



Rules of
Department of Elementary and
Secondary Education
Division 30—Division of Financial and
Administrative Services
Chapter 640—School Buildings

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**Title 5—DEPARTMENT OF
ELEMENTARY AND
SECONDARY EDUCATION
Division 30—Division of Financial and
Administrative Services
Chapter 640—School Buildings**

**5 CSR 30-640.010 School Building
Revolving Fund**

(Rescinded May 30, 2007)

AUTHORITY: sections 166.275 and 166.300, RSMo 1994. Original rule filed May 11, 1995, effective Dec. 30, 1995. Rescinded: Filed Oct. 12, 2006, effective May 30, 2007.

**5 CSR 30-640.100 Rebuild Missouri
Schools Program**

(Rescinded March 30, 2014)

AUTHORITY: sections 160.459 and 161.092, RSMo Supp. 2008. Original rule filed Dec. 5, 2008, effective July 30, 2009. Rescinded: Filed Aug. 27, 2013, effective March 30, 2014.

**5 CSR 30-640.200 Early Learning Facilities
Funding Formula for Lease Agreements**

PURPOSE: The rule establishes a funding formula for early learning programs facility lease agreements when funding is requested from the Department of Elementary and Secondary Education (department).

(1) The department uses the following formula to determine the maximum allowable cost per fiscal year for early learning programs facility lease agreements:

(A) Standard amount of square footage per child multiplied by the total number of eligible pupils educated at the facility multiplied by the cost per square foot by county;

(B) Standard amount of square footage per itinerant full-time equivalent (FTE) position multiplied by the total itinerant FTE multiplied by the cost per square foot by county; and

(C) Standard amount of square footage per administrative FTE position multiplied by the total administrative FTE actually housed in the leased facility multiplied by the cost per square foot by county.

(2) The square footage must be utilized in accordance with the programs' state and federal guidelines as found on the department's website.

(3) If the actual expenditures are less than the

amount determined by the formula, only actual expenditures will be reimbursed.

(4) For purposes of this rule, the following terms mean:

(A) Standard amount of square footage per child is sixty (60) square feet. This may encompass educational and ancillary space;

(B) Standard amount of square footage per itinerant FTE position is one hundred twenty (120) square feet;

(C) Standard amount of square footage per administrative staff is one hundred twenty (120) square feet;

(D) Eligible pupils—

1. For Early Childhood Special Education (ECSE) programs—the number of students with disabilities who are educated at the leased facility and have instructional services in their Individualized Education Program (IEP) plus the number of non-disabled integrated peers who are educated at the leased facility. The number shall be determined based on the pupil enrollment on April 30 in the year for which facility lease payment is requested;

2. For the Missouri Preschool Program (MPP)—the number of slots approved by the department in the grant award for the program; and

3. For Elementary and Secondary Education Act (ESEA) preschools—the number of slots determined by the district and approved within the budget application for children who are educationally disadvantaged and are three (3), four (4), or five (5) years of age;

(E) Cost per square foot by county—

1. The highest rate per square foot for the county where the facility is located as computed based on the state lease facility space information per county obtained from the Office of Administration (OA) and posted on the department website annually; or

2. If there is no rate for an individual county, the lowest rate from the contiguous counties is used in the formula;

(F) Itinerant positions are instructional, diagnostic, and related services staff that travel from one (1) building/facility to a separate building/facility in order to provide instructional and related services as set forth in an IEP, or who provide services to eligible pupils outside the ECSE classroom, and are identified in the approved ECSE Final Expenditure Report (FER);

(G) Administrative positions are director and coordinator staff that are identified in the approved ECSE FER; and

(H) FTE is the number of total hours worked divided by the maximum number of compensable hours in a full-time schedule as

defined by law.

(5) The formula will be used for facility lease costs incurred starting July 1, 2016. However, for leases that were fully signed and in effect on March 2, 2015, the formula will be used for facility lease costs incurred starting July 1, 2019 or the date the lease expires, whichever comes first.

(6) The formula applies to ECSE, MPP, and ESEA programs with facility lease agreements.

(7) Early Childhood Special Education multi-district cooperative programs can request a waiver of the use of the formula from the department if the cooperative can validate that using a facility that exceeds the formula amount reduces the total cost of the cooperative Early Childhood Special Education Program for that year.

(8) Requests for payment shall be submitted to the department's finance section handling the costs for the specific early learning program in accordance with the deadlines for that program.

(9) Districts can have multiple early learning programs in the same building but the facility lease costs must be prorated among the programs based on a method approved by the department.

AUTHORITY: section 161.215, RSMo Supp. 2013, and section 161.092, RSMo Supp. 2014. Original rule filed May 28, 2015, effective Jan. 30, 2016.*

**Original authority: 161.215, RSMo 2010, amended 2012 and 161.092, RSMo 1963, amended 1973, 2002, 2003, 2013, 2014.*