

MISSOURI STATE BOARD OF EDUCATION AGENDA ITEM:**January 2015**

**CONSIDERATION OF A NOTICE OF PROPOSED RULEMAKING
TO AMEND RULE 5 CSR 20-600.120 INSTRUCTION FOR PREKINDERGARTEN**

STATUTORY AUTHORITY:

Sections 163.031 and 163.018

Consent Item
 Action Item
 Report Item

DEPARTMENT GOAL NO. 2:

All Missouri children will enter kindergarten prepared to be successful in school.

SUMMARY:

HB 1689 (2014) authorized school districts to include children up to two years from kindergarten entry and eligible for free or reduced-price lunch in their reported ADA counts for the purpose of receiving state aid. The number of prekindergarten students reported for state aid may not exceed four percent of the district's pupil count of children between the ages of three and eighteen who are eligible for free or reduced-price lunch. The statute goes into effect in 2015-16 for districts classified as unaccredited, in 2016-17 for districts classified as provisionally accredited, and for all other districts in the year subsequent to full funding of the foundation formula. The proposed amendment removes language from 5 CSR 20-600.120 that limits the use of state aid to kindergarten through grade twelve instruction.

PRESENTER(S):

Stacey Preis, Assistant Commissioner, Office of Early & Extended Learning, will assist with the presentation and discussion of this agenda item.

RECOMMENDATION:

The Department recommends that the State Board of Education authorize publication in the *Missouri Register* of a notice of proposed rulemaking to amend rule 5 CSR 20-600.120, relating to Instruction for Prekindergarten, and that the State Board finds this proposed amendment necessary to carry out the purposes of Sections 163.031 and 163.018, RSMo.

Title 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 20 – Division of Learning Services
Chapter 600 – Office of Early and Extended Learning

PROPOSED AMENDMENT

5 CSR 20-600.120 Instruction for Prekindergarten. The State Board of Education is proposing to amend section (1).

PURPOSE: This amendment eliminates the restriction on using state aid distributed pursuant to section 163.031, RSMo, (foundation formula) to provide for prekindergarten which is now allowed pursuant to section 163.018, RSMo.

(1) A public school district may provide for the gratuitous education of pupils in prekindergarten. *[The gratuitous education, however, shall be provided only out of revenues which are not derived from state aid for the kindergarten through twelve (K–12) program and only with revenues which are not required for establishing and maintaining free public schools for the gratuitous instruction of persons between the ages of five and twenty (5–20) years.]*

AUTHORITY: sections 161.092 and 163.018, RSMo [1986] Supp. 2014. This rule previously filed as 5 CSR 50-340.020. Original rule filed Nov. 5, 1969, effective Nov. 15, 1969. Moved to 5 CSR 20-600.120, effective Aug. 16, 2011.

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 Elementary and Secondary Education, Attention: Stacey Preis, Assistant Commissioner, Office of Early and Extended Learning, PO Box 480, Jefferson City, MO 65102-0480 or by email at eel@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.*