MISSOURI STATE BOARD OF EDUCATION AGENDA ITEM: **APRIL 2014**

CONSIDERATION OF AN ORDER OF RULEMAKING TO AMEND
RULE 5 CSR 20-500.170, RELATING TO APPEALS

STATUTORY AUTHORITY:	☐ Consent Item	☒ Action Item	☐ Report Item
Section 178.590 – 178.620, RSMo; Section 161.092, RSMo			

DEPARTMENT GOAL NO. 4:

The Missouri Department of Elementary and Secondary Education will improve departmental efficiency and operational effectiveness.

SUMMARY:

On January 14, 2014, the State Board of Education approved a notice of proposed rulemaking to amend 5 CSR 20-500.170, relating to appeals. The notice of the proposed rulemaking was published in the March 3, 2014 edition of the *Missouri Register* for comment. No comments were received by Vocational Rehabilitation (VR) during the 30-day comment period. The proposed amendment relates to Vocational Rehabilitation (VR) applicant or eligible individual appeals. It states that an applicant or eligible individual will be informed of their right to appeal through a due process hearing or mediation if they are determined to be ineligible for VR services, when their Individual Plan for Employment is executed, or if there is a reduction, suspension or cessation of services. The proposed amendment also states that the applicant or eligible individual will be informed in writing about the Client Assistance Program. It also changes Division of Vocational Rehabilitation to the Office of Adult Learning and Rehabilitation Services.

PRESENTER(S):

Jeanne Loyd, Assistant Commissioner, Office of Adult Learning and Rehabilitation Services, will assist with the presentation and discussion of this item.

RECOMMENDATION:

The Department recommends that the State Board of Education authorize publication in the *Missouri Register* of the order of rulemaking to amend 5 CSR 20-500.170, relating to appeals in the provision of VR services; and that the State Board finds this amendment necessary to carry out the purpose of Section 161.092, RSMo Supp. 2013 and Sections 178.600, 178.610, and 178.620, RSMo 2000.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 500—Office of Adult Learning and Rehabilitation Services

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 178.600, 178.610, and 178.620, RSMo 2000 and section 161.092, RSMo Supp. 2013, the board amends a rule as follows:

5 CSR 20-500.170 Appeals **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2014 (39 MoReg 633-634). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.