**Proposed changes to the Missouri**

**State Regulations Implementing Part B of the Individuals with Disabilities Education Act (IDEA) Effective July 30, 2023**

**Regulation IV – FAPE/IEP/LRE**

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** | **Proposed Regulation** | **Comments** | **Response** |
| --- | --- | --- | --- | --- |
| IV | 45 | **AGENCY RESPONSIBLE FOR FAPE**  The public agency or special school district in which a student with a disability resides is responsible for implementation of FAPE. Students with disabilities or severe disabilities who are admitted to programs and facilities of the Department of Mental Health or whose domicile is in one public agency, but actually reside in another public agency as a result of a placement arranged by or approved by the Department of Mental Health, the Department of Social Services, or a court of competent jurisdiction shall be provided special education and related services in the public agency where the student actually resides. **Students enrolled in full-time MOCAP approved virtual education programs hosted by a Missouri school district are enrolled in the host school district. The host school district is responsible for implementation of FAPE.** | No comments were received. | Proceed with change.  Rationale: Add description of MOCAP hosted district enrollment because it is an exception to the residency rule and is a new addition to Section 161.670 RSMo. |
| IV | 46 | Listed below are the statutes of the state of Missouri which provide the legal basis and source Missouri’s policy relating to FAPE.   1. Section 162.670, RSMo 2. Section 162.675, RSMo 3. Section 162.680, RSMo 4. Section 217.355(4), RSMo 5. Section 162.700(1), RSMo 6. Section 219.021, RSMo 7. Article IV, Section 37(a), Missouri Constitution   **(8) Section 161.670 Subsection 3(4), RSMo** | No comments were received. | Proceed with change.  Rationale: Add Section 160.670 RSMo, implementing new requirements to the MOCAP statute, to the list of state statutes that provide the legal basis and source of Missouri’s policy relating to FAPE. |