Secondary Education (Grades 9-12)**

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Secondary Education.

(1) An applicant for a Missouri certificate of license to teach Secondary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Secondary Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Secondary Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program which may exceed these minimum requirements;

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements—a minimum requirement of thirty-six (36) semester hours in professional education. Competency must be demonstrated in the following topics listed to the satisfaction of

the educator preparation institution:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationship between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching; and

4. Secondary Literacy (minimum of six (6) semester hours). Methods of Teaching Reading and Writing, to include one (1) course specific to teaching reading and writing in the content area for which certification is sought;

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of thirty (30) clock hours). The early field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Field Experiences (one (1) semester hour with a minimum of forty-five (45) semester hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

(2) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Agriculture may be granted an initial Missouri certificate of license to teach Agriculture subject to completion of at least forty-one (41) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Animal Science, three (3) semester hours;

(B) Agronomy, three (3) semester hours;

(C) Agricultural Business, three (3) semester hours;

(D) Agricultural Economics, three (3) semester hours;

(E) Agricultural Mechanics, three (3) semester hours;

(F) Horticulture, three (3) semester hours;

(G) Electives from the following suggested areas: Forestry, Natural Resources, Agriculture Journalism, and Integrated Pest Management, fifteen (15) semester hours; and

(H) A total of at least eight (8) semester hours in professional vocational education courses, including the following areas:

1. Methods of Teaching Vocational Agriculture;
2. Program Planning;
3. Developing and Supervising Occupational Experience Programs:
 - A. Ownership (Entrepreneurship); and
 - B. Placement;
4. Developing and Using Instructional Materials and Teaching Aids;
5. Supervising Student Organizations;
6. Teaching Agricultural Mechanics; and
7. Planning and Conducting Adult Programs for Young and Adult Farmers.

(3) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Business may be granted an initial Missouri certificate of license to teach Business subject to completion of at least thirty-six (36) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) Accounting, six (6) semester hours;
- (B) Economics, three (3) semester hours;
- (C) Business/Consumer Related Law, three (3) semester hours;
- (D) Business Communications, three (3) semester hours;
- (E) Management, three (3) semester hours;
- (F) Marketing, three (3) semester hours;
- (G) Computer/Emerging Technology, six (6) semester hours;
- (H) Electives, three (3) semester hours;
- (I) Implementing Business Education Programs, three (3) semester hours; and
- (J) Coordination of Cooperative Education, three (3) semester hours.

(4) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Driver Education who is certified in another elementary, middle school, or secondary teaching field may be granted an initial Missouri certificate of license to teach Driver Education subject to completion of at least twelve (12) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) Introduction to Safety Education, three (3) semester hours;
- (B) Driver Task Analysis, three (3) semester hours;
- (C) Developing Vehicle Operation Skills and Competencies, three (3) semester hours; and
- (D) Developing Classroom Knowledge, three (3) semester hours.

(5) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach English may be granted an initial Missouri certificate of license to teach English subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) Composition and Rhetoric (to include a course in the teaching of writing), twelve (12) semester hours;
- (B) Study of the English Language (to include modern grammar, history of the language, and/or dialects), six (6) semester hours;
- (C) American Literature (to include at least one (1) major unit or module in literature for adolescents and one (1) in literature of ethnic groups), six (6) semester hours;
- (D) English and/or World Literature, six (6) semester hours; and
- (E) Elective English Credits, three (3) semester hours.

(6) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Journalism may be granted an initial Missouri certificate of license to teach Journalism subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) News Writing and Reporting, six (6) semester hours;
- (B) Editing, three (3) semester hours;
- (C) Communications Law, three (3) semester hours;
- (D) Mass Communications Theory, three (3) semester hours;
- (E) Scholastic Publications, three (3) semester hours; and
- (F) Electives—Photography, Graphics, Advertising, Broadcasting, History of Journalism, Mass Media and Society, News Media Experience, and other related areas, fifteen (15) semester hours—

1. News media experience (e.g., professional news media, college publications, etc.) must be included in the program on a credit or noncredit basis.

(7) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Marketing may be granted an initial Missouri certificate of license to teach Marketing subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) Management or Business Administration, three (3) semester hours;
- (B) Economics, three (3) semester hours;
- (C) Electives from Business, Management, or Entrepreneurship, nine (9) semester hours;
- (D) Marketing (suggested areas: Distribution, Financing, Marketing-information Management, Promotion, Selling, Product/Service Management, International Marketing, and E-commerce Marketing), fifteen (15) semester hours; and
- (E) Coordination of Cooperative Education, three (3) semester hours.

(8) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Mathematics may be granted an initial Missouri certificate of license to teach Mathematics subject to completion of at least thirty-six (36) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) Calculus and Analytical Geometry, nine (9) semester hours;
- (B) Algebraic Structures, three (3) semester hours;
- (C) Geometry, three (3) semester hours;
- (D) Computer Science, three (3) semester hours;
- (E) Electives from the above coursework, six (6) semester hours; and

(F) A minimum of twelve (12) semester hours from at least three (3) areas of Mathematics such as the following:

1. History of Mathematics, three (3) semester hours;
2. Structure of the Real Number System, three (3) semester hours;
3. Number Theory, three (3) semester hours;
4. Completion Calculus Sequence, three (3) semester hours;
5. Probability and Statistics, three (3) semester hours;
6. Computer Science, three (3) semester hours; and
7. Linear Algebra, three (3) semester hours.

(9) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Biology may be granted an initial Missouri certificate of license to teach Biology subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and

demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) A minimum of twenty (20) hours in Biology, which must include:

1. Cell Biology;
2. Plant Form and Function;
3. Animal Form and Function;
4. Genetics;
5. Evolution; and
6. Biology Electives; and

(C) A minimum of twelve (12) additional hours in Science, which includes:

1. Chemistry;
2. Physics;
3. Earth Science; and
4. Environmental Science.

(10) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Chemistry may be granted an initial Missouri certificate of license to teach Chemistry subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) A minimum of twenty (20) hours in Chemistry, which must include:

1. Inorganic Chemistry;
2. Analytical Chemistry;
3. Organic Chemistry;
4. Physical Chemistry;
5. Biochemistry; and
6. Chemistry Electives; and

(C) A minimum of twelve (12) additional hours in Science, which includes:

1. Biology;
2. Physics;
3. Earth Science; and
4. Environmental Science.

(11) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Earth Science may be granted an initial Missouri certificate of license to teach Earth Science subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) A minimum of twenty (20) hours in Earth Science, which must include:

1. Astronomy;
2. Meteorology;
3. Geology/Physical Geography; and
4. Earth Science Electives; and

(C) A minimum of twelve (12) additional hours in Science, which includes:

1. Chemistry;
2. Biology;
3. Physics; and
4. Environmental Science.

(12) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach General Science may be granted an initial Missouri certificate

of license to teach General Science subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours; and

(B) A minimum of thirty-two (32) hours in General Science, which must include:

1. Chemistry;
2. Biology;
3. Physics;
4. Earth Science;
5. Astronomy; and
6. Environmental Science.

(13) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Physics may be granted an initial Missouri certificate of license to teach Physics subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) A minimum of twenty (20) hours in Physics, which must include:

1. Mechanics;
2. Electricity and Magnetism;
3. Heat, Sound, and Light;
4. Atomic or Modern Physics; and
5. Physics Electives; and

(C) A minimum of twelve (12) additional hours in Science, which includes:

1. Chemistry;
2. Biology;
3. Earth Science; and
4. Environmental Science.

(14) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Unified Science: Biology may be granted an initial Missouri certificate of license to teach Unified Science: Biology subject to completion of at least fifty (50) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) Biology (to include Zoology and Botany with labs), six (6) semester hours;

(C) Chemistry (with labs), six (6) semester hours;

(D) Physics (with labs), six (6) semester hours;

(E) Earth Science (to include Geology and Meteorology), six (6) semester hours;

(F) Environmental Science, three (3) semester hours; and

(G) An additional twenty (20) semester hours in Biology to include coursework in:

1. Zoology;
2. Botany;
3. Genetics;
4. Cell/Biochemistry;
5. Microbiology;
6. Anatomy and Physiology;
7. Ecology; and
8. Evolution.

(15) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Unified Science: Chemistry may be granted an initial Missouri

certificate of license to teach Unified Science: Chemistry subject to completion of at least fifty (50) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) Biology (to include Zoology and Botany with labs), six (6) semester hours;

(C) Chemistry (with labs), six (6) semester hours;

(D) Physics (with labs), six (6) semester hours;

(E) Earth Science (to include Geology and Meteorology), six (6) semester hours;

(F) Environmental Science, three (3) semester hours; and

(G) An additional twenty (20) semester hours in Chemistry to include coursework in:

1. Organic Chemistry;
2. Physical Chemistry;
3. Quantitative Analysis;
4. Biochemistry;
5. Qualitative Analysis;
6. Advanced Analysis; and
7. Environmental Chemistry.

(16) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Unified Science: Earth Science may be granted an initial Missouri certificate of license to teach Unified Science: Earth Science subject to completion of at least fifty (50) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) Biology (to include Zoology and Botany with labs), six (6) semester hours;

(C) Chemistry (with labs), six (6) semester hours;

(D) Physics (with labs), six (6) semester hours;

(E) Earth Science (to include Geology and Meteorology), six (6) semester hours;

(F) Environmental Science, three (3) semester hours; and

(G) An additional twenty (20) semester hours in Earth Science to include coursework in:

1. Geology;
2. Astronomy;
3. Meteorology;
4. Paleontology; and
5. Oceanography.

(17) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Unified Science: Physics may be granted an initial Missouri certificate of license to teach Unified Science: Physics subject to completion of at least fifty (50) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) Biology (to include Zoology and Botany with labs), six (6) semester hours;

(C) Chemistry (with labs), six (6) semester hours;

(D) Physics (with labs), six (6) semester hours;

(E) Earth Science (to include Geology and Meteorology), six (6) semester hours;

(F) Environmental Science, three (3) semester hours; and

(G) An additional twenty (20) semester hours in Physics to include coursework in:

1. Quantum Physics;
2. Atomic/Nuclear Physics;

3. Heat/Thermodynamics;

4. Health Physics;

5. Optics;

6. Electricity/Magnetism; and

7. Statistics/Mechanics.

(18) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Social Science may be granted an initial Missouri certificate of license to teach Social Science subject to completion of at least thirty-nine (39) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) U.S. History, twelve (12) semester hours;

(B) World History, nine (9) semester hours;

(C) Political Science (State and U.S. Government), six (6) semester hours;

(D) Economics, three (3) semester hours;

(E) Geography, three (3) semester hours; and

(F) Behavioral Science (Sociology, Anthropology, or Psychology), six (6) semester hours.

(19) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Speech and Theatre may be granted an initial Missouri certificate of license to teach Speech and Theatre subject to completion of at least thirty (30) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Speech, twelve (12) semester hours (must include three (3) semester hours of debate);

(B) Theatre, twelve (12) semester hours; and

(C) Electives (from Speech, Theatre, and/or Mass Communications), six (6) semester hours.

(20) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Technology and Engineering may be granted an initial Missouri certificate of license to teach Technology and Engineering subject to completion of at least thirty-six (36) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Communication Technology, six (6) semester hours;

(B) Energy and Power, six (6) semester hours;

(C) Materials and Processes Technology, six (6) semester hours;

(D) Organization and Administration, six (6) semester hours; and

(E) Electives, twelve (12) semester hours.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.550 Certification Requirements for Teacher of K-12 Education

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach K-12 Education.

(1) An applicant for a Missouri certificate of license to teach Secondary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach K-12 Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to K-12 Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program which may exceed these minimum requirements;

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements. A minimum requirement of thirty-six (36) semester hours in professional education. Competency must be demonstrated in the following topics listed to the satisfaction of the educator preparation institution:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationship between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching; and

4. Literacy (minimum of six (6) semester hours) to include coursework in methods of teaching reading and writing, and to include instructional interventions for students with reading deficits; and

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of thirty (30) clock hours). The early field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Field Experiences (one (1) semester hour with a minimum of forty-five (45) semester hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

(2) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Art may be granted an initial Missouri certificate of license to teach Art subject to completion of at least thirty (30) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Design—Composition, three (3) semester hours;

(B) Drawing, three (3) semester hours;

(C) Painting, three (3) semester hours;

(D) Graphics (such as Printmaking, Photography, and Serigraphy), three (3) semester hours;

(E) Ceramics, three (3) semester hours;

(F) Sculpture, three (3) semester hours;

(G) Fibers (such as Weaving, Macramé, and Fiber Sculpture), three (3) semester hours;

(H) History, Theory, Criticism in the Visual Arts, three (3) semester hours;

(I) Instructional Techniques for Art K-12, three (3) semester hours; and

(J) Electives, three (3) semester hours.

(3) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Dance may be granted an initial Missouri certificate of license to teach Dance subject to completion of at least thirty (30) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Ballet Technique, six (6) semester hours;

(B) Contemporary Technique, six (6) semester hours;

(C) Jazz Technique, six (6) semester hours;

(D) Tap Technique, six (6) semester hours;

(E) Dance Theory, three (3) semester hours; and

(F) Dance Composition, three (3) semester hours.

(4) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Family and Consumer Sciences may be granted an initial Missouri certificate of license to teach Family and Consumer Sciences subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Foundations of Family and Consumer Sciences Education, three (3) semester hours;

(B) Nutrition, Health, and Wellness (including Health Issues and Concepts as well as Scientific Principles Related to Food Preparation), six (6) semester hours;

(C) Family and Consumer Resource Management, twelve (12) semester hours (including three (3) semester hours each in: Personal Finance; Family and Consumer Resource Management; Housing and Environment; and Textiles, Apparel, and Fashion);

(D) Human Development and Parenting, six (6) semester hours; and

(E) Family and Interpersonal Relationships, six (6) semester hours.

(5) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Foreign Language may be granted an initial Missouri certificate of license to teach Foreign Language subject to completion of at least thirty (30) semester hours in the language to be taught, or twenty-seven (27) semester hours plus two (2) or more earned units of high school credit in that language. Additionally, the applicant must complete a minimum of fifteen (15) semester hours in upper-level courses with no more than six (6) of those semester hours in history/culture and demonstrate competency to the satisfaction of the educator preparation institution.

(6) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Health may be granted an initial Missouri certificate of license to teach Health subject to completion of at least thirty-six (36) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Human Anatomy-Physiology, three (3) semester hours;

(B) Nutrition, three (3) semester hours;

(C) Drug Education, three (3) semester hours;

(D) Personal Health, three (3) semester hours;

(E) Mental Health, three (3) semester hours;

(F) Family Life/Sex Education, three (3) semester hours;

(G) Safety and First Aid, three (3) semester hours;

(H) Community Health, three (3) semester hours;

(I) Instructional Techniques in Health K-12, three (3) semester hours; and

(J) Electives in Health, nine (9) semester hours.

(7) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license for Library Media Specialist may be granted an initial Missouri certificate of license for Library Media Specialist subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Content Knowledge for Teaching—

1. Foundations of Librarianship, three (3) semester hours;

2. Library Media Administration, three (3) semester hours;

3. Developing and Managing Collections, three (3) semester hours;

4. Organizing Information, three (3) semester hours;

5. Reference Sources and Services, three (3) semester hours;

6. Action Research in School Libraries, three (3) semester hours;

7. Children's, Adolescent, or Young Adult Literature, three (3) semester hours;

8. Library Systems and Information Technologies, three (3) semester hours; and

9. Curriculum and the Media Center, three (3) semester hours;

(B) Field and Clinical Experiences (three (3) semester hours)—

1. Culminating Clinical Experiences. This librarian internship builds upon the classroom experiences and provides the intern an opportunity to lead and direct specific activities. The intern is an active participant in the daily operations of the library media center including working with students, faculty, staff, and stakeholders while under the supervision of an on-site supervisor. The clinical experience should include collaborating with other educators to support student learning.

(8) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Music may be granted an initial Missouri certificate of license to teach Music subject to completion of at least forty-five (45) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) For applicants for a Missouri license to teach Vocal Music—

1. Theory, nine (9) semester hours;

2. Beginning Conducting, three (3) semester hours;

3. History/Literature Music, three (3) semester hours;

4. Piano (or proficiency), three (3) semester hours;

5. Choral Arranging, three (3) semester hours;

6. Applied Voice, six (6) semester hours;

7. Choral Techniques, three (3) semester hours;

8. Advanced Choral Conducting, three (3) semester hours;

9. Choral Literature, three (3) semester hours;

10. Choral Ensemble, three (3) semester hours;

11. Methods/Techniques of Teaching Elementary School Music (to include an introduction to Early Childhood Choral Literature and Musical Instruments), three (3) semester hours; and

12. Methods/Techniques of Teaching Middle/Secondary School Music, three (3) semester hours;

(B) For applicants for a Missouri license to teach Instrumental Music—

1. Theory, nine (9) semester hours;

2. Beginning Conducting, three (3) semester hours;

3. History/Literature Music, three (3) semester hours;

4. Piano (or proficiency), three (3) semester hours;

5. Methods/Techniques, six (6) semester hours (strings, brass, woodwinds, percussion);

6. Applied major instrument, three (3) semester hours;

7. Instrumental ensemble, six (6) semester hours;

8. Advanced Instrumental Conducting, three (3) semester hours;
9. Instrumentation/arranging, three (3) semester hours;
10. Methods/Techniques of Teaching Middle/Secondary School Music, three (3) semester hours; and
11. Methods/Techniques of Teaching Elementary School Music (to include an introduction to Early Childhood Choral Literature and Musical Instruments), three (3) semester hours.

(9) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Physical Education may be granted an initial Missouri certificate of license to teach Physical Education subject to completion of at least forty-five (45) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) History and Philosophy, three (3) semester hours;
- (B) Anatomy-Physiology, three (3) semester hours;
- (C) Kinesiology, three (3) semester hours;
- (D) Physiology of Exercise, three (3) semester hours;
- (E) Measurement and Evaluation, three (3) semester hours;
- (F) Health Related Fitness/Wellness, three (3) semester hours;
- (G) Lifetime Activities and Dance, three (3) semester hours;
- (H) Adapted Physical Education, three (3) semester hours;
- (I) Psychological Aspects of Physical Education, three (3) semester hours;
- (J) Sociological Aspects of Physical Education, three (3) semester hours;
- (K) Motor Development/Motor Learning, three (3) semester hours;
- (L) First Aid, CPR, and Care of Activity/Sport Injuries, three (3) semester hours;
- (M) Movement and Rhythms, three (3) semester hours; and
- (N) Instructional Techniques in Physical Education K-12, six (6) semester hours.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.560 Certification Requirements for Teacher of Special Education

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates.

This rule outlines the requirements for application for a certificate of license to teach Special Education.

(1) An applicant for a Missouri certificate of license to teach Special Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Special Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;
2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;
3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

- A. English Composition, two (2) courses, each a minimum of two (2) semester hours;
- B. U.S. History, three (3) semester hours; and
- C. U.S. Government, three (3) semester hours.

(2) An applicant for a Missouri certificate to teach Blind and Partially Sighted (Grades K-12) students who possess a baccalaureate degree from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to teach Blind and Partially Sighted (Grades K-12) students subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

- A. Curriculum and Instructional Planning;
 - B. Instructional Strategies and Techniques in Content Area Specialty;
 - C. Assessment and Student Data;
 - D. Strategies for Content Literacy;
 - E. Critical Thinking and Problem Solving;
 - F. English Language Learning;
 - G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction); and
 - H. Career Education or Career Readiness;
2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—
- A. Psychological Development of the Child and Adolescent;
 - B. Psychology/Education of the Exceptional Child;
 - C. Differentiated Learning;
 - D. Classroom Management;
 - E. Behavior Management;
 - F. Cultural Diversity;
 - G. Anatomy, Physiology, and Diseases of the Eye;
 - H. Language Development of the Exceptional Child;
 - I. Orientation and Mobility Training;
 - J. Conservation and Use of Limited Vision; and
 - K. Visual Aids and Appliance Usage;
3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—
- A. Consultation and Collaboration; and
 - B. Legal/Ethical Aspects of Teaching;
4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—
- A. Literacy (three (3) courses required, minimum total of nine (9) semester hours) to include coursework in reading and writing, and to include instructional interventions for students with reading deficits;
 - B. Reading and Writing Braille;
 - C. Children's Literature;
 - D. Language Arts;
 - E. Science;
 - F. Social Science to include Geography and Economics;
 - G. Art;
 - H. Music;
 - I. Physical Education;
 - J. Technology in Education; and
 - K. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits; and
5. Field and Clinical Experiences (minimum requirement of ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.
- A. Early and Mid-Level Field Experiences (two (2) semester hours with a minimum of thirty (30) clock hours). This field experience must be in a regular classroom setting prior to the culminating field experience.
- (I) Persons certified in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or Learning Disabled may meet this early and mid-level clinical experiences requirement (minimum of three (3) semester hours) by the satisfactory completion of working with Blind and Partially Sighted students.
- B. Culminating Field Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested and under the supervision of the classroom teacher(s)

and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

- (I) Teaching blind and partially sighted students;
- (II) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction; and
- (III) Practical application of behavior management techniques.

(3) An applicant for a Missouri certificate to teach Deaf and Hearing Impaired (Grades K-12) students who possess a baccalaureate degree from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to teach Deaf and Hearing Impaired (Grades K-12) students subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

- A. Curriculum and Instructional Planning;
- B. Instructional Strategies and Techniques in Content Area Specialty;
- C. Assessment and Student Data;
- D. Strategies for Content Literacy;
- E. Critical Thinking and Problem Solving;
- F. English Language Learning;
- G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction); and
- H. Career Education or Career Readiness;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

- A. Psychological Development of the Child and Adolescent;
- B. Psychology/Education of the Exceptional Child;
- C. Differentiated Learning;
- D. Classroom Management;
- E. Behavior Management;
- F. Cultural Diversity;
- G. Psychology of Deafness;
- H. Language Development of the Exceptional Child;
- I. Aural Rehabilitation;
- J. Amplification Systems;
- K. Audiology; and
- L. Anatomy and Physiology of Auditory and Speech Mechanisms;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

- A. Consultation and Collaboration; and
 - B. Legal/Ethical Aspects of Teaching; and
4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—

- A. Elementary Literacy (three (3) courses required, minimum total of nine (9) semester hours). To include coursework in reading and writing, and to include instructional interventions for students with reading deficits;
- B. Manual Communications;
- C. Teaching Speech to the Deaf;
- D. Children's Literature;
- E. Language Arts;

- F. Science;
- G. Social Science to include Geography and Economics;
- H. Art;
- I. Music;
- J. Physical Education;
- K. Technology in Education; and
- L. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits;

(B) Field and Clinical Experiences (minimum requirement of ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly qualified professionals in appropriate school settings.

1. Early and Mid-Level Field Experiences (two (2) semester hours with a minimum of thirty (30) clock hours). This field experience must be in a regular classroom setting prior to the culminating field experience.

A. Persons certified in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or Learning Disabled may meet this early and mid-level clinical experiences requirement (minimum of three (3) semester hours) by the satisfactory completion of working with Blind and Partially Sighted students.

2. Culminating Field Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested and under the supervision of the classroom teacher(s) and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

A. Teaching blind and partially sighted students—

(I) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction; and

(II) Practical application of behavior management techniques.

(4) An applicant for a Missouri certificate to teach Early Childhood Special Education (Birth-Pre-Kindergarten) who possesses a baccalaureate degree from a college or university having an educator preparation program approved by the department, or from a college or university having an education program approved by the state education agency in states other than Missouri may be granted an initial Missouri certificate of license to teach Early Childhood Special Education (Birth-Pre-Kindergarten) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of thirty-six (36) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Supporting Learning of the Young Child (minimum requirement of twenty-one (21) semester hours)—

A. Early Childhood Principles;

B. Language Acquisition; and

C. Methods of Teaching and Differentiated Instruction in the following areas:

(I) Language Arts (including reading, writing, speaking, and listening);

(II) Math;

(III) Health;

(IV) Science;

(V) Nutrition;

(VI) Social Studies;

(VII) Music;

(VIII) Safety;

(IX) Movement;

(X) Art; and

(XI) Drama;

5. Home-School-Community Relations (minimum requirement of six (6) semester hours)—

A. Families as First Teachers;

B. Family Involvement; and

C. Linking Families with Community Resources;

6. Program Management (minimum requirement of eight (8) semester hours)—

A. Program Administration and Management;

B. Health, Nutrition, and Safety of Young Children; and

C. Environmental Organization and Design; and

7. Teaching Young Children with Disabilities (minimum requirement of fifteen (15) semester hours)—

A. Special Education Process;

B. Current Trends in Early Childhood Special Education;

C. Assessment for Intervention;

D. Communication Disorders;

E. Environmental and Personal Strategies for Self Management; and

F. Implementation and Evaluation of Interventions;

(B) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early and Mid-Level Field Experiences (two (2) semester hours with a minimum requirement of ninety (90) clock hours). This field experience must include a minimum of thirty (30) contact hours in each of the three (3) different age levels (infant/toddler, pre-K/Kindergarten, and primary K-3).

A. This pre-student teaching may be included as part of courses identified in subparagraphs (4)(A)7.B.-E., or such pre-student teaching may be offered as a separate course(s). The selection of pre-student teaching experiences should be individualized to ensure the student's exposure to families from diverse backgrounds and children with a variety of disabling conditions in a variety of settings, including environments where children with disabilities are learning with their peers without disabilities.

2. Culminating Clinical Experience (minimum requirement of twelve (12) semester hours). The individual participates and applies the competencies in a variety of supervised student teaching experiences with children with disabilities and their families. This student teaching experience requires placement with two (2) different age

levels (infant/toddler, pre-K/Kindergarten, and primary K-3). Each of the two (2) student teaching experiences requires a minimum of six (6) semester hours.

(5) An applicant for a Missouri certificate of license to teach students with Mild/Moderate Cross-Categorical Disabilities (Grades K-6) who possesses a baccalaureate degree in Special Education from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to teach students with Mild/Moderate Cross-Categorical Disabilities (Grades K-6) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

- A. Curriculum and Instructional Planning;
- B. Instructional Strategies and Techniques in Content Area Specialty;
- C. Assessment and Student Data;
- D. Strategies for Content Literacy;
- E. Critical Thinking and Problem Solving;
- F. English Language Learning; and
- G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction);

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

- A. Psychological Development of the Child and Adolescent;
- B. Psychology/Education of the Exceptional Child;
- C. Differentiated Learning;
- D. Classroom Management;
- E. Behavior Management;
- F. Cultural Diversity; and
- G. Language Development of the Exceptional Child;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

- A. Consultation and Collaboration; and
- B. Legal/Ethical Aspects of Teaching;

4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—

A. Elementary Literacy (three (3) courses required, minimum total of nine (9) semester hours). To include coursework in reading and writing, and to include instructional interventions for students with reading deficits;

- B. Children's Literature;
- C. Language Arts;
- D. Science;
- E. Social Science to include Geography and Economics;
- F. Art;
- G. Music;
- H. Physical Education;
- I. Technology in Education; and
- J. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits; and

5. Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly qualified professionals in appropriate

school settings—

A. Early and Mid-Level Field Experiences (two (2) semester hours). This field experience must be in a regular classroom setting prior to the culminating field experience—

(I) Persons certificated in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or Learning Disabled may meet this clinical experiences requirement by the satisfactory completion of at least three (3) semester hours of Practicum with Deaf and Hearing Impaired students;

B. For a certificate in a specific area of special education, the student teaching experience must provide opportunities with children representative of the certificate—

- (I) Teaching Students with Mental Handicaps;
- (II) Teaching Students with Learning Disabilities;
- (III) Teaching Students with Behavioral Disorders;
- (IV) Teaching Students with Physical and Other Health Impairments; and/or
- (V) Teaching Students with Cross-Categorical Disabilities;

and

C. Culminating Clinical Experience (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested and under the supervision of the classroom teacher(s) and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

- (I) Instruction of students with disabilities;
- (II) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures; and
- (III) Practical application of behavior management.

(6) An applicant for a Missouri certificate of license to teach Mild/Moderate Cross-Categorical Disabilities (Grades 7-12) who possesses a baccalaureate degree from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to Mild/Moderate Cross-Categorical Disabilities (Grades 7-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

- A. Curriculum and Instructional Planning;
- B. Instructional Strategies and Techniques in Content Area Specialty;
- C. Assessment and Student Data;
- D. Strategies for Content Literacy;
- E. Critical Thinking and Problem Solving;
- F. English Language Learning;
- G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction); and

- H. Career Education or Career Readiness;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

- A. Psychological Development of the Child and Adolescent;
- B. Psychology/Education of the Exceptional Child;
- C. Differentiated Learning;
- D. Classroom Management;
- E. Behavior Management;

F. Cultural Diversity; and

G. Language Development of the Exceptional Child;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—

A. Literacy (three (3) courses required, minimum total of nine (9) semester hours) to include coursework in reading and writing, and to include instructional interventions for students with reading deficits; and

B. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits;

5. Content Knowledge for Teaching and Learning (minimum of eighteen (18) semester hours) to include all of the following areas:

A. English/Language Arts;

B. Science;

C. Social Science to include Geography and Economics; and

D. Mathematics; and

6. Field and Clinical Experiences (ten (10) semester hours).

Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly qualified professionals in appropriate school settings—

A. Early and Mid-Level Field Experiences (two (2) semester hours). This field experience must be in a regular classroom setting prior to the Culminating Field Experience—

(I) Persons certificated in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or Learning Disabled may meet this clinical experiences requirement by the satisfactory completion of at least three (3) semester hours of Practicum with Deaf and Hearing Impaired students;

B. For a certificate in a specific area of special education, the student teaching experience must provide opportunities with children representative of the certificate—

(I) Teaching Students with Mental Handicaps;

(II) Teaching Students with Learning Disabilities;

(III) Teaching Students with Behavioral Disorders;

(IV) Teaching Students with Physical and Other Health

Impairments; and/or

(V) Teaching Students with Cross-Categorical Disabilities;

and

C. Culminating Clinical Experience (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested and under the supervision of the classroom teacher(s) and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

(I) Instruction of students with disabilities;

(II) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures; and

(III) Practical application of behavior management.

(7) An applicant for a Missouri certificate to teach students with Severe Developmental Disabilities (Grades K-12) who possesses a baccalaureate degree in Special Education from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to teach students with Severe Developmental Disabilities subject to the certifica-

tion requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving;

F. English Language Learning;

G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction); and

H. Career Education or Career Readiness;

2. Individual Student Needs: Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management;

E. Behavior Management;

F. Cultural Diversity;

G. Physical and Psychological Considerations of the Developmentally Disabled;

H. Language Development of the Exceptional Child;

I. Perceptual Motor Training;

J. Managing Physical and Health Problems;

K. Non-verbal Communication Skills; and

L. Functional Skills Measurement;

3. Schools and the Teaching Profession: Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—

A. Elementary Literacy (three (3) courses required, minimum total of nine (9) semester hours) to include coursework in reading and writing, and to include instructional interventions for students with reading deficits;

B. Children's Literature;

C. Language Arts;

D. Science;

E. Social Science to include Geography and Economics;

F. Art;

G. Music;

H. Adapted Physical Education;

I. Technology in Education; and

J. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits; and

5. Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the candidate through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings—

A. Early and Mid-Level Field Experiences (two (2) semester hour). This field experience must be in a regular classroom setting prior to the culminating field experience—

(I) Persons certificated in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or

Learning Disabled may meet this clinical experiences requirement by the satisfactory completion of at least three (3) semester hours of Practicum with Deaf and Hearing Impaired students;

B. Culminating Clinical Experience (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested, and under the supervision of the classroom teacher(s) and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

(I) Teaching severely developmentally disabled students;

(II) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in prescriptive instruction; and

(III) Practical application of behavior management techniques.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.570 Certification Requirements for English for Speakers of Other Languages (Grades K-12)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach English for Speakers of Other Languages.

(1) An applicant for a Missouri certificate of license to teach English for Speakers of Other Languages (ESOL) who possesses good moral character may be granted an initial Missouri certificate of license to teach ESOL subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to ESOL:

(A) General Requirements—

1. A valid Missouri permanent or professional certificate of license to teach.

(B) Professional Requirements—

1. Psychology and/or Education of the Exceptional Child, including the gifted, three (3) semester hours;

2. Literacy (minimum of six (6) semester hours) to include coursework in methods of teaching reading and writing, and to include instructional interventions for students with reading deficits; and

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the Missouri Department of Elementary and Secondary Education (department).

(C) Content Knowledge for Teaching (minimum requirement of eighteen (18) semester hours)—

1. Linguistics and English Linguistics;

2. Language and Culture or Sociolinguistics;

3. Second Language Acquisition;

4. Instructional Techniques for Teaching Second Language Students;

5. Curriculum for Teaching English to Speakers of Other Languages; and

6. Assessment Strategies for Speakers of Other Languages.

(D) Field and Clinical Experiences (three (3) semester hours)—

1. Culminating Clinical Experience. A supervised clinical experience in which the candidates acquire experience in planning for and working with ESOL students in various instructional settings in both elementary and secondary schools. The clinical experience should include collaborating with other educators to support student learning.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.580 Certification Requirements for Gifted Education (Grades K-12)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Gifted Education.

(1) An applicant for a Missouri certificate of license to teach Gifted Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Gifted Education subject to the certification requirements found in 5 CSR 20-400.500 and

the following additional certification requirements specific to Gifted Education:

(A) General Requirements—

1. A valid Missouri permanent or professional certificate of license to teach;
2. Two (2) years of classroom teaching experience; and
3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the Missouri Department of Elementary and Secondary Education (department);

(B) Professional Requirements—

1. Psychology and/or Education of the Exceptional Child, including the gifted (minimum of two (2) semester hours);

(C) Content Knowledge for Teaching—

1. A Survey of Gifted and Talented Education;
2. Programming Planning and Development: An Understanding of Administration and Supervision of Gifted Programs;
3. Screening, Assessing, and Evaluating Gifted Students;
4. Curriculum and Instruction for the Gifted;
5. Meeting the Affective Needs of Gifted Students; and
6. A minimum of one (1) graduate course in research procedures; and

(D) Field and Clinical Experience (three (3) semester hours)—

1. Culminating Clinical Experience. A supervised clinical experience in which candidates acquire experience in planning for and working with gifted students in various instructional settings in both elementary and secondary schools. The clinical experience should include collaboration with other educators to support student learning.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

**Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.590 Certification Requirements for Mathematics Specialists (Grades 1-6)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to serve as Mathematics Specialist.

(1) An applicant for a Missouri certificate of license to serve as Mathematics Specialist who possesses good moral character may be granted an initial Missouri certificate of license to serve as Mathematics Specialist subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to certificates of license for Mathematics Specialists:

(A) General Requirements—

1. A valid Missouri permanent or professional certificate of license to teach;
2. Two (2) years of successful mathematics teaching experience;
3. A recommendation from the designated certification official from an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department); and
4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

(B) Professional Requirements (minimum of twenty-four (24) semester hours beyond initial certification)—

1. Mathematical Content Knowledge—

A. Mathematics Knowledge—concepts, structures, skills, and processes of school mathematics from an advanced perspective including number/operation; geometry/measurement; algebra; probability and statistics; and

B. Specialized Mathematics Knowledge of Teaching—mathematics that relates to helping students understand school mathematics, often referred to as Mathematics Knowledge for Teaching (MKT);

2. Pedagogical Content Knowledge (PCK) for Mathematics—

A. Understanding of how students and adults learn mathematics;

B. Effective teaching strategies for supporting mathematics learning;

C. Curriculum trajectories, materials, standards, and methods for aligning curriculum systems; and

D. Evaluation of mathematical abilities and achievement including formal and informal diagnostic procedures and in prescriptive instruction;

3. Foundations of Leadership—

A. Effective communication strategies within and outside school;

B. Professional development expertise ability to plan, develop, implement, and evaluate learning environments for educators;

C. Ability to establish and nurture professional communities of learners—students, parents, and educators; and

D. Informed about and contribute to policy and professional organization work related to teaching and learning mathematics; and

4. Field and Clinical Experiences (three (3) semester hours)—

A. Culminating Clinical Experience. A supervised clinical placement in which candidates acquire experience working with a full range of students and educators in various professional development settings.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department

of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.600 Certification Requirements for Special Reading (Grades K-12)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Special Reading.

(1) An applicant for a Missouri certificate of license to teach Special Reading who possesses good moral character may be granted an initial Missouri certificate of license to teach Special Reading subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Reading:

(A) General Requirements—

1. A valid Missouri permanent or professional certificate of license to teach;
2. Two (2) years of classroom teaching experience;
3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the Missouri Department of Elementary and Secondary Education (department); and
4. A recommendation from the designated certification official from an educator preparation program approved by the department;

(B) Professional Requirements—

1. Child Psychology (requirement may be met upon completion of at least three (3) semester hours of combined course, Child and Adolescent Psychology);
2. Adolescent Psychology (requirement may be met upon completion of at least three (3) semester hours of combined course, Child and Adolescent Psychology);
3. Psychology and/or Education of the Exceptional Child (including the gifted); and
4. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in prescriptive instruction);

(C) Content Knowledge for Teaching—

1. Reading (at least two (2) graduate-level courses required, minimum total of six (6) semester hours; one (1) of these courses shall be in Analysis and Correction of Reading Disabilities);
2. Language Acquisition and Development or Language Development of the Exceptional Child;
3. Behavior Management Techniques; and
4. Counseling Techniques (to include communication skills with exceptional children and families of exceptional children); and

(D) Field and Clinical Experiences Culminating Clinical Experiences (six (6) semester hours)—

1. Culminating Clinical Experience. A supervised clinical experience in which candidates acquire experience in planning for and working with students experiencing reading difficulties. The experience must include various instructional settings in both elementary

and secondary schools. The clinical experience should require demonstrated competency in the diagnosis and remediation of reading and related difficulties. Candidates must demonstrate proficiency in establishing an environment that promotes learning. The clinical experience should include collaborating with other educators to support learning.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.610 Certification Requirements for Initial Administrator Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Initial Administrator Certificate.

(1) An applicant for a Missouri Initial Administrator Certificate (Career Education Director, Secondary/Postsecondary) who possesses good moral character may be granted an Initial Administrator Certificate (Career Education Director, Secondary/Postsecondary) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Education Directors (Secondary/Postsecondary):

(A) Professional Requirements. An Initial Administrator Certificate (Career Education Director, Secondary/Postsecondary) valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent, professional, or career education Missouri certificate of license to teach;
2. A minimum of two (2) years career education or secondary/postsecondary subject area teaching experience approved by the Missouri Department of Elementary and Secondary Education (department);

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or the equivalent thereof from another educational leadership program meeting approval of the department; and

6. Recommendation for certification from the designated official of a college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of elementary principals which includes at least twenty-four (24) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the elementary school. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) Career Education Administration (including Adult Education);

(III) Career Education Curriculum;

(IV) School Supervision; and

(V) School Law;

B. Knowledge and/or competency in each of the following areas:

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth plans;

and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educators;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community

members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices;

and

(B) Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in career education administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience. The final internship in career education administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and

preparation program supervisors.

(2) An applicant for a Missouri Initial Administrator Certificate (Elementary Principal, Grades K-8) who possesses good moral character may be granted an Initial Administrator Certificate (Elementary Principal, Grades K-8) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Elementary Principals (Grades K-8):

(A) Professional Requirements. An Initial Administrator Certificate (Elementary Principal, Grades K-8), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent, professional, or career education Missouri certificate of license to teach;

2. A minimum of two (2) years of successful teaching experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or other educational leadership program meeting approval of the department;

6. Recommendation for certification from the designated official of a college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of secondary principals which includes at least twenty-four (24) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the secondary school. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) Elementary Administration;

(III) Elementary Curriculum;

(IV) School Supervision; and

(V) School Law;

B. Knowledge and/or competency in each of the following areas:

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth plans;

and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educators;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community

members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices.

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in elementary school administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience: The final internship in elementary school administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.

(3) An applicant for a Missouri Initial Administrator Certificate (Middle School Principal, Grades 5-9) who possesses good moral character may be granted an Initial Administrator Certificate (Middle School Principal, Grades 5-9) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Middle School Principals (Grades 5-9):

(A) Professional Requirements. An Initial Administrator Certificate (Middle School Principal, Grades 5-9), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. Professional Requirements: An Initial Administrator Certificate (middle school principal), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

A. The applicant shall hold a valid Missouri professional elementary or secondary, initial, transition, or career, principal's certificate;

B. The applicant shall have a recommendation for certification as a middle school principal from the designated official of the college or university or other educational leadership program approved to train principals by the department. The recommendation shall be based upon the completion of the planned program;

C. The applicant shall have earned undergraduate or graduate credit as follows:

(I) Methods of Teaching Reading (minimum of five (5) semester hours to include one (1) course in Techniques of Teaching Reading in the Content Fields); and

(II) Methods of Teaching Elementary Mathematics (minimum of two (2) semester hours); and

D. The applicant shall have completed a planned program of at least six (6) semester hours in education courses, or an equivalent thereof which is approved by the department, focusing on: middle school philosophy, organization, and curriculum; and the intellectual, physiological, emotional, and social development of the transcendent child (ten (10)-fourteen (14) year-old).

(4) An applicant for a Missouri Initial Administrator Certificate (Secondary Principal, Grades 7-12) who possesses good moral character may be granted an Initial Administrator Certificate (Secondary Principal, Grades 7-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Secondary Principals (Grades 7-12):

(A) Professional Requirements. An Initial Administrator Certificate (Secondary Principal, Grades 7-12), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent or professional Missouri certificate of license

to teach;

2. A minimum of two (2) years of successful teaching experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or other educational leadership program meeting approval of the department;

6. Recommendation for certification from the designated official of a college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of secondary principals which includes at least twenty-four (24) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the secondary school. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) Secondary Administration;

(III) Secondary Curriculum;

(IV) School Supervision; and

(V) School Law;

B. Knowledge and/or competency in each of the following areas—

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth plans;

and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educators;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community

members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices;

to teach;

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in secondary school administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience. The final internship in secondary school administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.

(5) An applicant for a Missouri Initial Administrator Certificate (Special Education Director) who possesses good moral character may be granted an Initial Administrator Certificate (Special Education Director) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Education Directors:

(A) Professional Requirements. An Initial Administrator Certificate (Special Education Director) valid for a period of four (4) years from the effective date on the certificate will be issued to applicants meeting the following requirements:

1. A permanent or professional certificate of license to teach in an area of special education or student services;

2. A minimum of two (2) years special education or student services experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or other education leadership program meeting approval of the department;

6. Recommendation for certification from the designated official of a college or university or other education leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of educational leaders which includes at least twenty-four (24) semester hours of approved graduate credit, or another equivalent thereof which is approved by the department, in education courses focused upon Special Education administration. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) Special Education Administration;

(III) Differentiating Instruction in the General Education Curriculum;

(IV) School Supervision; and

(V) School Law, to include Special Education Law;

B. Knowledge and/or competency in each of the following areas—

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth plans;

and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educators;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community

members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices;

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in special education administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience. The final internship in special education administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.

(6) An applicant for a Missouri Initial Administrator Certificate (Superintendent, Grades K-12) who possesses good moral character may be granted an Initial Administrator Certificate (Superintendent, Grades K-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Superintendents:

(A) Professional Requirements. An Initial Administrator certificate, valid for a period of four (4) years from the date of issuance, will be issued to applicants meeting the following requirements:

1. A permanent or professional Missouri certificate of license to teach;

2. A minimum of three (3) years of experience as a building- or district-level administrator at a public or accredited nonpublic school;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of an educational specialist or advanced degree program in educational leadership and recommendation from the designated official of a college or university or other education leadership program approved by the department, which shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) School Supervision; and

(III) School Law;

B. Knowledge and/or competency in each of the following areas:

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting positive school culture;

(b) Promoting effective instructional programs;

(c) Ensuring comprehensive professional growth plans;

and

(d) Data and assessment;

- (III) Management of Organizational Systems—
 - (a) Managing the organizational structure;
 - (b) Leading personnel;
 - (c) Managing resources; and
 - (d) Processes of effective evaluation of educators;
 - (IV) Collaboration with Families and Stakeholders—
 - (a) Collaborating with families and other community members;
 - (b) Responding to community interests and needs; and
 - (c) Mobilizing community resources;
 - (V) Ethics and Integrity—
 - (a) Personal and professional responsibilities;
 - (VI) The Education System—
 - (a) Understanding the larger context;
 - (b) Responding to the larger context; and
 - (c) Influencing the larger context;
 - (VII) Professional Development—
 - (a) Increasing knowledge and skills based on best practices; and
- C. Directed field experiences in superintendency of at least three (3) semester hours.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.620 Certification Requirements for Transition Administrator Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Transition Administrator Certificate.

(1) An applicant for a Missouri Transition Administrator Certificate who possesses good moral character may be granted a Transition Administrator Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Transition Administrator Certificates:

(A) The Transition Administrator Certificate, valid for a period of six (6) years from the effective date on the certificate, will be issued upon completion and verification of the following:

1. For applicants seeking a Transition Administrator Certificate for either Career Education Director (Secondary/Postsecondary); Elementary Principal (Grades K-8); Middle School Principal (Grades 5-9); Secondary Principal (Grades 7-12); or Special Education Director (Grades K-12)—

A. Four (4) years of administrator experience approved by the Missouri Department of Elementary and Secondary Education (department);

B. Participation in two (2) years of district-provided mentoring (during the first two (2) years of administrator experience);

C. The development, implementation, and completion of a professional development plan of at least one hundred twenty (120) contact hours of professional development based on standards and quality indicators as required by the State Board of Education (board), or eight (8) semester hours of graduate credit toward an advanced degree in educational leadership, reading/literacy, or curriculum/instruction, or a combination of credits/professional development; and

D. Successful participation in an annual performance-based principal's evaluation.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.630 Certification Requirements for Career Continuous Administrator Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Continuous Administrator Certificate.

(1) An applicant for a Missouri Career Continuous Administrator Certificate who possesses good moral character may be granted a Career Continuous Administrator Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Continuous Administrator Certificates:

(A) The Career Continuous Administrator Certificate for either Career Education Director (Secondary/Postsecondary); Elementary Principal (Grades K-8); Middle School Principal (Grades 5-9);

Secondary Principal (Grades 7-12); or Special Education Director (Grades K-12) will be issued upon completion and verification of the following:

1. Completion of an educational specialist degree or higher in educational leadership, reading/literacy, or curriculum/instruction;
2. Successful participation in an annual performance-based principal evaluation;
3. Participation in thirty (30) contact hours of professional development annually; and
4. Four (4) years of administrator experience approved by the Missouri Department of Elementary and Secondary Education (department);

(B) The holder of a Career Continuous Administrator Certificate for either Career Education Director (Secondary/Postsecondary); Elementary Principal (Grades K-8); Middle School Principal (Grades 5-9); Secondary Principal (Grades 7-12); or Special Education Director (Grades K-12) is exempt from the thirty (30) contact hours of professional development if the holder has a local professional development plan in place with the school and meets at least two (2) of the following:

1. Ten (10) years of administrator experience approved by the department;
2. An educational specialist or higher degree in educational leadership, curriculum and instruction, or reading/literacy from a regionally accredited college or university; and/or
3. Certification from a nationally recognized professional administrator organization approved by the State Board of Education (board);

(C) The Career Continuous Administrator Certificate for applicants seeking a Career Continuous Administrator Certificate for Superintendent will be issued upon completion and verification of the following:

1. Four (4) years of district-level administrator experience approved by the department;
2. Participation in one (1) year of district-provided mentoring (during the first year of superintendent experience);
3. The development, implementation, and completion of a professional development plan of at least one hundred twenty (120) contact hours of professional development based on standards and quality indicators as required by the board, or eight (8) semester hours of graduate credit toward a doctorate degree in educational leadership, or a combination of credits/professional development; and
4. Successful participation in an annual performance-based evaluation;

(D) The Career Continuous Administrator Certificate for Superintendent will remain valid based upon verification by the employing school district that the certificate holder—

1. Participated in a performance-based evaluation; and
2. Completed thirty (30) contact hours of professional development, or two (2) semester hours of graduate credit toward a doctorate degree in educational leadership, or a combination of professional development and graduate credit each year; and

(E) The holder of a Career Continuous Administrator Certificate for Superintendent is exempt from the thirty (30) contact hours of annual professional development if the holder has a local professional development plan in place with the school and meets at least two (2) of the following:

1. Ten (10) years of administrator experience approved by the department;
2. A doctorate degree in educational leadership from a regionally accredited college or university; and/or
3. Certification from a nationally recognized professional administrator organization approved by the board.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.640 Certification Requirements for Initial Student Services Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Initial Student Services Certificate.

(1) An applicant for a Missouri Initial Student Services Certificate, valid for a period of four (4) years, may be granted an Initial Student Services Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional requirements:

(A) The Initial Student Services Certificate for Career Education Counselor, valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. The applicant must have secured a Career Education Counselor position in their area of professional/technical preparation and/or training and the employing school district or postsecondary institution must request and endorse certification for the applicant;

2. The applicant must either—

- A. Possess a bachelor's degree in education from an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department); or

- B. Possess a permanent or professional or a career education certificate of license to teach; and

3. Completion of a minimum of a master's degree from an accredited institution in one (1) of the following areas: education, school counseling, counseling, rehabilitation counseling, vocational evaluation, counseling psychology, or a closely-related mental health discipline; and complete additional graduate coursework specific to school counseling, as designated by the recommending certification official approved by the department, including a supervised internship or field experience of at least three hundred (300) hours in an appropriate school setting;

(B) The Initial Student Services Certificate for Elementary Counselor (Grades K-8), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Recommendation for certification from the designated official of a counselor preparation program approved by the department;

2. Completion of a course in Psychology and/or Education of the Exceptional Child; and

3. The applicant must possess either—

A. Completion of a master's degree with a major emphasis in guidance and counseling from a college or university meeting approval of the department based upon the completion of a planned program of at least forty-two (42) semester hours of approved graduate credit in courses in guidance and counseling with at least twelve (12) semester hours focused upon guidance in the elementary schools—

(I) Knowledge and/or competency in each of the following areas:

- (a) Student Development—
 - I. Human Growth and Development;
 - II. Counseling Theories and Interventions;
 - III. Helping Relationships;
 - IV. Social and Cultural Diversity;
 - V. Appraisal of Student Growth and Achievement;

and

- VI. Career Development and Planning;
- (b) Program Implementation—
 - I. Structural Components;
 - II. Program Components;
 - III. Technology; and
 - IV. Program, Personnel, and Results Evaluation;

- (c) Professional Relationships—
 - I. Interpersonal Skills;
 - II. Collaboration;
 - III. Consultation Theories and Strategies; and
 - IV. School and Community Involvement;

- (d) Leadership and Advocacy—
 - I. Personal Well-Being;
 - II. Leadership and Professionalism;
 - III. Student Advocacy;
 - IV. Program Leadership; and
 - V. School Climate and Culture;

- (e) Ethical and Professional Conduct—
 - I. Ethical Standards;
 - II. Professional Standards;
 - III. District and School Policies; and
 - IV. Legal Requirements; and

(II) Field and Clinical Experience (three (3) semester hours minimum of three hundred (300) clock hours)—

(a) Culminating Clinical Experience. This refers to an elementary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning;

B. A master's degree or higher degree in education, school counseling, counseling, counseling psychology, rehabilitation counseling, or a closely related mental health discipline; and completed additional graduate coursework specific to school counseling, as designated by the recommending certification official approved by the department; along with the following:

(I) Possess a bachelor's degree in education from an educator preparation program approved by the department; or

(II) Complete a curriculum in teaching methods and practices, classroom management, and the psychology of the exceptional child, as specified by the recommending certification officer of a program approved by the department; and

(III) Field and Clinical Experience (minimum of three hundred (300) clock hours)—

(a) Culminating Clinical Experience. This refers to an elementary school placement(s) in which candidates actively participate and complete class assignments and work with students as

requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning; and

4. Must achieve a score equal to or in excess of the qualifying score of any assessment(s) required by the State Board of Education (board). The official score report shall be submitted to the department;

(C) The Initial Student Services Certificate for Secondary Counselor (Grades 7-12), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Recommendation for certification from the designated official of an approved counselor preparation program;

2. Completion of a course in Psychology and/or Education of the Exceptional Child; and

3. The applicant must possess either—

A. A master's degree with a major emphasis in guidance and counseling from a college or university meeting approval of the department based upon the completion of a planned program of at least forty-two (42) semester hours of approved graduate credit in courses in guidance and counseling with at least twelve (12) semester hours focused upon guidance in secondary schools—

(I) Knowledge and/or competency in each of the following areas:

- (a) Student Development—
 - I. Human Growth and Development;
 - II. Counseling Theories and Interventions;
 - III. Helping Relationships;
 - IV. Social and Cultural Diversity;
 - V. Appraisal of Student Growth and Achievement;

and

- VI. Career Development and Planning;
- (b) Program Implementation—
 - I. Structural Components;
 - II. Program Components;
 - III. Technology; and
 - IV. Program, Personnel, and Results Evaluation;

- (c) Professional Relationships—
 - I. Interpersonal Skills;
 - II. Collaboration;
 - III. Consultation Theories and Strategies; and
 - IV. School and Community Involvement;

- (d) Leadership and Advocacy —
 - I. Personal Well-Being;
 - II. Leadership and Professionalism;
 - III. Student Advocacy;
 - IV. Program Leadership; and
 - V. School Climate and Culture; and

- (e) Ethical and Professional Conduct—
 - I. Ethical Standards;
 - II. Professional Standards;
 - III. District and School Policies; and
 - IV. Legal Requirements; and

(II) Field and Clinical Experience (minimum of three hundred (300) clock hours)—

(a) Culminating Clinical Experience. This refers to a secondary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning.

B. A master's degree or higher degree in education, school counseling, counseling, counseling psychology, rehabilitation counseling, or a closely related mental health discipline; and completed

additional graduate coursework specific to school counseling, as designated by the recommending certification official approved by the department; along with the following:

(I) Possess a bachelor's degree in education from an educator preparation program approved by the department; or

(II) Complete a curriculum in teaching methods and practices, classroom management, and the psychology of the exceptional child, as specified by the recommending certification officer of a program approved by the department; and

(III) Field and Clinical Experience (minimum of three hundred (300) clock hours)—

(a) **Culminating Clinical Experience:** This refers to an elementary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning;

4. Must achieve a score equal to or in excess of the qualifying score of any assessment(s) required by the board. The official score report shall be submitted to the department;

(D) The Initial Student Services Certificate for School Psychological Examiner (Grades K-12), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Completion of a master's degree from a college or university meeting approval of the department in one (1) of the following areas:

- A. Counseling Psychology;
- B. Educational Psychology;
- C. School Counseling; and
- D. Education;

2. Recommendation for certification from the designated official of an approved Psychological Examiner preparation program;

3. Completion of a course in Psychology and/or Education of the Exceptional Child; and

4. A minimum of twenty-four (24) semester hours of professional preparation at the graduate level with competencies demonstrated in all areas listed to the satisfaction of an approved preparation program—

A. Courses Areas—

(I) Psychological Development: Child, Adolescent, or Developmental Psychology;

(II) Psychology of Education;

(III) Statistical Methods;

(IV) Mental Hygiene or Psychology of Personality;

(V) Psychological Tests and Measures for the Analysis of Student Performance;

(VI) Individual Intelligence Tests; and

(VII) Individual Diagnostic Assessment (other than the Wechsler Intelligence Scale for Children and the Stanford-Binet Intelligence Scale);

B. Competencies—

(I) Methods and/or Techniques of Interpretation of Tests;

(II) Analysis and Diagnosis of Learning Problems, including special consideration of low-incidence populations;

(III) Interpretation of Formal and Informal Diagnostic Assessments and their Application for Prescriptive Instruction;

(IV) Utilization of Knowledge of Classroom Environment, Psychological Principles, and Test Data to Plan for Management of Special Needs Children;

(V) Diagnostic Interviewing Techniques;

(VI) Process of Staffing with Other Professionals to Develop Instructional Strategies; and

(VII) Administration and Interpretation of the Wechsler Intelligence Scale for Children and the Stanford-Binet Intelligence Scale; and

C. Field and Clinical Experiences (minimum of one hundred

fifty (150) clock hours)—

(I) **Culminating Clinical Experience.** This culminating clinical experience must be in an educational or clinical setting with children and youth of school and the administration and interpretation of individual intelligence tests, formal and informal diagnostic procedures, and the application of the information to develop instructional strategies;

(E) The Initial Student Services Certificate for School Psychologist, valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Completion of a specialist or higher degree with a major emphasis in school psychology from an approved School Psychologist preparation program;

2. Recommendation for certification from the designated official of a School Psychologist preparation program approved by the department;

3. A minimum of sixty (60) semester hours of professional preparation at the graduate level with competencies demonstrated in all areas listed to the satisfaction of an approved School Psychologist preparation program—

A. Psychological Foundations—

(I) Biological Bases of Behavior;

(II) Human Learning;

(III) Social and Cultural Bases of Behavior;

(IV) Child and Adolescent Development;

(V) Individual Differences, including human exceptionalities; and

(VI) Developmental Psychology;

B. Educational Foundations—

(I) Instructional Design; and

(II) Organization and Operations of Schools;

C. Interventions/Problem Solving—

(I) Diverse Methods and Models of Assessment;

(II) Linked to Direct Interventions; and

(III) Linked to Indirect Interventions;

D. Statistics and Research Methodologies—

(I) Statistics;

(II) Research and Evaluation Methods; and

(III) Measurement; and

E. Professional School Psychology—

(I) History and Foundations of School Psychology;

(II) Legal and Ethical Issues;

(III) Professional Issues and Standards;

(IV) Alternative Models for Delivery of School Psychological Services;

(V) Emergent Technologies; and

(VI) Roles and Functions of the School Psychologist; and

4. Competencies—

A. **Data Based Decision Making and Accountability.** Use models and methods of assessment as part of a systematic process to collect data and translate assessment results into decisions about service delivery;

B. **Interpersonal Collaboration and Consultation.** Use consultation models and methods in collaboration with others at the individual, group, and system levels;

C. **Effective Instruction and Development of Cognitive/Academic Skills.** Develop appropriate cognitive and academic goals, implement interventions to achieve these goals, and evaluate the effectiveness of interventions;

D. **Socialization and Development of Life Competencies.** Use knowledge of human development to develop appropriate behavioral, affective, adaptive, and social goals for students, implement interventions to achieve these goals, and evaluates the effectiveness of instruction. This may be accomplished through consultation, behavior analysis/intervention, counseling, or other interventions;

E. **Student Diversity in Development and Learning.** Demonstrate sensitivity and skills needed to work with individuals of diverse characteristics. Implement strategies selected and/or adapted

based on individual characteristics, strengths, and needs;

F. School and Systems Structure, Organization, and Climate. Demonstrate knowledge and understanding of general education, special education, and other educational settings as systems;

G. Prevention, Crisis Intervention, and Mental Health Services. Demonstrate understanding of human development and psychopathology, and how prevention and intervention programs promote the mental health and physical well-being of students;

H. Home/School/Community Collaboration. Demonstrate an understanding of family systems and how these influence student development, learning, and behavior;

I. Research and Program Evaluation. Demonstrate an understanding of research, statistics, and program evaluation methods;

J. School Psychology Practice and Professional Development. Demonstrate knowledge of the history, foundations, ethical, and legal standards of professional school psychology; and

K. Information and Technology. Demonstrate an understanding of information sources and technology relevant to their work; and

5. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department; and

6. Field and Clinical Experiences (minimum of one (1) year or one thousand two hundred (1,200) clock hours)—

A. Culminating Clinical Experience. This culminating clinical experience must be a planned program of experiences and supervised internship designed to achieve these competencies as part of an approved graduate degree program in school psychology. At least half of the internship completed in an educational setting. This internship experience will include opportunities to demonstrate skills learned in all coursework; and

(F) The Initial Student Services Certificate for Speech and Language Pathologist (Birth-Grade 12), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Professional Requirements—

A. Possession of a master's or higher degree from a program for speech-language pathologists approved by the department; and

B. Possession of a valid, unencumbered, undisciplined Missouri license to teach Speech and Language Pathology from the Missouri Board of Registration for the Healing Arts.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.650 Certification Requirements for Career Continuous Student Services Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Continuous Student Services Certificate.

(1) An applicant for a Career Continuous Student Services Certificate who possesses good moral character may be granted a Career Continuous Student Services Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Continuous Student Services Certificates:

(A) The Career Continuous Student Services Certificate will be issued upon completion and verification of the following:

1. Four (4) years of experience approved by the Missouri Department of Elementary and Secondary Education (department) in specific area of Student Services Certification;

2. Participation in two (2) years of district-provided mentoring (during the first two (2) years of student services experience);

3. The development, implementation, and completion of a professional development plan of at least forty (40) contact hours of professional development, or three (3) semester hours of graduate credit toward an advanced degree; and

4. Successful participation in an annual performance-based evaluation;

(B) The Career Continuous Student Services Certificate will remain valid upon verification of the following:

1. Continued participation in a performance-based evaluation; and

2. Completion of twenty (20) contact hours of professional development annually;

(C) The Career Continuous Student Services Certificate holder is exempt from additional professional development if the holder has a local professional development plan in place with the school and meets at least two (2) of the following:

1. For the Career Continuous Student Services-Career Education Counselor Certificate—

A. Ten (10) years of Career Education Counselor experience approved by the department;

B. An education specialist degree in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional Counseling organization approved by the State Board of Education (board);

2. For the Career Continuous Student Services-Elementary Counselor (Grades K-8) Certificate—

A. Ten (10) years of School Counselor experience approved by the department;

B. An education specialist degree or higher in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional School Counselor organization approved by the board;

3. For the Career Continuous Student Services-Secondary Counselor (Grades 7-12) Certificate—

A. Ten (10) years of School Counselor experience approved by the department;

B. An education specialist degree in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional School Counselor organization approved by the board;

4. For the Career Continuous Student Services-School Psychological Examiner Certificate—

A. Ten (10) years of School Psychological Examiner experience approved by the department;

B. An education specialist degree in School Psychology or a closely related field; and/or

C. Certification from a nationally recognized professional School Psychology organization approved by the board;

5. For the Career Continuous Student Services–School Psychologist Certificate—

A. Ten (10) years of School Psychologist experience approved by the department;

B. An education specialist degree in School Psychology or a closely related field; and/or

C. Certification from a nationally recognized professional School Psychology organization approved by the board; and

6. For the Career Continuous Student Services–Speech and Language Pathologist (Birth–Grade 12) Certificate—

A. Ten (10) years of Speech and Language Pathologist experience approved by the department;

B. An education specialist degree in Speech and Language Pathology or a closely related field; and/or

C. Certification from a nationally recognized professional Speech and Language Pathology organization approved by the board.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

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Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.660 Certification Requirements for Career Education (Secondary) Certificates

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Education (Secondary) Certificates.

(1) An applicant for a Career Education (Secondary) Certificate who possesses good moral character may be granted a Career Education (Secondary) Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Education (Secondary) Certificates:

(A) General Requirements—

1. The applicant must submit a joint application verifying contracted employment from a Missouri educational institution; and
2. One (1) of the following:

A. Verification of a bachelor's degree or higher in an area appropriate for the subject area being taught, and four thousand (4,000) hours of related occupational experience approved by the Missouri Department of Elementary and Secondary Education (department) and obtained within the most recent ten (10) years; or

B. Verification of an associate's degree in an area appropriate for the subject area being taught, and five thousand (5,000) hours of related occupational experience from within the most recent ten (10) years and approved by the department; or

C. Verification of six thousand (6,000) hours of related occupational experience obtained within the most recent ten (10) years (only for Health Sciences and Skilled Technical Sciences areas) and approved by the department; and

3. Applicants for the specific area of Reserve Officers' Training Corps (ROTC) must submit a notarized letter from the appropriate branch of the armed services indicating that applicant is an approved Junior ROTC instructor;

(B) Professional Requirements—

1. Verification of coursework in education not to exceed eighteen (18) credit hours to include competencies appropriate for the certification area in: Curriculum; Methods; Assessment; Psychology of the Exception Child; Foundations/Implementation; and Coordination of Cooperative Education;

(C) Certificate Titles and Specific Requirements for Each Specific Area of Career Education Certification—

1. Family, Consumer Sciences, and Human Services—

A. Apparel and Textiles;

B. Cosmetologist (requires professional licensing);

C. Culinary Arts;

D. Family and Consumer Sciences Related Careers Cooperative Education;

E. Food and Beverage/Restaurant Operations Manager;

F. Food Production, Management, and Related Services;

G. Hospitality Administration/Management, General;

H. Housing and Home Environments;

I. Human Development/Adult Development and Aging (requires a minimum of an associate's degree); and

J. Human Development/Child Care (requires a minimum of an associate's degree);

2. Applicants for a Family and Consumer Sciences Career Education Certificate of license to teach in the specific area of Human Development/Child Care and Human Development/Adult Development and Aging must have a minimum of an associate's or higher degree in an area appropriate for the subject area being taught and comply with subsections (1)(A)-(B) general and professional requirements. Applicants in the areas of Apparel and Textiles; Cosmetologist; Culinary Arts; Family and Consumer Sciences Related Careers Cooperative Education; Food and Beverage/Restaurant Operations Manager; Food Production, Management and Related Services; Hospitality, Administration/Management, General; and Housing and Home Environments must comply with subsections (1)(A)-(B) general and professional requirements;

3. Health Sciences—

A. Dental Assistant (requires professional licensing);

B. Dental Laboratory Technician;

C. Emergency Medical Technology/Technician (requires professional licensing);

D. Health Aide or Health Services Assistant (requires professional licensing);

E. Medical Assistant (requires professional licensing);

F. Medical Laboratory Technician;

G. Medical Transcriptionist (requires professional licensing);

H. Pharmacy Technician/Assistant (requires professional licensing); and

I. Sign Language Interpreter (requires professional licensing);

4. The applicant for a Health Sciences Career Education Certificate of license to teach must comply with the general and professional requirements from paragraph (1)(C)3. and the following:

A. Applicant must provide a valid authorization from the applicable accrediting agency certifying that applicant meets requirements to teach in the subject area and student level of the instructional program; and

B. Applicant must provide documentation of a valid, unencumbered, undisciplined, professional license (if applicable for instructional area to be taught);

5. Technology and Engineering—

A. Certificate Titles—

(I) Aircraft Mechanic/Technician, Powerplant (requires professional licensing);

(II) Airframe Mechanic/Technician, Airframe (requires professional licensing);

(III) Auto/Automotive Body Repairer;

(IV) Auto/Automotive Mechanic/Technician;

(V) Aviation Management;

(VI) Building/Property Maintenance and Manager;

(VII) Cabinet Maker and Millworker;

(VIII) Carpenter;

(IX) Cartography;

(X) Commercial Photography;

(XI) Computer Maintenance Technology/Technician;

(XII) Construction/Building Technology/Technician;

(XIII) Diesel Engine Mechanic and Repairer;

(XIV) Drafting, General;

(XV) Electrical and Electronics Equipment Installer and Repairer, General;

(XVI) Electrician;

(XVII) Fire Science/Firefighting;

(XVIII) Graphic and Printing Equipment Operator,

General;

(XIX) Graphic Design, Commercial Art, and Illustration;

(XX) Heating, Air Conditioning, and Refrigeration

Mechanic and Repairer;

(XXI) Heavy Equipment Maintenance and Repairer;

(XXII) Industrial Technology/Technician;

(XXIII) Laser and Optical Technology/Technician;

(XIV) Law Enforcement/Police Science;

(XV) Machinist/Machine Technologist;

(XVI) Marine Maintenance and Ship Repairer;

(XVII) Mason and Tile Setter;

(XVIII) Motorcycle Mechanic and Repairer;

(XXIX) Plumbing Technology/Plumber;

(XXX) Radio and Television Broadcasting Technology/Technician;

(XXXI) Small Engine Mechanic and Repairer; and

(XXXII) Welder/Welding Technologist;

6. The applicant for a Skilled Technical Sciences Career Education certificate of license to teach must comply with subsections (1)(A)-(B) general and professional requirements and the following:

A. The applicant must provide documentation of a valid, unencumbered, undisciplined license (if applicable for instructional area to be taught);

7. The applicant for a ROTC Career Education certificate of license to teach must comply with subsections (1)(A)-(B) general and professional requirements; and

8. The applicant for a Special Needs Career Education certificate of license to teach must comply with the general and professional requirements from subsections (1)(A)-(B) and the following:

A. Possession of a bachelor's degree or higher from a college or university approved by the department;

B. A valid professional classification Missouri certificate of license to teach in one (1) of the following areas: elementary education, middle school, math (Grades 9-12), English (Grades 7-12),

industrial arts, technology education, counseling, special education, or career education; and

C. The applicant must provide documentation/transcripts of completion of a course in Methods of Teaching Disabled Students or a methods course appropriate to the disability area(s) of their employment.

(2) An applicant for a Career Education (Secondary) Missouri certificate of license to teach Personal Finance who possesses good moral character may be granted a Career Education (Secondary) Missouri certificate of license to teach Personal Finance subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Personal Finance:

(A) General Requirements—

1. The applicant must submit a joint application verifying contracted employment from a Missouri school district;

2. Verification of a bachelor's degree or higher in an area appropriate for the subject area being taught, and four thousand (4,000) hours of related occupational experience obtained within the most recent ten (10) years and approved by the department; and

3. Completion of the assessment(s) required by the State Board of Education (board) with a score equal to or greater than the Missouri Qualifying Score. The official score must be submitted to the department;

(B) Professional Requirements. A minimum requirement of thirty-six (36) semester hours in professional education. Competency must be demonstrated in each topic listed to the satisfaction of the educator preparation institution:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationship between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching; and

4. Secondary Literacy (minimum of six (6) semester hours). Methods of Teaching Reading and Writing, to include one (1) course specific to teaching reading and writing in the content area for which certification is sought; and

(C) Content Knowledge for Teaching—

1. Implementing Business Education Programs, three (3) semester hours; and

2. Coordination of Cooperative Education, three (3) semester hours.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.670 Certification Requirements for Career Education (Postsecondary) Certificate

PURPOSE: The State Board of Education is authorized to grant certifies of license to teach in any of the public schools of the state and establish requirements and qualifications for those certifies. This rule outlines the requirements for application for each of the various areas of certification within the Career Education (Postsecondary) Certificate.

(1) An applicant for a Career Education (Postsecondary) Certificate who possesses good moral character may be granted a Career Education (Postsecondary) Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Education (Postsecondary) Certificates:

(A) General Requirements—

1. The applicant must submit a joint application verifying contracted employment from a Missouri educational institution; and

2. One (1) of the following:

A. Verification of a bachelor's degree or higher in an area appropriate for the subject area being taught, and four thousand (4,000) hours of related occupational experience approved by the Missouri Department of Elementary and Secondary Education (department) and obtained within the most recent ten (10) years; or

B. Verification of an associate's degree in an area appropriate for the subject area being taught, and five thousand (5,000) hours of related occupational experience within the most recent ten (10) years and approved by the department; or

C. Verification of six thousand (6,000) hours of related occupational experience obtained within the most recent ten (10) years (only for Health Sciences and Skilled Technical Sciences areas) and approved by the department;

(B) Professional Requirements—

1. Verification of coursework in education not to exceed fifteen (15) credit hours to include competencies appropriate for the certificate area in: Curriculum; Methods; Assessment; and Foundations/Implementation;

(C) Certificate Titles and Specific Requirements for Each Specific Area of Career Education Certification—

1. Agricultural Education—

- A. Agricultural Education;
- B. Agricultural Business;
- C. Agricultural Mechanics;

- D. Agricultural Production;
- E. Agricultural Processing;
- F. Agricultural Resources;
- G. Agricultural Service/Supplies;
- H. Forestry; and
- I. Horticulture;

2. Business Education—

- A. Career Business Education;

3. Family, Consumer Sciences, and Human Services—

- A. Apparel and Textiles;
- B. Career Family and Consumer Sciences;
- C. Cosmetologist (requires professional licensing);
- D. Culinary Arts;
- E. Dietetic Services;
- F. Food and Beverage/Restaurant Operations Manager;
- G. Food Production, Management, and Related Services;
- H. Hospitality Administration/Management, General;
- I. Housing and Home Environments;
- J. Human Development/Adult Development and Aging;
- K. Human Development/Child Care; and
- L. Massage Therapy (requires professional licensing);

4. The applicant for a Family and Consumer Science Career Education Certificate of license to teach in the specific area of Human Development/Child Care and Human Development/Adult Development and Aging must have a minimum of an associate's or higher degree in an area appropriate for the subject area being taught and comply with subsections (1)(A)-(B). Applicants in the areas of Apparel and Textiles; Career Family and Consumer Sciences; Culinary Arts; Food and Beverage/Restaurant Operation Manager; Food Production, Management and Related Services; and Housing Environments must comply with subsections (1)(A)-(B);

5. Health Sciences—

- A. Dental Assistant (requires professional licensing);
- B. Dental Hygienist (requires professional licensing);
- C. Dental Laboratory Technician;
- D. Diagnostic Medical Sonography Technician (requires professional licensing);
- E. Emergency Medical Technology/Technician (requires professional licensing);
- F. Funeral Service and Mortuary Science (requires professional licensing);
- G. Health Professions and Related Sciences, Other;
- H. Health Unit Coordinator/Ward Clerk;
- I. Licensed Practical Nursing (requires professional licensing);
- J. Medical Assistant (requires professional licensing);
- K. Medical Laboratory Assistant (requires professional licensing);
- L. Medical Laboratory Technician (requires professional licensing);
- M. Medical Radiologic Technology/Technician (requires professional licensing);
- N. Medical Record Technology/Technician (requires professional licensing);
- O. Medical Transcription (requires professional licensing);
- P. Nursing Assistant/Aide;
- Q. Nursing, Other (requires professional licensing);
- R. Occupational Therapy Assistant (requires professional licensing);
- S. Pharmacy Technician/Assistant (requires professional licensing);
- T. Physical Therapy Assistant (requires professional licensing);
- U. Registered Nursing Training (requires professional licensing);
- V. Respiratory Therapy Technician (requires professional licensing);

W. Sign Language Interpreter (requires professional licensing); and

X. Surgical/Operating Room Technology (requires professional licensing);

6. The applicant for a Health Sciences Career Education Certificate of license to teach must comply with subsections (1)(A)–(B) and the following:

A. Applicant must provide a valid authorization from the applicable accrediting agency certifying that applicant meets requirements to teach in the subject area and student level of the instructional program; and

B. Applicant must provide documentation of a valid, unencumbered, undisciplined professional license (if applicable for instructional area to be taught);

7. Marketing Education—

A. Marketing;

8. Technology and Engineering—

A. Certification Titles—

(I) Aircraft Mechanic/Technician, Powerplant (requires professional licensing);

(II) Airframe Mechanic/Technician, Airframe (requires professional licensing);

(III) Architectural Engineering Technology/Technician;

(IV) Auto/Automotive Body Repairer;

(V) Auto/Automotive Mechanic/Technician;

(VI) Automotive Engineering Technology/Technician;

(VII) Aviation Management;

(VIII) Aviation Systems and Avionics Maintenance Technology/Technician (requires professional licensing);

(IX) Biomedical Engineering-Related Technology/Technician;

(X) Building/Property Maintenance and Manager;

(XI) Cabinet Maker and Millworker;

(XII) Carpenter;

(XIII) Cartography;

(XIV) Chemical Technology/Technician;

(XV) Civil Engineering/Civil Technology/Technician;

(XVI) Commercial Photography;

(XVII) Communications Systems Installer and Repairer;

(XVIII) Computer Installer and Repairer;

(XIX) Computer Maintenance Technology/Technician;

(XX) Construction Equipment Operator;

(XXI) Construction/Building Technology/Technician;

(XXII) Diesel Engine Mechanic and Repairer;

(XXIII) Drafting, General;

(XXIV) Electrical and Electronics Equipment Installer and Repairer, General;

(XXV) Electrical and Power Transmission Installer, General;

(XXVI) Electromechanical Technology/Technician;

(XXVII) Fire Protection and Safety Technology/Technician;

(XXVIII) Fire Science/Firefighting;

(XXIX) Graphic and Printing Equipment Operator, General;

(XXX) Graphic Design, Commercial Art, and Illustration;

(XXXI) Heating, Air Conditioning, and Refrigeration Mechanic and Repairer;

(XXXII) Heavy Equipment Maintenance and Repairer;

(XXXIII) Industrial Design;

(XXXIV) Industrial Electronics Installer and Repairer;

(XXXV) Industrial Machinery Maintenance and Repairer;

(XXXVI) Instrumentation Technology/Technician;

(XXXVII) Ironworking/Ironworker;

(XXXVIII) Laser and Optical Technology/Technician;

(XXXIX) Law Enforcement/Police Science;

(XL) Machinist/Machine Technologist;

(XLI) Major Appliance Installer and Repairer;

(XLII) Manufacturing Technology;

(XLIII) Marine Maintenance and Ship Repairer;

(XLIV) Mason and Tile Setter;

(XLV) Mechanical Engineering/Mechanical Technology/Technician;

(XLVI) Motorcycle Mechanic and Repairer;

(XLVII) Nuclear Engineering Technology/Technician;

(XLVIII) Occupational Safety and Health Technology/Technician;

(XLIX) Painter and Wall Coverer;

(L) Pipefitting/Pipefitter and Sprinkler Fitter;

(LI) Plumbing Technology/Plumber;

(LII) Quality Control Technology/Technician;

(LIII) Radio and Television Broadcasting Technology/Technician;

(LIV) Robotics Technology/Technician;

(LV) Sheet Metal Worker;

(LVI) Small Engine Mechanic and Repairer;

(LVII) Truck, Bus, and Other Commercial Vehicle Operator (requires professional licensing);

(LVIII) Upholsterer;

(LIX) Water Quality and Wastewater Treatment Technology/Technician; and

(LX) Welder/Welding Technologist; and

9. The applicant for a Skilled Technical Sciences career education certificate of license to teach must comply with subsections (1)(A)–(B) and the following:

A. Applicant must provide documentation of a valid, unencumbered, undisciplined copy of their professional license (if applicable for instructional area to be taught).

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.680 Certification Requirements for Career Education (Secondary/Postsecondary) Certificates

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Education (Secondary/Postsecondary) Certificate.

(1) An applicant for a Career Education (Secondary/Postsecondary) Certificate, valid for a period of four (4) years, may be granted a Career Education (Secondary/Postsecondary) Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional requirements:

(A) Applicants for a Career Services Coordinator (Secondary/Postsecondary) Career Education Certificate, valid for a period of four (4) years from the effective date of the certificate, will be issued such a certificate subject to the following requirements:

1. The applicant must have secured a Career Services Coordinator position in their area of professional/technical preparation and/or training and the employing school district or postsecondary institution must request and endorse certification for the applicant; and

2. The applicant must possess a bachelor's degree or higher degree in a business-related field or human resources;

(B) Applicants for an Adult Education Supervisor (Secondary/Postsecondary) Career Education Certificate, valid for a period of four (4) years from the effective date of the certificate, will be issued such a certificate subject to the following requirements:

1. The applicant must have secured employment in their area of professional/technical preparation and/or training and the employing school district or postsecondary institution must request and endorse certification; and

2. The applicant must possess a bachelor's degree or higher.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.690 Certification Requirements for Career Continuous Career Education Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Continuous Career Education Certificate.

(1) An applicant for a Career Continuous Career Education (CCCE) certificate who possesses good moral character may be granted a CCCE certificate subject to the certification requirements found in 5

CSR 20-400.500 and the following additional certification requirements specific to CCCE certificates:

(A) CCCE certificate will be issued to an applicant upon completion and verification of the following:

1. Four (4) years of teaching experience approved by the Missouri Department of Elementary and Secondary Education (department);

2. The development, implementation, and completion of a professional development plan of at least ninety (90) contact hours of professional development relating to the specific career education subject area for which the educator seeks certification and approved by the local district to include clearly stated goals for improvement and enrichment;

3. Participation in a mentoring program for a minimum of two (2) years, the guidelines for which shall be established by the local district;

4. Annual participation in the district's performance-based teacher evaluation (PBTE) program; and

5. For applicants for a Career Continuous Career Education Certificate in Secondary Education, verification of participation in a Beginning Career Education Teacher's Assistance Program. The assistance may include retraining, internship, counseling, and in-service training;

(B) The CCCE is continuous upon verification by the employing school district that the certificate holder has participated in the district's PBTE program and completed thirty (30) contact hours of professional development relating to the specific career education subject area for which the educator seeks certification each school year.

1. Individuals possessing a CCCE who do not complete thirty (30) contact hours of professional development each school year may, within two (2) years, make up the missing hours. The individual must first meet the thirty (30) hour requirement for the current year and then count the excess hours as make-up hours.

2. A CCCE becomes inactive if the individual does not make up the requisite hours within two (2) school years.

3. A CCCE may be reactivated by the individual by completing twenty-four (24) contact hours of professional development within six (6) months prior to or after the reactivation of the certificate. Failure of the individual to complete the twenty-four (24) contact hours within six (6) months will result in the certificate becoming inactive.

(C) The CCCE holder is exempt from the thirty (30) contact hours of professional development, if the holder has a local professional development plan in place with the school and at least two (2) of the following:

1. Ten (10) years of teaching experience approved by the department;

2. A master's degree from an accredited college or university; and/or

3. Certification from the National Board for Professional Teaching Standards.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to

educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.700 Certification Requirements for Adult Education and Literacy

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Adult Education and Literacy.

(1) An applicant for an initial Missouri certificate of license to teach Adult Education and Literacy who possesses good moral character may be granted an initial Missouri certificate of license to teach Adult Education and Literacy, valid for a period of four (4) years, subject to the certification requirements found in 5 CSR 20-400.500 and the following additional requirements specific to an initial Adult Education and Literacy certificate:

(A) Professional Requirements—

1. A bachelor of arts or bachelor of science degree from a college or university approved by the Missouri Department of Elementary and Secondary Education (department);
2. Successful completion of a pre-certification workshop authorized by the department no later than three (3) months after hire date; and
3. Completion and submission of any required pre- and/or post-workshop activity to the department;

(2) Career Continuous Adult Education and Literacy Certificate—

(A) A Career Continuous Adult Education and Literacy certificate may be issued to an applicant upon submission of an application for such certification and verification of the following:

1. Four (4) years of teaching experience approved by the department;
2. Participation in a two (2) year mentoring program with an experienced teacher of Adult Education and Literacy;
3. Participation in any required workshops;
4. Participation in sixty (60) hours of professional development in addition to required workshops;
5. Participation in an annual performance-based teacher evaluation (PBTE); and
6. Accumulation of a minimum of one hundred (100) Adult Education and Literacy instructional hours per year during the four (4) years of state approved teaching experience; and

(B) A Career Continuous Adult Education and Literacy certificate is valid for ninety-nine (99) years; however, an applicant may be issued a High-Quality Adult Education and Literacy Career Continuous Certificate after ten (10) years from date of initial certification if the following requirements are met:

1. Ten (10) years of teaching experience approved by the department;
2. Accumulation of a minimum of one hundred (100) Adult Education and Literacy instructional hours per year during the ten (10) years of state approved teaching experience; and/or
3. A masters degree from an accredited college or university.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 10—Air Conservation Commission

Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.200 Hospital, Medical, Infectious Waste Incinerators. The commission proposes to amend subsections (1)(E), (1)(H), (2)(A), (3)(A), (3)(B), and (3)(E). If the commission adopts this rule action, it will be the department's intention to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Plan for Designated Facilities and Pollutants pursuant to section 111(d) of the Clean Air Act for hospital, medical, and infectious waste incinerators. The evidence supporting the need for this proposed rule-making is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/index.html.

PURPOSE: This rule establishes emission limits for existing hospital, medical, and infectious waste incinerators. The pollutants regulated include metals, particulate matter, acid gases, organic compounds, carbon monoxide, and opacity. This rule includes requirements for operator training and qualification, waste management, compliance and performance testing, monitoring, and reporting/record keeping. This amendment will remove the exemption for start-up, shutdown, and malfunction events to maintain consistency with federal regulations; clarify the hierarchy of definitions; and update the references to the test methods used to determine compliance. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is Federal Register notices 78 FR 12460, dated February 22, 2013, and 78 FR 28052, dated May 13, 2013.

(1) Applicability.

(E) Any combustor which meets the applicability requirements under [s/Subpart Cb, Ea, or Eb of 40 CFR [part] 60] is not subject to this rule.

(H) Physical or operational changes made to an HMIWI unit solely for the purpose of complying with this rule are not considered a modification and do not result in an HMIWI unit becoming subject to the provisions of 40 CFR [part] 60, [s/Subpart Ec].

(2) Definitions.

(A) Definitions of certain terms specified in this rule, *other than those defined in this rule section, may be found in the Clean Air Act and in 40 CFR Part 60, subparts A, B, and Ec* may be found in **40 CFR 60.21 and 40 CFR 60.51c, promulgated as of July 1, 2012, and are hereby incorporated by reference in this rule, as published by the Office of Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.**

(3) General Provisions.

(A) Emission Limits.

1. No owner or operator of an HMIWI subject to this rule shall cause to be discharged into the atmosphere any gases that contain stack emissions in excess of the limits presented in Table 1 of this subsection, except as provided for in paragraph (3)(A)2. of this rule.

Table 1—Emissions Limits for Small, Medium, and Large HMIWI

Pollutant	Units (7 percent oxygen, dry basis)	Emissions limits			Averaging time ¹	Method for demonstrating compliance ²
		HMIWI size				
		Small	Medium	Large		
Particulate matter	Milligrams per dry standard cubic meter (mg/dscm) (grains per dry standard cubic foot (gr/dscf))	66 (0.029)	46 (0.020) or 34 (.015) ³	25 (0.011)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 5 of 40 CFR 60 , Appendix A-3 [of part 60] or EPA Reference Method 26A or 29 of 40 CFR 60 , Appendix A-8 [of part 60].
Carbon monoxide	Parts per million by volume (ppmv)	20	5.5	11	3-run average (1-hour minimum sample time per run)	EPA Reference Method 10 or 10B of 40 CFR 60 , Appendix A-4 [of part 60].
Dioxins/furans	Nanograms per dry standard cubic meter total dioxins/furans (ng/dscm) (grains per billion dry standard cubic feet (gr/10 ⁹ dscf)) or ng/dscm TEQ (gr/10 ⁹ dscf)	16 (7.0) or 0.013 (0.0057)	0.85 (0.37) or 0.020 (0.0087)	9.3 (4.1) or 0.054 (0.024)	3-run average (4-hour minimum sample time per run)	EPA Reference Method 23 of 40 CFR 60 , Appendix A-7 [of part 60].
Hydrogen chloride	ppmv	44 or 15 or 99% ³	7.7	6.6	3-run average (1-hour minimum sample time per run)	EPA Reference Method 26 or 26A of 40 CFR 60 , Appendix A-8 [of part 60].
Sulfur dioxide	ppmv	4.2	4.2	9.0	3-run average (1-hour minimum sample time per run)	EPA Reference Method 6 or 6C of 40 CFR 60 , Appendix A-4 [of part 60].
Nitrogen oxides	ppmv	190	190	140	3-run average (1-hour minimum sample time per run)	EPA Reference Method 7 or 7E of 40 CFR 60 , Appendix A-4 [of part 60].
Lead	mg/dscm (grains per thousand dry standard cubic feet (gr/10 ³ dscf))	0.31 (0.14)	0.018 (0.0079)	0.036 (0.016)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A-8 [of part 60].

Cadmium	mg/dscm (gr/10 ³ dscf)	0.017 (0.0074)	0.013 (0.0057)	0.0092 (0.0040)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .
Mercury	mg/dscm (gr/10 ³ dscf)	0.014 (0.0061)	0.025 (0.011)	0.018 (0.0079)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .

- ¹ Except as allowed under section 60.56c(c) for HMIWI equipped with Continuous Emission Monitoring System (CEMS).
- ² Does not include CEMS and approved alternative non-EPA test methods allowed under section 60.56c(b).
- ³ HMIWI constructed after June 20, 1996, but no later than December 1, 2008, or for which modification is commenced after March 16, 1998, but no later than April 6, 2010.

2. No owner or operator of a small HMIWI constructed on or before June 20, 1996, which is located more than fifty (50) miles from the boundary of the nearest Standard Metropolitan Statistical Area and which burns less than two thousand (2,000) pounds per week of hospital waste and medical/infectious waste shall cause to be discharged into the atmosphere any gases that contain stack emissions in excess of the limits presented in Table 2 of this paragraph. The two thousand (2,000) pounds per week limitation does not apply during performance tests.

Table 2—Emissions Limits for Small HMIWI Which Meet the Criteria Under Paragraph (3)(A)2. of this Rule

Pollutant	Units (7 percent oxygen, dry basis)	HMIWI Emissions limits	Averaging time ¹	Method for demonstrating compliance ²
Particulate matter	mg/dscm (gr/dscf)	87 (0.038)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 5 of 40 CFR 60 , Appendix A-3 <i>[of part 60]</i> or EPA Reference Method 26A or 29 of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .
Carbon monoxide	ppmv	20	3-run average (1-hour minimum sample time per run)	EPA Reference Method 10 or 10B of 40 CFR 60 , Appendix A-4 <i>[of part 60]</i> .
Dioxins/furans	ng/dscm total dioxins/furans (gr/10 ⁹ dscf) or ng/dscm TEQ (gr/10 ⁹ dscf)	240 (100) or 5.1 (2.2)	3-run average (4-hour minimum sample time per run)	EPA Reference Method 23 of 40 CFR 60 , Appendix A-7 <i>[of part 60]</i> .
Hydrogen chloride	ppmv	810	3-run average (1-hour minimum sample time per run)	EPA Reference Method 26 or 26A of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .
Sulfur dioxide	ppmv	55	3-run average (1-hour minimum sample time per run)	EPA Reference Method 6 or 6C of 40 CFR 60 , Appendix A-4 <i>[of part 60]</i> .
Nitrogen oxides	ppmv	130	3-run average (1-hour minimum sample time per run)	EPA Reference Method 7 or 7E of 40 CFR 60 , Appendix A-4 <i>[of part 60]</i> .
Lead	mg/dscm (gr/10 ³ dscf)	0.50 (0.22)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .
Cadmium	mg/dscm (gr/10 ³ dscf)	0.11 (0.048)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .
Mercury	mg/dscm (gr/10 ³ dscf)	0.0051 (0.0022)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .

¹ Except as allowed under section 60.56c(c) for HMIWI equipped with CEMS.

² Does not include CEMS and approved alternative non-EPA test methods allowed under section 60.56c(b).

3. No owner or operator of an HMIWI subject to this rule shall cause to be discharged into the atmosphere from the stack of that HMIWI any gases that exhibit greater than six percent (6%) opacity (six (6)-minute block average).

(B) Operator Training and Qualification Requirements.

1. No owner or operator of an HMIWI subject to this rule shall allow the HMIWI to operate at any time unless a fully trained and qualified HMIWI operator is accessible, either at the facility or available within one (1) hour. The trained and qualified HMIWI operator may operate the HMIWI directly or be the direct supervisor of one (1) or more HMIWI operators.

2. Operator training and qualification shall be obtained by completing the requirements included in paragraphs (3)(B)3. through 7. of this rule.

3. Training shall be obtained by completing an HMIWI operator training course that includes, at a minimum, the following provisions:

A. Twenty-four (24) hours of training on the following subjects:

(I) Environmental concerns, including pathogen destruction and types of emissions;

(II) Basic combustion principles, including products of combustion;

(III) Operation of the type of incinerator to be used by the operator, including proper start-up, waste charging, and shutdown procedures;

(IV) Combustion controls and monitoring;

(V) Operation of air pollution control equipment and factors affecting performance (if applicable);

(VI) Methods to monitor pollutants and equipment calibration procedures (where applicable);

(VII) Inspection and maintenance of the HMIWI, air pollution control devices, and continuous emission monitoring systems;

(VIII) Actions to correct malfunctions or conditions that may lead to malfunction;

(IX) Bottom and fly ash characteristics and handling procedures;

(X) Applicable federal, state, and local regulations;

(XI) Work safety procedures;

(XII) *[Pre-startup inspections]* **Inspections prior to start-up;** and

(XIII) Record-keeping requirements;

B. An examination designed and administered by the instructor; and

C. Reference material distributed to the attendees covering the course topics.

4. Qualifications shall be obtained by—

A. Completion of a training course that satisfies the criteria under paragraph (3)(B)3. of this rule; and

B. Either six (6) months experience as an HMIWI operator, six (6) months experience as a direct supervisor of an HMIWI operator, or completion of at least two (2) burn cycles under the observation of two (2) qualified HMIWI operators.

5. Qualification is valid from the date on which the examination is passed or the completion of the required experience, whichever is later.

6. To maintain qualification, the trained and qualified HMIWI operator shall complete and pass an annual review or refresher course of at least four (4) hours covering, at a minimum, the following:

A. Update of regulations;

B. Incinerator operation, including start-up and shutdown procedures;

C. Inspection and maintenance;

D. Responses to malfunctions or conditions that may lead to malfunction; and

E. Discussion of operating problems encountered by attendees.

7. A lapsed qualification shall be renewed by one (1) of the following methods:

A. For a lapse of less than three (3) years, the HMIWI operator shall complete and pass a standard annual refresher course described in paragraph (3)(B)6. of this rule; or

B. For a lapse of three (3) years or more, the HMIWI operator shall complete and pass a training course with the minimum criteria described in paragraph (3)(B)3. of this rule.

8. The owner or operator of an HMIWI shall maintain documentation at the facility that addresses the following:

A. Summary of the applicable standards under this subpart;

B. Description of basic combustion theory applicable to an HMIWI;

C. Procedures for receiving, handling, and charging waste;

D. HMIWI start-up, shutdown, and malfunction procedures;

E. Procedures for maintaining proper combustion air supply levels;

F. Procedures for operating the HMIWI and associated air pollution control systems within the standards established under this subpart;

G. Procedures for responding to periodic malfunction or conditions that may lead to malfunction;

H. Procedures for monitoring HMIWI emissions;

I. Reporting and record-keeping procedures; and

J. Procedures for handling ash.

9. The owner or operator of an HMIWI shall establish a program for reviewing the information listed in paragraph (3)(B)8. of this rule annually with each HMIWI operator.

A. The initial review of the information listed in paragraph (3)(B)8. of this rule shall be conducted prior to assumption of responsibilities affecting HMIWI operation.

B. Subsequent reviews of the information listed in paragraph (3)(B)8. of this rule shall be conducted annually.

10. The information listed in paragraph (3)(B)8. of this rule shall be kept in a readily-accessible location for all HMIWI operators. This information, along with records of training, shall be available for inspection by the department or its delegated enforcement agent upon request.

(E) Compliance and Performance Testing.

1. The emission limits under this rule apply at all times.

2. Except as provided in paragraph (3)(E)12. of this rule, the owner or operator of an HMIWI subject to this rule shall conduct an initial performance test to determine compliance with the emission limits using the procedures and test methods listed in subparagraphs (3)(E)2.A. through L. of this rule. The use of the bypass stack during a performance test shall invalidate the performance test. For small HMIWIs as defined in paragraph (3)(A)2. of this rule, the two-thousand (2,000)-pound-per-week limitation does not apply during performance tests.

A. All performance tests shall consist of a minimum of three (3) test runs conducted under representative operating conditions.

B. The minimum sample time shall be one (1) hour per test run unless otherwise indicated.

C. The sampling location and number of traverse points shall be determined using EPA Reference Method 1 of 40 CFR *[part]* 60, Appendix A-1*[, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions].*

D. Gas composition shall be analyzed and include a measurement of oxygen concentration using EPA Reference Method 3, 3A, or 3B of 40 CFR *[part]* 60, Appendix A-2*[, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions and shall be used for gas composition analysis,*

including measurement of oxygen concentration]. EPA Reference Method 3, 3A, or 3B shall be used simultaneously with each of the other EPA reference methods. [As an alternative to EPA Reference Method 3B, ASME PTC-19-10-1981-Part 10, American Society of Mechanical Engineers (ASME), PO Box 2900, 22 Law Drive, Fairfield, NJ, 07007-2900, may be used. This standard is incorporated by reference in this rule, as published by American Society for Testing and Materials (ASTM) International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959. This rule does not incorporate any subsequent amendments or additions] **As an alternative to EPA Reference Method 3B, ASME PTC-19-10-1981-Part 10 may be used.**

E. The pollutant concentrations shall be adjusted to seven percent (7%) oxygen using the following equation:

$$C_{\text{adj}} = C_{\text{meas}} (20.9 - 7) / (20.9 - \% O_2)$$

where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen

C_{meas} = pollutant concentration measured on a dry basis

$(20.9 - 7)$ = 20.9 percent oxygen - 7 percent oxygen
(defined oxygen correction basis)

20.9 = oxygen concentration in air, percent

$\% O_2$ = oxygen concentration measured on a dry basis,
percent

F. Particulate Matter (PM) emissions shall be measured using EPA Reference Method 5 of 40 CFR [part] 60, Appendix A-3/, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. An acceptable alternate method for measuring PM emissions is **EPA Reference Method 26A or Method 29 of 40 CFR [part] 60, Appendix A-8/, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions].** As an alternative, PM Continuous Emission Monitoring System (CEMS) may also be used as specified in subparagraph (3)(E)3.C. of this rule.

G. Stack opacity shall be measured using EPA Reference Method 9 of 40 CFR [part] 60, Appendix A-4 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, demonstration of compliance with the PM standards using bag leak detection systems as specified in paragraph (3)(E)11. of this rule or PM CEMS as specified in subparagraph (3)(E)3.C. of this rule is considered demonstrative of compliance with the opacity requirements.

H. Carbon monoxide (CO) emissions shall be measured using EPA Reference Method 10 or 10B of 40 CFR [part] 60, Appendix A-4 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, CO CEMS may be used as specified in subparagraph (3)(E)3.C. of this rule.

I. Total dioxin/furan emissions shall be measured using EPA Reference Method 23 of 40 CFR [part] 60, Appendix A-7 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government

Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, an owner or operator may elect to sample dioxins/furans by installing, calibrating, maintaining, and operating a continuous automated sampling system for monitoring dioxin/furan emissions. Sampling shall be done using **EPA Reference Method 23 of [Appendix A-7, of] 40 CFR [part] 60, Appendix A-7 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions].** The minimum sample time shall be four (4) hours per test run. If the affected facility has selected the toxic equivalency standards for dioxin/furans the following procedures shall be used to determine compliance:

(I) Measure the concentration of each dioxin/furan tetra-through octa-congener emitted using EPA Reference Method 23 of 40 CFR [part] 60, **Appendix A-7 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions];**

(II) For each dioxin/furan congener measured in accordance with part (3)(E)2.I.(I) of this rule, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 3 of this part; and

Table 3—Toxic Equivalency Factors

Dioxin/furan congener	Toxic equivalency factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.001

(III) Sum the products calculated in accordance with part (3)(E)2.I.(II) of this rule to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

J. Hydrogen chloride (HCl) shall be measured using EPA Reference Method 26 or 26A of 40 CFR [part] 60, Appendix A[-]-8 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, HCl CEMS may be used as specified in subparagraph (3)(E)3.C. of this rule.

K. Lead (Pb), cadmium (Cd), and mercury (Hg) emissions shall be measured using EPA Reference Method 29 of 40 CFR [part] 60, Appendix A[-]-8I, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, Hg emissions may be measured using ASTM D6784-02(2008). [This standard is incorporated by reference in this rule, as published by ASTM International, 100 Barr Harbor Drive, PO

Box C700, West Conshohocken, PA 19428-2959. This rule does not incorporate any subsequent amendments or additions.] As an alternative for Pb, Cd, and Hg, multi-metals CEMS or Hg CEMS, may be used as specified in subparagraph (3)(E)3.C. of this rule. As an alternative, an owner or operator may elect to sample Hg by installing, calibrating, maintaining, and operating a continuous automated sampling system for monitoring Hg emissions.

L. Compliance for fugitive ash emissions shall be determined using EPA Reference Method 22 of 40 CFR [part] 60, Appendix A[-]-7I, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. The minimum observation time shall be a series of three (3) one (1)-hour observations.

3. Following the date on which the initial performance test is completed, the owner or operator of an affected facility shall—

A. Determine compliance with the opacity limit by conducting an annual performance test (no more than twelve (12) months following the previous performance test) using the applicable procedures and

test methods listed in paragraph (3)(E)2. of this rule;

B. Determine compliance with the PM, CO, and HCl emission limits by conducting an annual performance test (no more than twelve (12) months following the previous performance test) using the applicable procedures and test methods listed in paragraph (3)(E)2. of this rule. If all three (3) performance tests over a three (3)-year period indicate compliance with the emission limit for a pollutant (PM, CO, or HCl), the owner or operator may forego a performance test for that pollutant for the subsequent two (2) years. At a minimum, a performance test for PM, CO, and HCl shall be conducted every third year (no more than thirty-six (36) months following the previous performance test). If a performance test conducted every third year indicates compliance with the emission limit for a pollutant (PM, CO, or HCl), the owner or operator may forego a performance test for that pollutant for an additional two (2) years. If any performance test indicates noncompliance with the respective emission limit, a performance test for that pollutant shall be conducted annually until all annual performance tests over a three (3)-year period indicate compliance with the emission limit. The use of the bypass stack during a performance test shall invalidate the performance test; and

C. Facilities using a Continuous Emission Monitoring System (CEMS) to demonstrate compliance with any of the emission limits under section (3) of this rule shall determine compliance with the appropriate emission limit(s) using a twelve (12)-hour rolling average, calculated each hour as the average of the previous twelve (12) operating hours.

4. The owner or operator of an affected facility equipped with a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and wet scrubber shall—

A. Establish the appropriate maximum and minimum operating parameters, indicated in Table 4 of this subparagraph for each control system, as site-specific operating parameters during the initial performance test to determine compliance with the emission limits; and

Table 4—Operating Parameters to be Monitored and Minimum Measurement and Recording Frequencies

Operating parameters to be monitored	Minimum frequency		Control system		
	Data measurement	Data recording	Dry scrubber followed by fabric filter	Wet scrubber	Dry scrubber followed by fabric filter and wet scrubber
MAXIMUM OPERATING PARAMETERS					
Maximum charge rate	Continuous	1 per hour	✓	✓	✓
Maximum fabric filter inlet temperature	Continuous	1 per minute	✓		✓
Maximum flue gas temperature	Continuous	1 per minute		✓	✓
MINIMUM OPERATING PARAMETERS					
Minimum secondary chamber temperature	continuous	1 per minute	✓	✓	✓
Minimum dioxin/furan sorbent flow rate	hourly	1 per hour	✓		✓
Minimum hydrogen chloride (HCl) sorbent flow rate	hourly	1 per hour	✓		✓
Minimum mercury (Hg) sorbent flow rate	hourly	1 per hour	✓		✓
Minimum pressure drop across the wet scrubber or minimum horsepower or amperage to wet scrubber	continuous	1 per minute		✓	✓
Minimum scrubber liquor flow rate	continuous	1 per minute		✓	✓
Minimum scrubber liquor pH	continuous	1 per minute		✓	✓

B. Following the date on which the initial performance test is completed, ensure that the affected facility does not operate above any of the applicable maximum operating parameters or below any of the applicable minimum operating parameters listed in Table 4 and measured as three (3)-hour rolling averages (calculated each hour as the average of the previous three (3) operating hours) at all times *[except during periods of startup, shutdown, and malfunction]*. Operating parameter limits do not apply during performance tests. Operation above the established maximum or below the established minimum operating parameter(s) shall constitute a violation of established operating parameter(s).

5. Except as provided in paragraph (3)(E)8. of this rule, for affected facilities equipped with a dry scrubber followed by a fabric filter—

A. Operation of the affected facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the CO emission limit;

B. Operation of the affected facility above the maximum fabric filter inlet temperature, above the maximum charge rate, and below the minimum dioxin/furan sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the dioxin/furan emission limit;

C. Operation of the affected facility above the maximum charge rate and below the minimum HCl sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the HCl emission limit;

D. Operation of the affected facility above the maximum charge rate and below the minimum Hg sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the Hg emission limit; or

E. Use of the bypass stack shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits.

6. Except as provided in paragraph (3)(E)8. of this rule, for affected facilities equipped with a wet scrubber—

A. Operation of the affected facility above the maximum charge rate and below the minimum pressure drop across the wet scrubber or below the minimum horsepower or amperage to the system (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the PM emission limit;

B. Operation of the affected facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the CO emission limit;

C. Operation of the affected facility above the maximum charge rate, below the minimum secondary temperature, and below the minimum scrubber liquor flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the dioxin/furan emission limit;

D. Operation of the affected facility above the maximum charge rate and below the minimum scrubber liquor pH (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the HCl emission limit;

E. Operation of the affected facility above the maximum flue gas temperature and above the maximum charge rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the Hg emission limit; or

F. Use of the bypass stack shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits.

7. Except as provided in paragraph (3)(E)8. of this rule, for affected facilities equipped with a dry scrubber followed by a fabric filter and a wet scrubber—

A. Operation of the affected facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the CO emission limit;

B. Operation of the affected facility above the maximum fabric filter inlet temperature, above the maximum charge rate, and

below the minimum dioxin/furan sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the dioxin/furan emission limit;

C. Operation of the affected facility above the maximum charge rate and below the minimum scrubber liquor pH (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the HCl emission limit;

D. Operation of the affected facility above the maximum charge rate and below the minimum Hg sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the Hg emission limit; or

E. Use of the bypass stack shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits.

8. The owner or operator of an affected facility may conduct a repeat performance test within thirty (30) days of violation of applicable operating parameter(s) to demonstrate that the affected facility is not in violation of the applicable emission limit(s). Repeat performance tests conducted pursuant to this paragraph shall be conducted using the identical operating parameters that indicated a violation under paragraphs (3)(E)5., 6., or 7. of this rule.

9. The owner or operator of an affected facility using an air pollution control device other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber, or selective noncatalytic reduction technology, to comply with the emission limits under section (3) of this rule shall petition the administrator for other site-specific operating parameters to be established during the initial performance test and continuously monitored thereafter. The owner or operator shall not conduct the initial performance test until after the petition has been approved by the administrator.

10. The owner or operator of an affected facility may conduct a repeat performance test at any time to establish new values for the operating parameters. The department may request a repeat performance test at any time.

11. The owner or operator of an affected facility that uses an air pollution control device that includes a fabric filter and is not demonstrating compliance using PM CEMS, determines compliance with the PM emissions limit using a bag leak detection system, and meets the requirements in subparagraphs (3)(E)11.A. through L. of this rule for each bag leak detection system.

A. Each triboelectric bag leak detection system may be installed, calibrated, operated, and maintained according to the "Fabric Filter Bag Leak Detection Guidance" (EPA-454/R-98-015, September 1997). This document is available from the U.S. Environmental Protection Agency (U.S. EPA), Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Measurement Policy Group (D-243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emissions Measurement Center Continuous Emissions Monitoring. Other types of bag leak detection systems shall be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations.

B. The bag leak detection system shall be certified by the manufacturer to be capable of detecting PM emissions at concentrations of ten (10) milligrams per actual cubic meter (0.0044 grains per actual cubic foot) or less.

C. The bag leak detection system sensor shall provide an output of relative PM loadings.

D. The bag leak detection system shall be equipped with a device to continuously record the output signal from the sensor.

E. The bag leak detection system shall be equipped with an audible alarm system that will sound automatically when an increase in relative PM emissions over a preset level is detected. The alarm shall be located where it is easily heard by plant operating personnel.

F. For positive pressure fabric filter systems, a bag leak detector shall be installed in each baghouse compartment or cell.

G. For negative pressure or induced air fabric filters, the bag leak detector shall be installed downstream of the fabric filter.

H. Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

I. The baseline output shall be established by adjusting the range and the averaging period of the device and establishing the alarm set points and the alarm delay time according to section 5.0 of the "Fabric Filter Bag Leak Detection Guidance."

J. Following initial adjustment of the system, the sensitivity or range, averaging period, alarm set points, or alarm delay time may not be adjusted. In no case may the sensitivity be increased by more than one hundred percent (100%) or decreased more than fifty percent (50%) over a three-hundred-sixty-five (365)-day period unless such adjustment follows a complete fabric filter inspection that demonstrates that the fabric filter is in good operating condition. Each adjustment shall be recorded.

K. Record the results of each inspection, calibration, and validation check.

L. Initiate corrective action within one (1) hour of a bag leak detection system alarm; operate and maintain the fabric filter such that the alarm is not engaged for more than five percent (5%) of the total operating time in a six (6)-month block reporting period. If inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm is counted as a minimum of one (1) hour. If it takes longer than one (1) hour to initiate corrective action, the alarm time is counted as the actual amount of time taken to initiate corrective action.

12. Small HMIWI subject to the emissions limits under paragraph (3)(A)2. of this rule that is not equipped with an air pollution control device shall meet the following compliance and performance testing requirements:

A. Establish maximum charge rate and minimum secondary chamber temperature as site-specific operating parameters during the initial performance test to determine compliance with applicable emission limits;

B. Following the date on which the initial performance test is completed, ensure that the designated facility does not operate above the maximum charge rate or below the minimum secondary chamber temperature measured as three (3)-hour rolling averages (calculated as the average of the previous three (3) operating hours) at all times. Operating parameter limits do not apply during performance tests. Operation above the maximum charge rate or below the minimum secondary chamber temperature shall constitute a violation of the established operating parameter(s);

C. Except as provided in subparagraph (3)(E)12.D. of this rule, operation of the designated facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the PM, CO, and dioxin/furan emission limits; and

D. The owner or operator of a designated facility may conduct a repeat performance test within thirty (30) days of the violation of applicable operating parameter(s) to demonstrate that the designated facility is not in violation of the applicable emission limit(s). Repeat performance tests conducted pursuant to this paragraph must be conducted using the identical operating parameters that indicated a violation under subparagraph (3)(E)12.C. of this rule.

13. The owner or operator of a designated facility subject to this rule may use the results of previous emissions tests to demonstrate compliance with the emissions limits, provided that the following conditions are met:

A. The designated facility's previous emissions tests must have been conducted using the applicable procedures and test methods listed in subparagraphs (3)(E)2.A.-L. of this rule. Previous emissions test results obtained using EPA-accepted voluntary consensus standards are also acceptable;

B. The HMIWI at the designated facility shall currently be operated in a manner (e.g., with charge rate, secondary chamber temperature, etc.) that would be expected to result in the same or lower emissions than observed during the previous emissions test(s), and the HMIWI may not have been modified such that emissions would be expected to exceed (notwithstanding normal test-to-test variability) the results from previous emissions test(s); and

C. The previous emissions test(s) must have been conducted in 1996 or later.

AUTHORITY: section 643.050, RSMo [2000] Supp. 2013. Original rule filed Dec. 1, 1998, effective July 30, 1999. Amended: Filed Oct. 13, 2000, effective July 30, 2001. Amended: Filed Nov. 26, 2010, effective Aug. 30, 2011. Amended: Filed Nov. 1, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., January 30, 2014. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., February 6, 2014. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to apcprulespn@dnr.mo.gov.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

PROPOSED AMENDMENT

11 CSR 45-5.237 Shipping of Electronic Gaming Devices, Gaming Equipment or Supplies. The commission is amending the purpose statement and section (1).

PURPOSE: This amendment changes requirements for prior approval for shipping gaming equipment and supplies to reflect current procedures.

PURPOSE: This rule requires licensees to [notify the] obtain Missouri Gaming Commission approval prior to shipping electronic gaming devices into, out of, or within the state.

(1) Licensees shipping electronic gaming devices or gaming equipment/supplies as defined in 11 CSR 45-1.090, with the exception of critical program storage media as defined in 11 CSR 45-1.090, into, out of, or within Missouri, must file [on a form] a request in a format specified by the Missouri Gaming [c]/Commission (MGC) [notice] at least five (5) days prior to such shipment. The licensee shall receive MGC approval of the request prior to shipping the listed items.

AUTHORITY: section[s] 313.004, RSMo 2000, and sections 313.805 and 313.807.4, RSMo Supp. 2013. Original rule filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed April 3, 2001, effective Oct. 30, 2001. Amended: Filed Oct. 31, 2005, effective May 30,

2006. Amended: Filed June 19, 2006, effective Feb. 28, 2007. Amended: Filed Oct. 31, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Wednesday, January 15, 2014, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Wednesday, January 15, 2014, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

PROPOSED RULE

**11 CSR 45-9.111 Minimum Internal Control Standards (MICS)—
Chapter K**

PURPOSE: This rule establishes the internal controls for Chapter K of the **Minimum Internal Control Standards**.

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. The **Minimum Internal Control Standards** may also be accessed at <http://www.mgc.dps.mo.gov>.

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in **Minimum Internal Control Standards (MICS) Chapter K—Currency Transaction Reporting**, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter K does not incorporate any subsequent amendments or additions as adopted by the commission on October 30, 2013.

AUTHORITY: section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. 2013. Original rule filed Oct. 31, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost thirteen (13) riverboat casinos sixteen thousand nine hundred dollars (\$16,900) annually in the aggregate. A fiscal note has been filed with this proposed rule.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Gaming Commission, PO Box

**FISCAL NOTE
 PRIVATE COST**

**I. TITLE 11 - DEPARTMENT OF PUBLIC SAFETY
 Division 45 – Missouri Gaming Commission
 Chapter 9 – Internal Control System**

Rule Number and Title:	11 CSR 45-9.111 Minimum Internal Control Standards (MICS)— Chapter K
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
13	Riverboat Casinos	\$16,900 (annually)

III. WORKSHEET

The estimated annual cost has been quantified at 13 hours a week (1 hour per casino) at an hourly rate of \$25 (wages + benefits).

$$13 \times 52 \text{ weeks} \times \$25 = \$16,900$$

IV. ASSUMPTIONS

The current standards in MICS K §3.04 and K§ 5.02 require Currency Transaction Reports (CTRs) and Suspicious Activity Reports (SARs) to be filed by the casinos with the Financial Crimes Enforcement Network (FinCEN). The new standards will require the casino to provide an electronic copy of this report to the Boat Sergeant.

This will result in an additional cost to the casinos for the staff time to email the CTRs and SARs to the Boat Sergeants.

The anticipated total cost for this rule will recur annually for the life of the rule.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System

PROPOSED AMENDMENT

11 CSR 45-9.119 Minimum Internal Control Standards (MICS)—
Chapter S. The commission is amending section (1).

PURPOSE: This amendment updates minimum internal control standards to remove the extension date for compliance that was originally granted in 2011. All requirements shall be in place by June 30, 2014. This amendment also clarifies the definition of critical information technology systems and equipment.

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards (MICS) Chapter S—Management Information Systems*, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter S does not incorporate any subsequent amendments or additions as adopted by the commission on [February 23, 2011] **October 30, 2013.**

AUTHORITY: section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. [2010] **2013.** Original rule filed Oct. 22, 2010, effective June 30, 2011. Amended: Filed Oct. 31, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for Wednesday, January 15, 2014, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions

PROPOSED AMENDMENT

12 CSR 10-41.010 Annual Adjusted Rate of Interest. The director proposes to amend section (1).

PURPOSE: This proposed amendment establishes the annual adjusted rate of interest to be implemented and applied on taxes remaining unpaid during calendar year 2014.

(1) Pursuant to section 32.065, RSMo, the director of revenue upon official notice of the average predominant prime rate quoted by commercial banks to large businesses, as determined and reported by the Board of Governor's of the Federal Reserve System in the Federal Reserve Statistical Release H.15(519) for the month of September of each year has set by administrative order the annual adjusted rate of interest to be paid on unpaid amounts of taxes during the succeeding calendar year as follows:

Calendar Year	Rate of Interest on Unpaid Amounts of Taxes
1995	12%
1996	9%
1997	8%
1998	9%
1999	8%
2000	8%
2001	10%
2002	6%
2003	5%
2004	4%
2005	5%
2006	7%
2007	8%
2008	8%
2009	5%
2010	3%
2011	3%
2012	3%
2013	3%
2014	3%

AUTHORITY: section 32.065, RSMo 2000. Emergency rule filed Oct. 13, 1982, effective Oct. 23, 1982, expired Feb. 19, 1983. Original rule filed Nov. 5, 1982, effective Feb. 11, 1983. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 22, 2013, effective Jan. 1, 2014, expires June 29, 2014. Amended: Filed Oct. 22, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. This proposed amendment will result in no change to the interest rate charged on delinquent taxes from that of 2013.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. This proposed amendment will result in no change in the interest rate charged on delinquent taxes from that of 2013. The actual number of affected taxpayers is unknown. See detailed fiscal note for further explanation.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legal Services Division, PO Box 475, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 12—DEPARTMENT OF REVENUE
- Division Title:** Division 10—Director of Revenue
- Chapter Title:** Chapter 41—General Tax Provisions

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Counties	Because the 2014 interest rate imposed on delinquent taxes will be at the same rate imposed in 2013, the aggregate impact on public entities will be less than five hundred dollars (\$500).
Cities	
Special Taxing Districts	

III. WORKSHEET

The proposed amendment sets the rate of interest for 2014 at three percent (3%), the same rate as 2013.

The future amount of past due taxes is unknown. Because the 2014 interest rate imposed on delinquent taxes will be the same rate imposed in 2013, there will be no additional fiscal impact for public entities.

	Current Rule – 3%	Proposed Amendment – 3%
Past due tax amount	\$100.00	\$100.00
Interest amount	3.00%	3.00%
Total Amount Due	\$103.00	\$103.00

IV. ASSUMPTIONS

Under section 32.065, RSMo, the director of revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year as set by the Board of Governors of the Federal Reserve rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2013 was three and a quarter percent (3.25%). Rounded to the nearest whole percentage results in a three percent (3%) interest rate.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Title 12—DEPARTMENT OF REVENUE
Division Title: Division 10—Director of Revenue
Chapter Title: Chapter 41—General Tax Provisions

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed amendment:	Classification by types of business entities which would likely be affected:	Estimate in the aggregate as to the Cost of compliance with the rule the affected entities:
Any taxpayer with delinquent tax.	Any taxpayer with delinquent tax.	Because the 2014 interest rate imposed on delinquent taxes will be the same rate imposed in 2013, the aggregate impact on private entities will be less than \$500.

III. WORKSHEET

The proposed amendment sets the rate of interest for 2014 at three percent (3%), the same rate as 2013.

The future amount of past due taxes is unknown. Because the 2014 interest rate imposed on delinquent taxes will be the same rate imposed in 2013, there will be no additional cost to private entities.

	Current Rule – 3%	Proposed Amendment – 3%
Past due tax amount	\$100.00	\$100.00
Interest amount	3.00%	3.00%
Total Amount Due	\$103.00	\$103.00

IV. ASSUMPTIONS

Under section 32.065, RSMo, the director of revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year as set by the Board of Governors of the Federal Reserve rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2013 was three and one quarter percent (3.25%). Rounded to the nearest whole percentage results in a three percent (3%) interest rate.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 35—Children’s Division
Chapter 36—Alternative Care Review Board**

PROPOSED RULE

13 CSR 35-36.010 Alternative Care Review Board

PURPOSE: This rule defines the Alternative Care Review Board (ACRB), discusses the purpose of the board, and explains the process for requesting an alternative care review hearing.

(1) Definitions.

(A) Alternative Care Review Board (ACRB)—The board before whom the alternative care resource provider may appeal any decision made by the Children’s Division (CD), or its contractors regarding a case management decision involving a child who is, or has been, placed in foster care with the claimant.

(B) Case Management Decision—The activity of a children’s service worker in assessing family problem(s), case planning, coordinating and linking services for children and families, monitoring service provisions and progress, advocacy, tracking and evaluating services provided, and provision of aftercare service as defined in 25 C.F.R. section 20.100. A case management decision shall not include a decision made by the family support team, adoption staffing team, a court of appropriate jurisdiction, or any matter which is the subject of litigation before a court of competent jurisdiction.

(C) Resource Provider—A licensed foster parent as defined in 13 CSR 35-60.

(2) This section establishes the process for providing a fair and impartial grievance process for review of case management decisions as required by section 210.566, RSMo.

(3) Alternative Care Review Board Composition. Each administrative region of the Children’s Division will establish an Alternative Care Review Board composed of seven (7) members and two (2) alternates. Members and alternates for these boards are selected as follows:

(A) Two (2) alternative care resource providers, of which one (1) shall be a licensed resource provider;

(B) Two (2) Children’s Division employees;

(C) Three (3) members and two (2) alternates from the following fields or professions:

1. Community representative who has knowledge of the provision of alternative care services;
2. Professional school employee;
3. Juvenile officer or professional employee of the Juvenile Office;
4. Licensed child or family psychologist;
5. Physician, nurse, or other qualified medical professional; or
6. Children’s service worker with a private agency that provides services to families and/or children; and

(D) The regional director will appoint the members of the board. The regional director shall nominate the chairperson of the board and forward the nomination to the division director or designee for approval.

(4) ACRB Terms of Office.

(A) Members and alternates shall be appointed for two (2) year terms.

(B) No member or alternate shall serve more than two (2) consecutive terms.

(C) The members of the ACRB shall meet at a location within each region at least one (1) time per month depending on the number of requests being filed. Meetings are not required if there are no pending reviews.

(D) The members of the ACRB will receive payment for reason-

able expenses associated with ACRB business, but will not receive compensation for the performance of their duties. If a member cannot attend, an alternate shall be notified and asked to attend.

(E) A quorum at any ACRB meeting will be three (3) members, of whom one (1) will be an alternative care resource provider and one (1) a CD employee.

(F) The CD Regional Director may remove and/or replace a member of the ACRB for the following reasons:

1. Death;
2. Resignation;
3. Mental or physical incapacitation which limits the member from actively serving; or
4. For good cause as determined by the division director.

(G) The information and deliberations of the ACRB shall be confidential and protected from disclosure as required by law.

(5) The process for requesting an ACRB review shall be as follows:

(A) The alternative care resource provider shall file a written request for an ACRB review with the county CD office within ten (10) days of notification of the disputed decision and request a meeting to review the matter. The written request for review shall specify the decision being grieved, and the reason for the grievance;

(B) Except as otherwise provided in this regulation, upon receipt of the grievance, staff shall take no action to implement the decision being grieved until the matter is resolved through the grievance process. The following actions shall not be stayed pending resolution of the grievance:

1. Immediate action is required by the division to protect the health, safety, or well-being of the child in care as determined by the Children’s Division; or
2. The action was ordered by a court of competent authority;

(C) Upon receipt of the grievance, the county office shall schedule an informal meeting to attempt to resolve the matter. The informal meeting will include a regional representative, circuit representative, and the alternative care resource provider. The division shall notify the resource provider of the decision in writing. If the division upholds the case management action, the division shall advise the resource provider of his/her right to proceed with a request for an ACRB hearing;

(D) If the alternative care resource provider chooses to proceed with the ACRB hearing, he/she shall submit the Alternative Care Grievance Review Request form or other written request, including all pertinent information and records, within five (5) working days of the region’s written decision. The division may extend the time frame for submitting information for good cause shown. The division will notify the resource provider of the date scheduled for the ACRB hearing;

(E) The division shall submit a summary of all pertinent information and a copy of the child’s case record(s) to the Regional ACRB Liaison within five (5) working days of the request for the review. The division may extend the time frame for submitting information for good cause shown;

(F) The review should be scheduled to occur at the next scheduled ACRB meeting. The review may be continued if there is insufficient time for board members to prepare for the review;

(G) The review proceedings described in this subsection are informal and administrative in nature and therefore not subject to the Rules of Civil Procedure, to include the rules of discovery, employed by the civil courts of the state of Missouri. The Rules of Evidence, aside from those regarding relevancy, shall not apply to the review proceedings described in this subsection. The review proceedings set forth in this proceeding shall not be governed by those procedures set forth in Chapter 536, RSMo, but shall be governed by the following procedures:

1. The division shall first present the case management decision and the rationale thereof. CD staff may participate in the review proceeding in person or through a telephone conference with or without legal counsel;

2. Second, the alternative care resource provider/representative and/or legal counsel shall present a summary of the grievance. The resource provider's presence is not mandatory for a review to be held. He/she may submit a written statement and/or participate in the review through a telephone or video conference if equipment is available;

3. The resource provider and the division may have witnesses provide information at the review. Information will not be taken under oath and the witnesses shall not be sworn, however, the division and/or the alternative care resource provider may submit information by affidavit. However, no party to the review proceeding, to include the review panel itself, shall have the power to compel the appearance of any witness through the use of a subpoena or other means;

4. The review proceedings may, at the election of either party, be recorded through the use of an audio recording device or a court reporter. However, the review process shall not be a hearing on the record. All expenses associated with the recording of the review proceedings shall be the sole responsibility of the party desiring them; and

5. The information and deliberations of the ACRB shall be confidential and protected from disclosure to the extent required and authorized by law. The ACRB shall review and discuss all relevant materials and information and vote individually on whether to uphold, modify, or reverse the division's finding and/or decision. The ACRB shall prepare a written summary of its findings and recommended decision and present it to the CD Deputy Director upon completion. The deputy director shall discuss the recommendation with the division director. The division director shall provide the final written decision to all parties within thirty (30) days of receipt of the ACRB recommendation. The decision of the division director shall be the final decision of the division.

(6) If at any time the matter pending before the ACRB becomes the subject of a motion or other proceeding before a court of competent authority, the ACRB proceedings shall be stayed pending the resolution of the issue before the court. In the event that the matter is decided by the court, the ACRB proceedings shall be dismissed.

AUTHORITY: section 207.020, RSMo 2000, and section 210.566.6, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Children's Division, Melody Yancey, Acting Director, PO Box 88, Jefferson City, MO 65103. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 24—Community Programs**

PROPOSED RULE

13 CSR 40-24.080 Formula for the Distribution of Community Service Block Grant Funds to Community Action Agencies

PURPOSE: This rule outlines how the Family Support Division (division) will distribute Community Service Block Grant (CSBG) manda-

tory funds to Community Action Agencies (CAA).

(1) Definitions.

(A) "Community Action Agency" or "CAA" means a private, not-for-profit agency within the state of Missouri designated by the governor of the state of Missouri as an eligible entity as defined by 42 U.S.C. section 9909.

(B) "CSBG" means Community Service Block Grant program established by 42 U.S.C. section 9901 et seq and section 660.370 et seq, RSMo.

(C) "Mandatory funds" means at least ninety percent (90%) of the total amount of CSBG funds required to be allocated to CAAs from the CSBG grant annually awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Support, for the administration of the CSBG program.

(2) The division shall allocate the mandatory funds on the basis of federal fiscal years beginning October 1 as follows:

(A) A portion of the mandatory funds shall be distributed such that each CAA shall receive a base amount of two hundred thousand dollars (\$200,000);

(B) The portion of mandatory funds remaining after deducting the sum of the base amount awarded to CAAs shall be distributed based on the CAA's poverty population relative to the state's total poverty population utilizing the following formula:

$$\frac{((\text{Total mandatory funds}) - (\$200,000 \times \# \text{ of CAAs})) \times (\text{poverty population of the CAA} / \text{total state poverty population})}{\text{total state poverty population}} = \text{CAA poverty population allocation}$$

1. Total state poverty population shall be the total poverty population according to the most recent data published annually by the American Community Survey of the United States Census Bureau.

2. The poverty population of the designated geographic area served by a CAA shall be the total poverty population within the area as determined by the most recent data published by the American Community Survey of the United States Census Bureau.

(3) Allocations of mandatory funds to CAAs shall be based on the most recent information on availability and amounts of CSBG funding to be awarded to Missouri by the U.S. Department of Health and Human Services, Office of Community Services as of the date that the Family Support Division issues the award. Any and all distributions to CAAs are contingent on the availability of CSBG funds for that fiscal year. The division may increase or decrease the funds awarded to a CAA during the grant term depending on the availability of CSBG funds awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Services, for the administration of the CSBG program. Any increase or decrease in the amount awarded to a CAA shall be based upon the formula set forth in subsection (2)(B) of this rule.

(4) The division shall issue a Notice of Award to the CAA. The Notice of Award shall specify the amount of the grant and the basis for the Family Support Division's Calculation. The Notice of Award shall be issued electronically.

(5) If a CAA has its CSBG funding terminated or reduced below the proportional share of funding the entity received in the previous fiscal year then that CAA may request a hearing on the record to the director of the Family Support Division pursuant to 42 U.S.C. section 9908(b)(8). The request for hearing shall be in writing and served on the director of the Family Support Division no later than thirty (30) days from the date of the Notice of Award. The request for hearing shall specify in detail the legal and factual basis for the CAA's request for hearing and shall include any factual documentation in support of the CAA's position. The hearing shall be held before the director of the Family Support Division or his/her designee. The final decision of the director shall be subject to review

by the secretary of the U.S. Department of Health and Human Services as provided in 42 U.S.C. section 9915(b).

AUTHORITY: section 660.376, RSMo Supp. 2013. Original rule filed Oct. 31, 2013.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions \$15,748,183 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities \$7,177,675 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Department of Social Services, Family Support Division, PO Box 2320, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 13 – Department of Social Services**
Division Title: 40 – Family Support Division
Chapter Title: 24 – Community Programs

Rule Number and Name:	13 CSR 40-24.080 Formula for the Distribution of Community Service Block Grant Funds to Community Action Agencies
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, Family Support Division	\$15,748,183

III. WORKSHEET

CAA	Base	Allocation based on New Poverty-2011	Total Allocation
CAASTLC	\$200,000	\$1,494,138	\$1,694,138
CAPSTJOE	\$200,000	\$268,066	\$468,066
CMCA	\$200,000	\$734,591	\$934,591
CSI	\$200,000	\$100,823	\$300,823
DAEOC	\$200,000	\$445,417	\$645,417
EMAA	\$200,000	\$553,587	\$753,587
ESC	\$200,000	\$466,719	\$666,719
GHCAA	\$200,000	\$168,034	\$368,034
JFCAC	\$200,000	\$446,959	\$646,959
MOCA	\$200,000	\$511,125	\$711,125
MVCAA	\$200,000	\$373,619	\$573,619
NECAC	\$200,000	\$706,071	\$906,071
NMCAA	\$200,000	\$120,855	\$320,855
OACAC	\$200,000	\$1,333,775	\$1,533,775
OAI	\$200,000	\$364,147	\$564,147
PCAC	\$200,000	\$1,101,122	\$1,301,122
SCMCAA	\$200,000	\$327,853	\$527,853
USCAA	\$200,000	\$1,952,979	\$2,152,979
WCMCAA	\$200,000	\$478,303	\$678,303
Total	\$3,800,000	\$11,948,183	\$15,748,183

IV. ASSUMPTIONS

All funding that is allocated to the Community Action Agencies (CAAs) for the Community Service Block Grant (CSBG) program is derived solely from federal funding. There is no additional cost imposed on DSS, FSD. The above estimated cost to the Department of Social Services (DSS), Family Support Division (FSD) is based on the following assumptions:

- A. The amount of \$15,748,183 is based on the assumption that FSD will receive 100% of what it received from the U.S. Department of Health and Human Services, Office of Community Support for federal fiscal year 2013. Because DSS, FSD has not yet received full funding for federal fiscal year 2014, it is uncertain that this will be the case.
- B. The amount of \$15,748,183 allocated to the nineteen CAAs is 90% of the total anticipated funding (\$17,497,981) as required by federal law.
- C. The amount allocated to the CAAs is based on a poverty population of the CAAs' geographic area relative to the total state poverty population. This data is derived from the 2011 American Community Survey of the U.S. Census Bureau. This poverty population data may change from year to year.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 13 – Department of Social Services**
Division Title: 40 – Family Support Division
Chapter Title: 24 – Community Programs

Rule Number and Name:	13 CSR 40-24.080 Formula for the Distribution of Community Service Block Grant Funds to Community Action Agencies
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
3	Non-profit Community Action Agencies	\$7,177,675

III. WORKSHEET

Funding Loss for 2014-2018 (Private Costs for 24.080.2(B))

	2014	2015	2016	2017	2018	Aggregate
DAEOC	\$65,250	\$130,499	\$195,748	\$260,997	\$326,246	\$978,740
GHCAA	\$24,346	\$48,693	\$73,040	\$97,387	\$121,734	\$365,200
PCAC	\$388,915	\$777,831	\$1,166,747	\$1,555,663	\$1,944,579	\$5,833,735
Total	\$478,511	\$957,023	\$1,435,535	\$1,914,047	\$2,392,559	\$7,177,675

IV. ASSUMPTIONS

All funding that is allocated to the Community Action Agencies (CAAs) for the Community Service Block Grant (CSBG) program is derived solely from federal funding. The above estimated cost is the estimated difference between what these three CAAs were receiving in federal fiscal year 2013 and what they will be receiving in federal fiscal year 2014. These losses incurred by these CAAs are based on the following assumptions:

- A. The amount of \$7,177,677 is based on the assumption that FSD will receive 100% of what it received from the U.S. Department of Health and Human Services, Office of Community Support for federal fiscal year 2013. Because DSS, FSD has not yet received full funding for federal fiscal years 2014-2018, it is uncertain that this will be the case.

- B. The amount allocated to the CAAs is based on a poverty population of the CAAs' geographic area relative to the total state poverty population. This data is derived from the 2011 American Community Survey of the U.S. Census Bureau. This poverty population data may change from year to year.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 24—Community Programs

PROPOSED RULE

13 CSR 40-24.090 Supplemental Funding Formula for Community Action Agencies to Administer the CSBG Program

PURPOSE: This rule outlines how the Family Support Division (division) will supplement Community Service Block Grant (CSBG) funds for those Community Action Agencies (CAA) that will be receiving less than the proportional share the CAA received in federal fiscal year 2013.

(1) The definitions set forth in 13 CSR 40-24.080 shall apply to this rule.

(2) Beginning in federal fiscal year 2014, the division shall distribute Community Service Block Grant (CSBG) mandatory funds to all Community Action Agencies (CAA) based on the funding formula set forth in 13 CSR 40-24.080. Over a period of five (5) years, the division shall provide supplemental funding for any CAA that will be receiving less than the proportional share the CAA received in federal fiscal year 2013 as a result of the funding formula set forth in 13 CSR 40-24.080 as follows:

(A) For federal fiscal year 2014, the division shall distribute supplemental funding equal to eighty percent (80%) of the difference between the proportional share the CAA received in federal fiscal year 2013 and the CSBG mandatory funding it received in federal fiscal year 2014.

(B) For federal fiscal year 2015, the division shall distribute supplemental funding equal to sixty percent (60%) of the difference between the proportional share the CAA received in federal fiscal year 2013 and the CSBG mandatory funding it received in federal fiscal year 2014.

(C) For federal fiscal year 2016, the division shall distribute supplemental funding equal to forty percent (40%) of the difference between the proportional share the CAA received in federal fiscal year 2013 and the CSBG mandatory funding it received in federal fiscal year 2014.

(D) For federal fiscal year 2017, the division shall distribute supplemental funding equal to twenty percent (20%) of the difference between the proportional share the CAA received in federal fiscal year 2013 and the CSBG mandatory funding it received in federal fiscal year 2014.

(E) For federal fiscal year 2018 thereafter, the division shall cease providing supplemental funding to those CAAs that will be receiving less than the proportional share the CAA received in federal fiscal year 2013 and all CAAs shall receive funding based entirely on the funding formula set forth in 13 CSR 40-24.080.

(3) The division may distribute CSBG discretionary grant funds, as defined in 13 CSR 40-24.080, to comply with the requirements of this rule.

(4) Any and all distributions to CAAs are contingent on the amount of the CSBG grant annually awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Services.

(5) Supplemental funding is contingent on sufficient funds that are appropriated by the legislature for such purpose.

AUTHORITY: section 660.376, RSMo Supp. 2013. Original rule filed Oct. 31, 2013.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions \$4,785,116 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Department of Social Services, Family Support Division, PO Box 2320, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 13 – Department of Social Services
Division Title: 40 – Family Support Division
Chapter Title: 24 – Community Programs**

Rule Number and Name:	13 CSR 40-24.090 Supplemental Funding Formula for Community Action Agencies to Administer the CSBG Program
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, Family Support Division	\$4,785,116

III. WORKSHEET

Loss in funding from old formula to new formula

DAEOC	\$326,246.00
GHCAA	\$121,734.00
PCAC	\$1,944,579.00
Total	\$2,392,559.00

The loss in funding will be partially supplemented in federal fiscal years 2014 through 2017 by supplementing the difference between funding at the new formula from the old formula at:

- FY2014: 80%
FY2015: 60%
FY2016: 40%
FY2017: 20%

Supplemental Funding for 2014-2017 (Public Costs for 24.090)

	2014	2015	2016	2017	Aggregate
DAEOC	\$260,997	\$195,748	\$130,499	\$65,250	\$652,494
GHCAA	\$97,387	\$73,040	\$48,693	\$24,346	\$243,466
PCAC	\$1,555,663	\$1,166,747	\$777,831	\$388,915	\$3,889,156
Total	\$1,914,047	\$1,435,535	\$957,023	\$478,511	\$4,785,116

IV. ASSUMPTIONS

Supplemental funding is derived from federal funding for the CSBG program. CSBG discretionary funding will be used for the supplemental funding for the three CAAs who will be losing funding based on the new funding formula set forth in 13 CSR 40-24.080. There is no additional cost imposed on DSS, FSD. The above estimated cost to the Department of Social Services (DSS), Family Support Division (FSD) is based on the following assumptions:

- A. The amount of \$4,785,116 is based on the assumption that FSD will receive 100% of what it received from the U.S. Department of Health and Human Services, Office of Community Support for federal fiscal year 2013. Because DSS, FSD has not yet received full funding for federal fiscal year 2014, it is uncertain that this will be the case.
- B. The amount allocated to the CAAs is based on a poverty population of the CAAs' geographic area relative to the total state poverty population. This data is derived from the 2011 American Community Survey of the U.S. Census Bureau. This poverty population data may change from year to year.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 24—Community Programs**

PROPOSED RULE

13 CSR 40-24.100 Use of Community Service Block Grant Discretionary Funds

PURPOSE: This rule outlines how the Family Support Division (division) will use discretionary funds that are awarded to the Family Support Division by the U.S. Department of Health and Human Services for the administration of the Community Service Block Grant (CSBG) program.

(1) The definitions set forth in 13 CSR 40-24.080 shall apply to this rule.

(A) “Discretionary grant funds” means no more than ten percent (10%) of the total amount of the CSBG grant annually awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Support, for the administration of the CSBG program that may be reserved and/or distributed at the discretion of the division.

(2) The division shall use discretionary grant funds for purposes outlined in 42 U.S.C. section 9907(b). The division may use no more than five percent (5%) of the total annual amount of CSBG funds awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Services, for administrative expenses, including monitoring activities. Any unused CSBG funds may be used by the division for other discretionary uses pursuant to this section.

(3) Subject to the availability of discretionary grant funds, discretionary grant funds may be used for the following purposes consistent with those identified in 42 U.S.C. section 9907(b):

(A) Address a priority need identified by the division related to the causes and conditions of poverty or a specific target population impacted by these same causes and conditions;

(B) Training and technical assistance to increase the capacity and sustainability of eligible entities and/or discretionary funded providers, as well as improve the quality of their services;

(C) Responses to natural or man-made disasters; and

(D) Evidence-based, innovative and/or demonstration projects that improve the causes and conditions of poverty for low-income individuals, families, and communities, including specific target populations, and support efforts that reduce poverty; revitalize low-income communities; and empower low-income families and individuals to become fully self-sufficient.

(4) Any non-profit entity or local unit of government seeking funding from the discretionary grant funds from the division may contact the division to inquire regarding the availability of discretionary funds. In order to be considered for funding for the following fiscal year, non-profit entities or local units of government must submit applications from July 15 to August 15. An exception to the application time frame may be made due to extenuating circumstances as determined by the division. The application must contain the following:

(A) Description of need including information regarding the proposed use of funds including demographic and other relevant data to support need;

(B) Proposed target population;

(C) Organization and governance including information on the applicant’s organization and governance structure, a description of the agency’s history, vision and mission, services provided, and number and roles of current staff. The applicant must provide information on the applicant’s board of directors, by-laws, and a list of

current board members;

(D) Coordination of services including a description of how the applicant will ensure services support or complement, but not duplicate, services being provided by other related agencies;

1. The applicant must provide a description of any proposed coalition(s), partnerships, organizations, cooperating entities, consultants, or any other entities or individuals with which the applicant may be contracting or collaborating. The applicant must include a letter of commitment from entities that have identified roles in the use of CSBG discretionary funds;

(E) Implementation plan that addresses the program or project goal(s), action steps, person(s) responsible for the completion of the goals, timeline for completion, and evaluation measures;

(F) Personnel information including the educational background and work experience of project and management staff. The applicant must include an organizational chart showing the lines of personnel authority. The organizational chart shall include:

1. The relationship of project staff to management and support staff;

2. The names of employees and their titles; and

3. The existence of sub-contractors;

(G) Management including a description of how services of the grant agreement will be managed, controlled, and supervised in order to ensure satisfactory grant agreement performance; and

(H) Itemized budget and budget narrative.

(5) In addition to providing the information set forth in section (6), a non-profit entity submitting an application to receive discretionary grant funds must provide the following information and documentation:

(A) Certified copy of the non-profit entity’s articles of incorporation;

(B) Certified documents showing that the organization is in good standing;

(C) A copy of the most recent audit showing that the non-profit entity is compliant with the American Institute of Certified Public Accountants Standards;

(D) Documentation establishing that the non-profit entity is designated as a non-profit organization by the *Internal Revenue Service* under 26 U.S.C. section 501(c)(3); and

(E) Any other documents that the division may request from time-to-time to establish the continued good standing of the organization.

(6) A non-profit entity or local unit of government shall fully cooperate with the division including providing all records, documents, and information requested during the application process and at any time upon granting funding to the non-profit entity or local government.

(7) Upon review of the application, the division shall issue a determination to the entity. The determination is subject to the division’s discretion.

(8) Any previous discretionary funded non-profit entity or local unit of government is not entitled to discretionary funding awards and must reapply annually.

(9) Any unused discretionary grant funds may be carried over into the following federal fiscal year to be used for purposes consistent with this section and for the purposes for which the funds were awarded.

AUTHORITY: section 660.376, RSMo Supp. 2013. Original rule filed Oct. 31, 2013.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions \$1,749,798 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Department of Social Services, Family Support Division, PO Box 2320, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
 PUBLIC COST**

- I. Department Title: 13 – Department of Social Services
 Division Title: 40 – Family Support Division
 Chapter Title: 24 – Community Programs**

Rule Number and Name:	13 CSR 40-24.100 Use of Community Service Block Grant Discretionary Funds
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, Family Support Division	\$1,749,798

III. WORKSHEET

Full 2013 Funding	17,497,981	Yearly Costs
90%	15,748,183	Aggregate Public Cost for 24.080(2)
10% Remainder	1,749,798	Aggregate Cost for 24.100(1)(A)
5% Admin	874,899	Admin for 24.100(2); and Discretionary for 24.100(2)

IV. ASSUMPTIONS

Supplemental funding is derived from federal funding for the CSBG program. CSBG discretionary funding will be used for the supplemental funding for the three CAAs who will be losing funding based on the new funding formula set forth in 13 CSR 40-24.080. There is no additional cost imposed on DSS, FSD. The above estimated cost to the Department of Social Services (DSS), Family Support Division (FSD) is based on the following assumptions:

- A. The amount of \$1,749,798 is based on the assumption that FSD will receive 100% of what it received from the U.S. Department of Health and Human Services, Office of Community Support for federal fiscal year 2013. Because DSS, FSD has not yet received full funding for federal fiscal year 2014, it is uncertain that this will be the case.

- B. These figures are based on the assumption that DSS, FSD may use no more than 5% of the total amount of CSBG funds for federal fiscal year 2014 for its administrative costs and 5% of the total amount of CSBG funds for purposes outlined in the rule. In past years, DSS, FSD used on average 2% of the total CSBG funding for its administrative costs and the remaining 8% for purposes outlined in the rule.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program**

PROPOSED AMENDMENT

13 CSR 70-10.016 Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates. The division is adding paragraph (3)(A)17.

PURPOSE: This amendment provides for a per diem increase to nursing facility and HIV nursing facility per diem reimbursement rates by granting a three percent (3%) increase to the current per diem rate, excluding certain fixed cost items, for dates of service beginning July 1, 2013.

(3) Adjustments to the Reimbursement Rates. Subject to the limitations prescribed in 13 CSR 70-10.015, a nursing facility's reimbursement rate may be adjusted as described in this section. Subject to the limitations prescribed in 13 CSR 70-10.080, an HIV nursing facility's reimbursement rate may be adjusted as described in this section.

(A) Global Per Diem Rate Adjustments. A facility with either an interim rate or a prospective rate may qualify for the global per diem rate adjustments. Global per diem rate adjustments shall be added to the specified cost component ceiling.

1. FY-96 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1995, shall be granted an increase to their per diem effective October 1, 1995, of four and six-tenths percent (4.6%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

2. FY-97 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1996, shall be granted an increase to their per diem effective October 1, 1996, of three and seven-tenths percent (3.7%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

3. Nursing Facility Reimbursement Allowance (NFRA). Effective October 1, 1996, all facilities with either an interim rate or a prospective rate shall have its per diem adjusted to include the current NFRA as an allowable cost in its reimbursement rate calculation.

4. Minimum wage adjustment. All facilities with either an interim rate or a prospective rate in effect on November 1, 1996, shall be granted an increase to their per diem effective November 1, 1996, of two dollars and forty-five cents (\$2.45) to allow for the change in minimum wage. Utilizing Fiscal Year 1995 cost report data, the total industry hours reported for each payroll category was multiplied by the fifty-cent (50¢) increase, divided by the patient days for the facilities reporting hours for that payroll category and factored up by eight and sixty-seven hundredths percent (8.67%) to account for the related increase to payroll taxes. This calculation excludes the director of nursing, the administrator, and assistant administrator.

5. Minimum wage adjustment. All facilities with either an interim rate or a prospective rate in effect on September 1, 1997, shall be granted an increase to their per diem effective September 1, 1997, of one dollar and ninety-eight cents (\$1.98) to allow for the change in minimum wage. Utilizing Fiscal Year 1995 cost report data, the

total industry hours reported for each payroll category was multiplied by the forty-cent (40¢) increase, divided by the patient days for the facilities reporting hours for that payroll category and factored up by eight and sixty-seven hundredths percent (8.67%) to account for the related increase to payroll taxes. This calculation excludes the director of nursing, the administrator, and assistant administrator.

6. FY-98 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1997, shall be granted an increase to their per diem effective October 1, 1997, of three and four-tenths percent (3.4%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

7. FY-99 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1998, shall be granted an increase to their per diem effective October 1, 1998, of two and one-tenth percent (2.1%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities, and the minimum wage adjustments detailed in paragraphs (3)(A)4. and (3)(A)5. of this regulation; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1998, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

8. FY-2000 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on July 1, 1999, shall be granted an increase to their per diem effective July 1, 1999, of one and ninety-four hundredths percent (1.94%) of the cost determined in subsections (11)(A), (11)(B), (11)(C), the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities, and the minimum wage adjustments detailed in paragraphs (3)(A)4. and (3)(A)5. of this regulation; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on July 1, 1999, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

9. FY-2004 nursing facility operations adjustment—

A. Facilities with either an interim rate or prospective rate in effect on July 1, 2003, shall be granted an increase to their per diem effective for dates of service beginning July 1, 2003, through June 30, 2004, of four dollars and thirty-two cents (\$4.32) for the cost of nursing facility operations. Effective for dates of service beginning July 1, 2004, the per diem adjustment shall be reduced to three dollars and seventy-eight cents (\$3.78); and

B. The operations adjustment shall be added to the facility's current rate as of June 30, 2003, and is effective for payment dates after August 1, 2003.

10. FY-2007 quality improvement adjustment—

A. Facilities with either an interim rate or prospective rate in effect on July 1, 2006, shall be granted an increase to their per diem effective for dates of service beginning July 1, 2006, of three dollars and seventeen cents (\$3.17) to improve the quality of life for nursing facility residents; and

B. The quality improvement adjustment shall be added to the facility's current rate as of June 30, 2006, and is effective for dates of service beginning July 1, 2006, and after.

11. FY-2007 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on February 1, 2007, shall be granted an increase to their per diem rate effective for dates of service beginning February 1, 2007, of three dollars and zero cents (\$3.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's reimbursement rate as of January 31, 2007, and is effective for dates of service beginning February 1, 2007, for payment dates after March 1, 2007.

12. FY-2008 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2007, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2007, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2007, and is effective for dates of service beginning July 1, 2007.

13. FY-2009 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2008, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2008, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2008, and is effective for dates of service beginning July 1, 2008.

14. FY-2010 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2009, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2009, of five dollars and fifty cents (\$5.50) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2009, and is effective for dates of service beginning July 1, 2009.

15. FY-2012 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on October 1, 2011, shall be granted an increase to their per diem rate effective for dates of service beginning October 1, 2011, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services;

B. The trend adjustment shall be added to the facility's current rate as of September 30, 2011, and is effective for dates of service beginning October 1, 2011; and

C. This increase is contingent upon the federal assessment rate limit increasing to six percent (6%) and is subject to approval by the Centers for Medicare and Medicaid Services.

16. FY-2013 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2012, shall be granted an increase to their per diem rate effective for dates of services beginning July 1, 2012, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services;

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2012, and is effective for dates of service beginning July 1, 2012; and

C. This increase is contingent upon approval by the Centers for Medicare and Medicaid Services.

17. FY-2014 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2013, shall be granted an increase to their per diem rate effective for dates of services beginning July 1, 2013, of three percent (3%) of their current rate, less certain fixed cost items. The fixed cost items are the per diem amounts included in the facility's current rate from the following: subsection (2)(O) of 13 CSR 70-10.110, paragraphs (11)(D)1., (11)(D)2., (11)(D)3., (11)(D)4., (13)(B)3. and (13)(B)10. of 13 CSR 70-

10.015;

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2013, and is effective for dates of service beginning July 1, 2013; and

C. This increase is contingent upon approval by the Centers for Medicare and Medicaid Services.

AUTHORITY: section 208.159, RSMo 2000, and sections 208.153 and 208.201, RSMo Supp. [2012] 2013. Original rule filed July 1, 2008, effective Jan. 30, 2009. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2013.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately \$33,739,530 in SFY 2014.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 13 - Department of Social Services
Division Title: Division 70 - MO HealthNet Division
Chapter Title: Chapter 10 - Nursing Home Program

Rule Number and Name:	13 CSR 70-10.016 Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services MO HealthNet Division	Estimated cost for SFY 2014: \$33,739,530

III. WORKSHEET

Description	NFRA Add-On Increase	Effect on Hospice in NF	Total Impact
Estimated Paid Days: SFY 2014	8,420,283	684,441	
Estimated Average Per Diem Increase	\$3.72	\$3.53	
Total Estimated Impact: SFY 2014	\$31,323,453	\$2,416,077	\$33,739,530
State Share (38.135%)	\$11,945,199	\$ 921,371	\$12,866,570
Federal Share (61.865%)	\$19,378,254	\$1,494,706	\$20,872,960

IV. ASSUMPTIONS

Estimated Average Per Diem Increase Impact:

The estimated average per diem increase is determined by applying the three percent (3.0%) trend to the nursing facility per diems excluding certain fixed costs. The fixed costs excluded in determining the trend impact are set forth in subparagraph (3)(A)17.A.

Estimated Paid Days:

Nursing Facility:

The estimated paid days for SFY 2014 are based on the actual Medicaid days paid for nursing facility services during SFY 2012, increased by 0.5% for 2013 and an additional 0.5% for 2014.

Hospice:

The estimated paid days for SFY 2014 for hospice are based on the actual hospice days provided in nursing facilities from January 2012 through December 2012.

Effect on Hospice:

Hospice providers are reimbursed 95% of the nursing facility per diem for hospice participants residing in a nursing facility. The average per diem rate increase for the 3% trend will be \$3.72. The increase to hospice reimbursement rates resulting from this amendment is \$3.53 ($\$3.72 \times 95\%$).

**Title 14—DEPARTMENT OF CORRECTIONS
Division 80—State Board of Probation and Parole
Chapter 5—Intervention Fee**

PROPOSED AMENDMENT

14 CSR 80-5.010 Definitions for Intervention Fee. The board is adding a new subsection (1)(G).

PURPOSE: This amendment changes the definitions used in this regulation.

(1) For the purpose of 14 CSR 80-5—

(E) The term “income” refers to gross earnings, unemployment compensation, worker’s compensation, Social Security, Supplemental Security Income, public assistance, veteran’s payments, survivor benefits, pension and retirement income, interest, dividends, rents, royalties, income from estates, trusts, educational assistance, alimony, child support, assistance from outside the household, and other miscellaneous sources. Non-cash benefits, such as food stamps and housing subsidies, are not considered income; *[and]*

(F) The term “family member” means any relative, by blood or marriage, who resides in the same household. Non-relatives, such as housemates, are not included.*]; and*

(G) The term “Dual Case” means an offender has both a court case and a parole board controlled case.

AUTHORITY: sections 217.040 and 217.755, RSMo 2000, and section 217.690, RSMo Supp. [2011] 2013. Emergency rule filed Oct. 6, 2005, effective Nov. 1, 2005, expired April 29, 2006. Original rule filed Oct. 6, 2005, effective April 30, 2006. Amended: Filed Aug. 1, 2008, effective Jan. 30, 2009. Amended: Filed Oct. 19, 2011, effective May 30, 2012. Amended: Filed Nov. 1, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Corrections, State Board of Probation and Parole, Ellis McSwain Jr., Chairman, 3400 Knipp Drive, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 14—DEPARTMENT OF CORRECTIONS
Division 80—State Board of Probation and Parole
Chapter 5—Intervention Fee**

PROPOSED AMENDMENT

14 CSR 80-5.020 Intervention Fee Procedure. The board is amending subsections (1)(C), (E), and (I).

PURPOSE: This amendment revises the method of payment, specifies that initial parole or conditional releases, and dual cases, are exempt from payment of intervention fees for the first ninety (90) days of their supervision, specifies that specialty court cases designated by the department are exempted from interview fees, identifies Offender Financial Services as the designated collection agency and notifies that eligible debt will be sent to the Department of Revenue for tax interception.

(1) The following procedures apply to the collection of an offender intervention fee.

(C) Fees will be collected as follows:

1. Offenders shall be provided instructions on payment methods and procedures. Staff shall not accept money in any form from an offender;

2. The intervention fee shall be due on the first day of the first full month following placement under board supervision on probation, parole, or conditional release. **Initial Parole or Conditional Releases are exempt for the first ninety (90) days.** The fee shall be due thereafter on the first working day of each month until supervision is terminated;

3. Payments shall be deemed delinquent after the fifteenth day of the month, including the final month of supervision;

4. *[Pre-printed envelopes, p]*Payment vouchers, and payment instructions will be provided to the offender; and

5. Payment instructions to the offender will indicate the following:

A. Payments must be submitted directly to the designated collection authority. Probation and parole staff will not accept payments;

B. Only money orders, cashier’s checks, or payment via an approved electronic payment service will be accepted. Personal checks and cash will not be accepted; and

C. The completed payment voucher shall accompany the payment.

(E) Offenders will be exempt~~ed~~ from paying intervention fees under the following circumstances:

1. Offenders released to parole or conditional release are exempt for the first ninety (90) days. At the ninety- (90-) day mark, the case will be reviewed. Should the offender not meet the criteria for a waiver, intervention fees will be assessed beginning with the first day of the month following the determination that an exemption or waiver is no longer approved. **If the offender has a dual case, then exemptions still apply and monthly intervention fees do not accrue for ninety (90) days following release;** *and/.*

2. *[Pre-trial, drug court, and]* Specialty courts designated by the department, to include deferred prosecution cases are exempted from paying the intervention fee.

(I) The following process for sanctions regarding nonpayment shall be applied:

1. *[The designated collection agency is responsible for collecting payments of the intervention fee]* **The primary collection activity shall be the responsibility of Offender Financial Services;**

2. Upon receiving notification from *[the designated agency]* Offender Financial Services that an offender has failed to submit the intervention fee, the supervising officer will remind the offender of the payment obligation, during their next contact;

3. The supervising officer should direct the offender to specific programs or services that will assist him/her in addressing their inability to pay (i.e., financial management program, employment counseling and/or job seeking classes, substance abuse counseling, mental health counseling, etc.);

4. When willful nonpayment occurs over a period of ninety (90) consecutive days, the supervising officer shall submit notice of citation or violation report;

[5. Offenders who are not current on their intervention fee payments may not be eligible for transfer to minimum supervision, interstate transfer or early discharge consideration;]

[6.]5. Sanctions for willful nonpayment of intervention fees include, but are not limited to the following:

A. Written reprimand from district administrator or parole board;

B. Travel restriction;

C. Community service;

D. Increased level of supervision; and

E. Shock Detention;

[7.]6. Unpaid intervention fees owed by offenders committed to the Division of Adult Institutions (DAI) will be collected from the inmate's account; *[and]*

[8.]7. All intervention fees collected by the department will be deposited in the inmate fund established in section 217.430, RSMo, with expenditures occurring as authorized through the state budget appropriation process[.]; **and**

8. Offender Financial Services will send eligible debt, at least annually, to the Department of Revenue for income tax interception.

AUTHORITY: sections 217.040 and 217.755, RSMo 2000, and section 217.690, RSMo Supp. [2011] 2013. Emergency rule filed Oct. 6, 2005, effective Nov. 1, 2005, expired April 29, 2006. Original rule filed Oct. 6, 2005, effective April 30, 2006. Amended: Filed Aug. 7, 2006, effective Feb. 28, 2007. Amended: Filed: August 1, 2008, effective Jan. 30, 2009. Amended: Filed Oct. 19, 2011, effective May 30, 2012. Amended: Filed Nov. 1, 2013.

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