

**Proposed changes to the Missouri
State Regulations Implementing Part B of the Individuals with Disabilities Education Act (IDEA)**

Regulation I – General Provisions

NOTE: This chart only shows substantive changes being proposed to the Part B State Regulations implementing the Individuals with Disabilities Education Act (IDEA). Other changes of a non-substantive nature, such as terminology or wording changes, spelling/punctuation/grammar corrections, etc. are not shown here. For a complete picture of all changes being proposed, the reader is directed to the regulatory document itself.

Regulation	Page	Current Regulation	Proposed Regulation	Rationale for the change
I	2	Child with a disability The Individuals with Disabilities Education Act (IDEA) defines students with disabilities as those children, ages three (3) to twenty-one (21), who have been properly evaluated as having Mental Retardation, Hearing Impairments and Deafness, Speech or Language Impairments, Visual Impairments including Blindness, Emotional Disturbance, Orthopedic Impairments, Autism, Traumatic Brain Injury, Other Health Impaired, a Specific Learning Disability, Deaf Blindness, or Multiple Disabilities and, who because of that disability, require special education and related services. As allowed under 34 CFR 300.87 implementing IDEA, the State of Missouri also defines a child with a disability to include ages three (3) through five (5) who have been properly identified as a young child with a developmental delay.	Child with a disability The Individuals with Disabilities Education Act (IDEA) defines students with disabilities as those children, ages three (3) to twenty-one (21), who have been properly evaluated as having Mental Retardation Intellectual Disability , Hearing Impairments and Deafness, Speech or Language Impairments, Visual Impairments including Blindness, Emotional Disturbance, Orthopedic Impairments, Autism, Traumatic Brain Injury, Other Health Impaired ments a Specific Learning Disability, Deaf Blindness, or Multiple Disabilities and, who because of that disability, require special education and related services. As allowed under 34 CFR 300.87 implementing IDEA, the State of Missouri also defines a child with a disability to include ages three (3) through five (5) who have been properly identified as a young child with a developmental delay.	Update eligibility category terms to be consistent with current language.
I	2	<u>Core academic subjects</u> Core academic subjects means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.	<u>Core academic subjects</u> Core academic subjects means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.	Term no longer applicable.
I	3	<u>Limited English proficient</u> Limited English proficient means an individual who is aged 3 through 21; who is enrolled or preparing to enroll in an elementary or secondary school; who was not born in the United States or whose native language is a language other than English; who is a Native American or Alaska Native or a native resident of the outlying areas and who comes from an environment where a language other than English has had a significant impact on the individual’s level of English	<u>Limited English proficient</u> English Learner Limited English proficient English learner means an individual who is aged 3 through 21; who is enrolled or preparing to enroll in an elementary or secondary school; who was not born in the United States or whose native language is a language other than English; who is a Native American or Alaska Native or a native resident of the outlying areas and who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language	Rename and update to make consistent with term as currently used in ESSA.

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		<p>language proficiency or who is migratory, whose native language is a language other than English and who comes from an environment where a language other than English is dominant; and, whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the ability to meet the State’s proficient level of achievement on State assessments and to successfully achieve in classrooms where the language of instruction is English</p>	<p>proficiency or who is migratory, whose native language is a language other than English and who comes from an environment where a language other than English is dominant; and, whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the ability to meet the challenging State academic standards; the ability State’s proficient level of achievement on State assessments and to successfully achieve in classrooms where the language of instruction is English; or the opportunity to participate fully in society.</p>	
I	4-5	<p>Highly qualified special education teachers For any public elementary or secondary school special education teacher teaching core academic subjects, the term highly qualified has the meaning given the term in section 9101 of the ESEA. Highly qualified requires that the teacher: A. has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification or passed the State special education teacher licensing examination) and holds a license to teach in the state as a special education teacher; and, B. has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and, C. holds at least a bachelor’s degree; and, D. demonstrates competence in all of the core academic subjects in which the special education teacher (who is not new to the teaching profession) is the teacher of record in the same manner as is required for a teacher who is not new to the teaching profession, which may include a single, high objective uniform state standard of evaluation (HOUSSE) covering multiple subjects; or, E. in the case of a new special education teacher who teaches multiple subjects and is highly qualified in mathematics, language arts, or science, demonstrates, not later than two years after the date of employment, competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or</p>	<p>Highly qualified special education teachers For any public elementary or secondary school special education teacher teaching core academic subjects, the term highly qualified has the meaning given the term in section 9101 of the ESEA. Highly qualified requires that the teacher: A. has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification or passed the State special education teacher licensing examination) and holds a license to teach in the state as a special education teacher; and, B. has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and, C. holds at least a bachelor’s degree; and, D. demonstrates competence in all of the core academic subjects in which the special education teacher (who is not new to the teaching profession) is the teacher of record in the same manner as is required for a teacher who is not new to the teaching profession, which may include a single, high objective uniform state standard of evaluation (HOUSSE) covering multiple subjects; or, E. in the case of a new special education teacher who teaches multiple subjects and is highly qualified in mathematics, language arts, or science, demonstrates, not later than two years after the date of employment, competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher, under 34 CFR 200.56(c) which may</p>	<p>Highly Qualified Teacher, as previously defined in ESEA, is no longer applicable.</p>

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		<p>secondary school teacher, under 34 CFR 200.56(c) which may include a single HOUSSE covering multiple subjects. If a teacher is participating in an alternative route to special education certification, the teacher is considered to be highly qualified if that teacher</p> <p>A teacher who meets the applicable state certification and licensure requirement:</p> <p>A. receives high quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction before and while teaching;</p> <p>B. participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;</p> <p>C. assumes functions as a teacher only for a specified period of time not to exceed three years; and,</p> <p>D. demonstrates satisfactory progress toward full certification.</p> <p>The state, through its certification and licensure process, must ensure these provisions are met.</p> <p>A special education teacher who teaches core academic subjects exclusively to children who are assessed against alternate achievement standards is considered highly qualified if the teacher:</p> <p>A. meets the requirements for any elementary, middle, or secondary school teacher who is new or not new to the teaching profession or,</p> <p>B. meets requirements of an elementary school teacher, or in the case of instruction above the elementary level, meets the requirements as applied to the elementary teacher in ESEA ESSA and have subject matter knowledge appropriate to the level of instruction being provided and needed to effectively teach to those standards as determined by the State. A fully certificated regular education teacher who subsequently becomes fully certified or licensed as a special education teacher is a new special education teacher when first hired as a special education teacher.</p>	<p>include a single HOUSSE covering multiple subjects. If a teacher is participating in an alternative route to special education certification, the teacher is considered to be highly qualified if that teacher</p> <p>A teacher who meets the applicable state certification and licensure requirement:</p> <p>A. receives high quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction before and while teaching;</p> <p>B. participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;</p> <p>C. assumes functions as a teacher only for a specified period of time not to exceed three years; and,</p> <p>D. demonstrates satisfactory progress toward full certification.</p> <p>The state, through its certification and licensure process, must ensure these provisions are met.</p> <p>A special education teacher who teaches core academic subjects exclusively to children who are assessed against alternate achievement standards is considered highly qualified if the teacher:</p> <p>A. meets the requirements for any elementary, middle, or secondary school teacher who is new or not new to the teaching profession or,</p> <p>B. meets requirements of an elementary school teacher, or in the case of instruction above the elementary level, meets the requirements as applied to the elementary teacher in ESEA ESSA and have subject matter knowledge appropriate to the level of instruction being provided and needed to effectively teach to those standards as determined by the State. A fully certificated regular education teacher who subsequently becomes fully certified or licensed as a special education teacher is a new special education teacher when first hired as a special education teacher.</p> <p>These requirements do not apply to teachers hired by private elementary schools and secondary schools including private</p>	

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		These requirements do not apply to teachers hired by private elementary schools and secondary schools including private school teachers hired or contracted by LEAs to provide equitable services to parentally placed private school children.	school teachers hired or contracted by LEAs to provide equitable services to parentally placed private school children.	
I	5-6	<u>Limited English proficient</u> Limited English proficient means an individual who is aged 3 through 21; who is enrolled or preparing to enroll in an elementary or secondary school; who was not born in the United States or whose native language is a language other than English; who is a Native American or Alaska Native or a native resident of the outlying areas and who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency or who is migratory, whose native language is a language other than English and who comes from an environment where a language other than English is dominant; and, whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the ability to meet the State’s proficient level of achievement on State assessments and to successfully achieve in classrooms where the language of instruction is English	<u>Limited English proficient</u> (Renamed “English Learner”—see above) Limited English proficient means an individual who is aged 3 through 21; who is enrolled or preparing to enroll in an elementary or secondary school; who was not born in the United States or whose native language is a language other than English; who is a Native American or Alaska Native or a native resident of the outlying areas and who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency or who is migratory, whose native language is a language other than English and who comes from an environment where a language other than English is dominant; and, whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the ability to meet the State’s proficient level of achievement on State assessments and to successfully achieve in classrooms where the language of instruction is English.	Rename and update to make consistent with term as currently used in ESSA.
I	6	<u>Native language</u> Native language, when used with respect to an individual who is limited English proficient, means the following:	<u>Native language</u> Native language, when used with respect to an individual who is an English Learner limited English proficient , means the following:	Update term to make consistent with current use in ESSA.
I	7	Individual related services are defined as follows: B. Counseling services means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.	Individual related services are defined as follows: B. Counseling services means services provided by qualified social workers, psychologists, guidance school counselors, or other qualified personnel.	Update term to make consistent with current use.