

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

CONSIDERATION OF AN ORDER OF RULEMAKING TO AMEND
 RULE 5 CSR 20-500.130, RELATING TO CONFIDENTIALITY AND RELEASE OF
 INFORMATION

STATUTORY AUTHORITY:

Section 178.590 – 178.620, RSMo; Section
 161.092, RSMo

Consent
ItemAction
ItemReport
Item**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 20-500.130, relating to confidentiality and release of information. 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 adds the Division of Workforce Development and school districts to the list of entities VR may provide consumer information to in the performance of services. It also adds circumstances in which consumer information will be released without consumer consent, i.e. in response to a law enforcement investigation, abuse, fraud, an order by a judge or other judicial officer, and when necessary to protect the consumer or others if the consumer poses a threat. The proposed amendment 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 20-500.130, relating to confidentiality and release of information 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 20-500.130 Confidentiality and Release of Information 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 630-631). 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.