

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1543**  
**95TH GENERAL ASSEMBLY**

3136L.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 160.261, 160.522, 160.660, 160.775, 161.650, 167.018, 167.020, 167.022, 167.023, 167.029, 167.115, 167.117, 167.161, 167.164, 167.621, 167.624, 167.627, 167.630, 168.221, 177.161, 177.171, and 210.102, and to enact in lieu thereof twenty-six new sections relating to elementary and secondary education, with penalty provisions, with an effective date for a certain section.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 160.261, 160.522, 160.660, 160.775, 161.650, 167.018, 167.020,  
2 167.022, 167.023, 167.029, 167.115, 167.117, 167.161, 167.164, 167.621, 167.624, 167.627,  
3 167.630, 168.221, 177.161, 177.171, and 210.102, RSMo, are repealed and twenty-six new  
4 sections enacted in lieu thereof, to be known as sections 160.261, 160.262, 160.522, 160.660,  
5 160.775, 161.370, 161.650, 167.018, 167.020, 167.022, 167.023, 167.029, 167.115, 167.117,  
6 167.161, 167.164, 167.621, 167.624, 167.627, 167.630, 168.221, 171.054, 177.161, 177.171,  
7 210.102, and 210.118, to read as follows:

160.261. 1. The local board of education of each school district shall clearly establish  
2 a written policy of discipline, including the district's determination on the use of corporal  
3 punishment and the procedures in which punishment will be applied. A written copy of the  
4 district's discipline policy and corporal punishment procedures, if applicable, shall be provided  
5 to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning  
6 of each school year and also made available in the office of the superintendent of such district,  
7 during normal business hours, for public inspection. All employees of the district shall annually  
8 receive instruction related to the specific contents of the policy of discipline and any  
9 interpretations necessary to implement the provisions of the policy in the course of their duties,  
10 including but not limited to approved methods of dealing with acts of school violence,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 disciplining students with disabilities and instruction in the necessity and requirements for  
12 confidentiality.

13         2. The policy shall require school administrators to report acts of school violence to **all**  
14 teachers **at the attendance center** and **in addition, to** other school district employees with a  
15 need to know. For the purposes of this chapter or chapter 167, RSMo, "need to know" is defined  
16 as school personnel who are directly responsible for the student's education or who otherwise  
17 interact with the student on a professional basis while acting within the scope of their assigned  
18 duties. As used in this section, the phrase "act of school violence" or "violent behavior" means  
19 the exertion of physical force by a student with the intent to do serious physical injury as defined  
20 in subdivision (6) of section 565.002, RSMo, to another person while on school property,  
21 including a school bus in service on behalf of the district, or while involved in school activities.  
22 The policy shall at a minimum require school administrators to report, as soon as reasonably  
23 practical, to the appropriate law enforcement agency any of the following crimes, or any act  
24 which if committed by an adult would be one of the following crimes:

- 25         (1) First degree murder under section 565.020, RSMo;
- 26         (2) Second degree murder under section 565.021, RSMo;
- 27         (3) Kidnapping under section 565.110, RSMo;
- 28         (4) First degree assault under section 565.050, RSMo;
- 29         (5) Forcible rape under section 566.030, RSMo;
- 30         (6) Forcible sodomy under section 566.060, RSMo;
- 31         (7) Burglary in the first degree under section 569.160, RSMo;
- 32         (8) Burglary in the second degree under section 569.170, RSMo;
- 33         (9) Robbery in the first degree under section 569.020, RSMo;
- 34         (10) Distribution of drugs under section 195.211, RSMo;
- 35         (11) Distribution of drugs to a minor under section 195.212, RSMo;
- 36         (12) Arson in the first degree under section 569.040, RSMo;
- 37         (13) Voluntary manslaughter under section 565.023, RSMo;
- 38         (14) Involuntary manslaughter under section 565.024, RSMo;
- 39         (15) Second degree assault under section 565.060, RSMo;
- 40         (16) Sexual assault under section 566.040, RSMo;
- 41         (17) Felonious restraint under section 565.120, RSMo;
- 42         (18) Property damage in the first degree under section 569.100, RSMo;
- 43         (19) The possession of a weapon under chapter 571, RSMo;
- 44         (20) Child molestation in the first degree pursuant to section 566.067, RSMo;
- 45         (21) Deviate sexual assault pursuant to section 566.070, RSMo;
- 46         (22) Sexual misconduct involving a child pursuant to section 566.083, RSMo;

47 (23) Sexual abuse pursuant to section 566.100, RSMo;

48 (24) Harassment under section 565.090, RSMo; or

49 (25) Stalking under section 565.225, RSMo; committed on school property, including  
50 but not limited to actions on any school bus in service on behalf of the district or while involved  
51 in school activities. The policy shall require that any portion of a student's individualized  
52 education program that is related to demonstrated or potentially violent behavior shall be  
53 provided to any teacher and other school district employees who are directly responsible for the  
54 student's education or who otherwise interact with the student on an educational basis while  
55 acting within the scope of their assigned duties. The policy shall also contain the consequences  
56 of failure to obey standards of conduct set by the local board of education, and the importance  
57 of the standards to the maintenance of an atmosphere where orderly learning is possible and  
58 encouraged.

59 3. The policy shall provide that any student who is on suspension for any of the offenses  
60 listed in subsection 2 of this section or any act of violence or drug-related activity defined by  
61 school district policy as a serious violation of school discipline pursuant to subsection 9 of this  
62 section shall have as a condition of his or her suspension the requirement that such student is not  
63 allowed, while on such suspension, to be within one thousand feet of any [public] school  
64 **property** in the school district where such student attended school **or any activity of that**  
65 **district, regardless of whether or not the activity takes place on district property** unless:

66 (1) Such student is under the direct supervision of the student's parent, legal guardian,  
67 or custodian **and the superintendent or the superintendent's designee has authorized the**  
68 **student to be on school property;**

69 (2) Such student is under the direct supervision of another adult designated by the  
70 student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school  
71 which suspended the student **and the superintendent or the superintendent's designee has**  
72 **authorized the student to be on school property;**

73 (3) Such student is **enrolled in and attending** an alternative school that is located within  
74 one thousand feet of a public school in the school district where such student attended school;  
75 or

76 (4) Such student resides within one thousand feet of any public school in the school  
77 district where such student attended school in which case such student may be on the property  
78 of his or her residence without direct adult supervision.

79 4. Any student who violates the condition of suspension required pursuant to subsection  
80 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of  
81 sections 167.161, 167.164, and 167.171, RSMo. In making this determination consideration  
82 shall be given to whether the student poses a threat to the safety of any child or school employee

83 and whether such student's unsupervised presence within one thousand feet of the school is  
84 disruptive to the educational process or undermines the effectiveness of the school's disciplinary  
85 policy. Removal of any pupil who is a student with a disability is subject to state and federal  
86 procedural rights. **This section shall not limit a school district's ability to:**

87 **(1) Prohibit all students who are suspended from being on school property or**  
88 **attending an activity while on suspension;**

89 **(2) Discipline students for off-campus conduct that negatively affects the**  
90 **educational environment to the extent allowed by law.**

91 5. The policy shall provide for a suspension for a period of not less than one year, or  
92 expulsion, for a student who is determined to have brought a weapon to school, including but  
93 not limited to the school playground or the school parking lot, brought a weapon on a school bus  
94 or brought a weapon to a school activity whether on or off of the school property in violation of  
95 district policy, except that:

96 (1) The superintendent or, in a school district with no high school, the principal of the  
97 school which such child attends may modify such suspension on a case-by-case basis; and

98 (2) This section shall not prevent the school district from providing educational services  
99 in an alternative setting to a student suspended under the provisions of this section.

100 6. For the purpose of this section, the term "weapon" shall mean a firearm as defined  
101 under 18 U.S.C. 921 and the following items, as defined in section 571.010, RSMo: a blackjack,  
102 a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife,  
103 knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade  
104 knife; except that this section shall not be construed to prohibit a school board from adopting a  
105 policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for  
106 educational purposes so long as the firearm is unloaded. The local board of education shall  
107 define weapon in the discipline policy. Such definition shall include the weapons defined in this  
108 subsection but may also include other weapons.

109 7. All school district personnel responsible for the care and supervision of students are  
110 authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any  
111 property of the school, on any school bus going to or returning from school, during  
112 school-sponsored activities, or during intermission or recess periods.

113 8. Teachers and other authorized district personnel in public schools responsible for the  
114 care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable  
115 care by the school district, shall not be civilly liable when acting in conformity with the  
116 established [policy of discipline] **policies** developed by each board [under this section],  
117 **including but not limited to policies of student discipline** or when reporting to his or her  
118 supervisor or other person as mandated by state law acts of school violence or threatened acts

119 of school violence, within the course and scope of the duties of the teacher, authorized district  
120 personnel or volunteer, when such individual is acting in conformity with the established policies  
121 developed by the board. Nothing in this section shall be construed to create a new cause of  
122 action against such school district, or to relieve the school district from liability for the negligent  
123 acts of such persons.

124 9. Each school board shall define in its discipline policy acts of violence and any other  
125 acts that constitute a serious violation of that policy. "Acts of violence" as defined by school  
126 boards shall include but not be limited to exertion of physical force by a student with the intent  
127 to do serious bodily harm to another person while on school property, including a school bus in  
128 service on behalf of the district, or while involved in school activities. School districts shall for  
129 each student enrolled in the school district compile and maintain records of any serious violation  
130 of the district's discipline policy. Such records shall be made available to teachers and other  
131 school district employees with a need to know while acting within the scope of their assigned  
132 duties, and shall be provided as required in section 167.020, RSMo, to any school district in  
133 which the student subsequently attempts to enroll.

134 10. (1) Spanking, when administered by certificated personnel **and in the presence of**  
135 **a witness who is an employee of the school district, or the use of force to protect persons**  
136 **or property, when administered by personnel** of a school district in a reasonable manner in  
137 accordance with the local board of education's written policy of discipline, is not abuse within  
138 the meaning of chapter 210, RSMo. The provisions of sections 210.110 to 210.165, RSMo,  
139 notwithstanding, the **children's** division [of family services] shall not have jurisdiction over or  
140 investigate any report of alleged child abuse arising out of or related to **the use of force to**  
141 **protect persons or property when administered by personnel of a school district or** any  
142 spanking administered in a reasonable manner by any certificated school personnel **in the**  
143 **presence of a witness who is an employee of the school district** pursuant to a written policy  
144 of discipline established by the board of education of the school district, **as long as no allegation**  
145 **of sexual misconduct arises from the spanking or use of force.**

146 (2) Upon receipt of any reports of child abuse by the **children's** division [of family  
147 services] pursuant to sections 210.110 to 210.165, RSMo, which allegedly [involves] **involve**  
148 personnel of a school district, the **children's** division [of family services] shall notify the  
149 superintendent of schools of the district or, if the person named in the alleged incident is the  
150 superintendent of schools, the president of the school board of the school district where the  
151 alleged incident occurred. If, after an initial investigation, the superintendent of schools or the  
152 president of the school board finds that the report involves an alleged incident of child abuse  
153 other than the administration of a spanking by certificated school personnel **or the use of force**  
154 **to protect persons or property when administered by school personnel** pursuant to a written

155 policy of discipline or [a] **that the** report **was** made for the sole purpose of harassing a public  
156 school employee, the superintendent of schools or the president of the school board shall  
157 immediately refer the matter back to the **children's** division [of family services] and take no  
158 further action.

159 (3) In all matters referred back to the **children's** division [of family services], the  
160 division [of family services] shall treat the report in the same manner as other reports of alleged  
161 child abuse received by the division. If the report pertains to an alleged incident which arose out  
162 of or is related to a spanking administered by certificated personnel **or the use of force to**  
163 **protect persons or property when administered by personnel** of a school district pursuant to  
164 a written policy of discipline or a report made for the sole purpose of harassing a public school  
165 employee, a notification of the reported child abuse shall be sent by the superintendent of schools  
166 or the president of the school board to the juvenile officer of the county in which the alleged  
167 incident occurred. The report shall be jointly investigated by the juvenile officer or a law  
168 enforcement officer designated by the juvenile officer and the superintendent of schools or, if  
169 the subject of the report is the superintendent of schools, by the juvenile officer or a law  
170 enforcement officer designated by the juvenile officer and the president of the school board or  
171 such president's designee.

172 (4) The investigation shall begin no later than forty-eight hours after notification from  
173 the **children's** division [of family services] is received, and shall consist of, but need not be  
174 limited to, interviewing and recording statements of the child and the child's parents or guardian  
175 within two working days after the start of the investigation, of the school district personnel  
176 allegedly involved in the report, and of any witnesses to the alleged incident. The juvenile  
177 officer or a law enforcement officer designated by the juvenile officer and the investigating  
178 school district personnel shall issue separate reports of their findings and recommendations after  
179 the conclusion of the investigation to the school board of the school district within seven days  
180 after receiving notice from the **children's** division [of family services]. The reports shall contain  
181 a statement of conclusion as to whether the report of alleged child abuse is substantiated or is  
182 unsubstantiated.

183 (5) The school board shall consider the separate reports and shall issue its findings and  
184 conclusions and the action to be taken, if any, within seven days after receiving the last of the  
185 two reports. The findings and conclusions shall be made in substantially the following form:

186 [(1)] (a) The report of the alleged child abuse is unsubstantiated. The juvenile officer  
187 or a law enforcement officer designated by the juvenile officer and the investigating school board  
188 personnel agree that the evidence shows that no abuse occurred;

189 [(2)] (b) The report of the alleged child abuse is substantiated. The juvenile officer or  
190 a law enforcement officer designated by the juvenile officer and the investigating school district

191 personnel agree that the evidence is sufficient to support a finding that the alleged incident of  
192 child abuse did occur;

193       [(3)] (c) The issue involved in the alleged incident of child abuse is unresolved. The  
194 juvenile officer or a law enforcement officer designated by the juvenile officer and the  
195 investigating school personnel are unable to agree on their findings and conclusions on the  
196 alleged incident.

197       11. The findings and conclusions of the school board **under subdivision (5) of**  
198 **subsection 10 of this section** shall be sent to the **children's** division [of family services]. If the  
199 findings and conclusions of the school board are that the report of the alleged child abuse is  
200 unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be  
201 entered in the **children's** division [of family services'] central registry. If the findings and  
202 conclusions of the school board are that the report of the alleged child abuse is substantiated, the  
203 **children's** division [of family services] shall report the incident to the prosecuting attorney of  
204 the appropriate county along with the findings and conclusions of the school district and shall  
205 include the information in the division's central registry. If the findings and conclusions of the  
206 school board are that the issue involved in the alleged incident of child abuse is unresolved, the  
207 **children's** division [of family services] shall report the incident to the prosecuting attorney of  
208 the appropriate county along with the findings and conclusions of the school board, however, the  
209 incident and the names of the parties allegedly involved shall not be entered into the central  
210 registry of the **children's** division [of family services] unless and until the alleged child abuse  
211 is substantiated by a court of competent jurisdiction.

212       12. Any superintendent of schools, president of a school board or such person's designee  
213 or juvenile officer who knowingly falsifies any report of any matter pursuant to this section or  
214 who knowingly withholds any information relative to any investigation or report pursuant to this  
215 section is guilty of a class A misdemeanor.

216       13. In order to ensure the safety of all students, should a student be expelled for bringing  
217 a weapon to school, violent behavior, or for an act of school violence, that student shall not, for  
218 the purposes of the accreditation process of the Missouri school improvement plan, be  
219 considered a dropout or be included in the calculation of that district's educational persistence  
220 ratio.

**160.262. Notwithstanding the provisions of section 160.261, spanking shall not be**  
2 **used in a public school on any student with an individualized education plan (IEP)**  
3 **receiving services under sections 162.670 to 162.999, whose disability diagnosis includes a**  
4 **developmental disorder or a condition that may prompt behavior that is beyond the**  
5 **immediate control of the student and inappropriate to the situation, such as, but not**  
6 **limited to Tourette's syndrome, autism, traumatic brain injury, and emotional disturbance.**

160.522. 1. [The department of elementary and secondary education shall produce or  
2 cause to be produced, at least annually, a school accountability report card for each public school  
3 district, each public school building in a school district, and each charter school in the state. The  
4 report card] **The office of administration shall maintain public school accountability**  
5 **information provided by the department of elementary and secondary education on the**  
6 **Missouri Accountability Portal established under section 37.850. The department of**  
7 **elementary and secondary education shall collect and transmit, to the office of**  
8 **administration, the public information applicable to all public schools as provided in this**  
9 **section. The public school accountability information shall be designed to satisfy state and**  
10 **federal requirements for the disclosure of statistics about students, staff, finances, academic**  
11 **achievement, and other indicators. [The purpose of the report card shall be to provide**  
12 **educational statistics and accountability information for parents, taxpayers, school personnel,**  
13 **legislators, and the print and broadcast news media in a standardized, easily accessible form] The**  
14 **Missouri Accountability Portal shall provide public access to a complete transparent and**  
15 **comprehensive database of school district and charter school financial and policy**  
16 **information as a means of creating better public understanding of public school policies,**  
17 **practices, and operations.**

2. [The department of elementary and secondary education shall develop a standard form  
19 for the school accountability report card. The information reported shall include, but not be  
20 limited to,] **School districts and public charter schools shall annually provide the**  
21 **department with information specified by the department under this section which shall**  
22 **include, but not be limited to, the school calendar, the district budget, local school board**  
23 **or public charter school policies, the district's most recent accreditation rating, enrollment,**  
24 **rates of pupil attendance, high school dropout rate and graduation rate, the number and rate of**  
25 **suspensions of ten days or longer and expulsions of pupils, the district ratio of students to**  
26 **administrators and students to classroom teachers, the average years of experience of**  
27 **professional staff and advanced degrees earned, student achievement as measured through the**  
28 **assessment system developed pursuant to section 160.518, student scores on the ACT, along with**  
29 **the percentage of graduates taking the test, [average teachers' and administrators' salaries**  
30 **compared to the state averages] detailed compensation information for all school employees**  
31 **including the adopted salary schedules with the number of employees in the various**  
32 **subcategories of the schedules, all extra duty compensation, all employee benefits, average**  
33 **per pupil current expenditures for the district as a whole and by attendance center as reported to**  
34 **the department of elementary and secondary education, the adjusted tax rate of the district,**  
35 **assessed valuation of the district, percent of the district operating budget received from state,**  
36 **federal, and local sources, the percent of students eligible for free or reduced-price lunch, data**



37 on the percent of students continuing their education in postsecondary programs, and information  
38 about the job placement rate for students who complete district vocational education programs.  
39 **School districts and charter schools shall provide all information required under this**  
40 **section to the department in electronic form in a commonly used electronic format specified**  
41 **by the department. The department shall establish clear standards for public school**  
42 **budget format and detail, to ensure that all school district and charter school budgets**  
43 **contain all necessary information and present the information according to consistent**  
44 **reporting standards.**

45 3. The [report card] **public school accountability information** shall permit the  
46 disclosure of data on a school-by-school basis, but the reporting shall not be personally  
47 identifiable to any student or education professional in the state.

48 4. The [report card] **public school accountability information** shall identify each  
49 school or attendance center that has been identified as a priority school under sections 160.720  
50 and 161.092, RSMo. The report also shall identify attendance centers that have been categorized  
51 under federal law as needing improvement or requiring specific school improvement strategies.

52 5. The [report card] **public school accountability information** shall not limit or  
53 discourage other methods of public reporting and accountability by local school districts.  
54 Districts shall provide [information included in the report card] **public school accountability**  
55 **information** to parents, community members, the print and broadcast news media, and  
56 legislators by December first annually or as soon thereafter as the information is available to the  
57 district, giving preference to methods that incorporate the reporting into substantive official  
58 communications such as student report cards. The school district shall provide a printed copy  
59 of the district-level or school-level [report card] **public school accountability information** to  
60 any patron upon request and shall make reasonable efforts to supply businesses such as, but not  
61 limited to, real estate and employment firms with copies or other information about the [reports]  
62 **public school accountability information** so that parents and businesses from outside the  
63 district who may be contemplating relocation have access.

160.660. 1. On or before July 1, 2001, the state board of education shall add to any  
2 school facilities and safety criteria developed for the Missouri school improvement program  
3 provisions that require:

4 (1) Each school district's designated safety coordinator to have a thorough knowledge  
5 of all federal, state and local school violence prevention programs and resources available to  
6 students, teachers or staff in the district; and

7 (2) Each school district to fully utilize all such programs and resources that the local  
8 school board or its designee determines are necessary and cost-effective for the school district.

9           2. **On or before July 1, 2012, the state board of education shall add to any school**  
10 **facilities and safety criteria developed for the Missouri school improvement program**  
11 **provisions that suggest that the drills required pursuant to the standard for safe facilities**  
12 **occur at least annually and require that all staff receive sufficient training on the security**  
13 **and crisis management plan to ensure familiarity with the plan details is maintained**  
14 **throughout the school year.**

15           3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that  
16 is created under the authority delegated in this section shall become effective only if it complies  
17 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section  
18 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers  
19 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the  
20 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the  
21 grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be  
22 invalid and void.

160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2           2. "Bullying" means intimidation or harassment that causes a reasonable student to fear  
3 for his or her physical safety or property. Bullying may consist of physical actions, including  
4 gestures, or oral or written communication, and any threat of retaliation for reporting of such  
5 acts. **Cyberbullying, as defined in subsection 3 of this section, constitutes bullying for**  
6 **purposes of this section.**

7           3. "Cyberbullying" includes, but is not limited to, the use of computers, websites,  
8 the Internet, cell phones, text messaging, chat rooms, and instant messages to ridicule,  
9 harass, intimidate, humiliate, or otherwise bully a student.

10          [3.] 4. Each district's antibullying policy shall be founded on the assumption that all  
11 students need a safe learning environment. Policies shall treat students equally and shall not  
12 contain specific lists of protected classes of students who are to receive special treatment.  
13 Policies may include age appropriate differences for schools based on the grade levels at the  
14 school. Each such policy shall contain a statement of the consequences of bullying.

15          [4.] 5. Each district's antibullying policy shall require district employees to report any  
16 instance of bullying of which the employee has firsthand knowledge. The district policy shall  
17 address training of employees in the requirements of the district policy.

161.370. 1. **Subject to appropriations, beginning with the 2012 fiscal year and in**  
2 **each subsequent year, the general assembly shall appropriate an amount not to exceed five**  
3 **hundred thousand dollars to the department of elementary and secondary education to be**  
4 **placed in the school safety and school violence prevention fund.**

5           **2. The department shall either select an existing agency or create a new agency that,**  
6 **under the department's direction, shall serve as the statewide center for school safety and**  
7 **school violence prevention and be available to provide services and resources for all public**  
8 **school districts in the state.**

9           **3. The department shall provide funding from the school safety and school violence**  
10 **prevention fund to the statewide center each year. The center shall use such funds for staff**  
11 **salaries and benefits, equipment, supplies, program materials, workshops, training**  
12 **sessions, and other items directly related to carrying out the mission of the center.**

13           **4. Subject to appropriations the center shall offer services and resources to all**  
14 **public schools of the state which shall include but not be limited to:**

15           **(1) Make violence prevention and intervention programs and models available, as**  
16 **well as provide training in the areas of bullying prevention, character education, conflict**  
17 **resolution, fight prevention and intervention, Internet safety education, which shall include**  
18 **cyberbullying prevention, peer mediation, post-trauma defusing and debriefing, suicide**  
19 **prevention, human sensitivity awareness, violence prevention curriculum framework, and**  
20 **other related areas as determined by the center and the department;**

21           **(2) Provide guidance for districts as they conduct building and district safety**  
22 **reviews, including emergency preparedness;**

23           **(3) Provide examples of comprehensive school emergency plans;**

24           **(4) Assist in staff development on school safety and violence prevention issues;**

25           **(5) Periodically publish a safe schools newsletter or other publications;**

26           **(6) Maintain an active website;**

27           **(7) Provide annual training programs for school safety coordinators and provide**  
28 **an information network for these coordinators;**

29           **(8) Serve as a clearinghouse on school safety information for school staff, parents,**  
30 **community members, and other individuals or agencies; and**

31           **(9) Collaborate with national, state, and local agencies on school safety issues.**

32           **5. The center shall furnish the department with an annual budget each fiscal year,**  
33 **as well as a list of actual expenditures, at the end of each fiscal year. The center shall also**  
34 **provide for the department an annual year-end summary that highlights the different**  
35 **services and programs provided by the center during the year, as well as the number of**  
36 **schools that utilized each service or program. The department shall make such**  
37 **information available to the legislature annually.**

161.650. 1. The department of elementary and secondary education shall identify and  
2 adopt an existing program or programs of educational instruction regarding violence prevention  
3 to be administered by public school districts pursuant to subsection 2 of this section, and which

4 shall include, but shall not be limited to, instructing students of the negative consequences, both  
5 to the individual and to society at large, of membership in or association with criminal street  
6 gangs or participation in criminal street gang activity, as those phrases are defined in section  
7 578.421, RSMo, and shall include related training for school district employees directly  
8 responsible for the education of students concerning violence prevention and early identification  
9 of and intervention in violent behavior. The state board of education shall adopt such program  
10 or programs by rule as approved for use in Missouri public schools. The program or programs  
11 of instruction shall encourage nonviolent conflict resolution of problems facing youth; present  
12 alternative constructive activities for the students; encourage community participation in program  
13 instruction, including but not limited to parents and law enforcement officials; and shall be  
14 administered as appropriate for different grade levels and shall not be offered for academic  
15 credit.

16 2. All public school districts within this state with the approval of the district's board of  
17 education may administer the program or programs of student instruction adopted pursuant to  
18 subsection 1 of this section to students within the district starting at the kindergarten level and  
19 every year thereafter through the twelfth-grade level.

20 3. Any district adopting and providing a program of instruction pursuant to this section  
21 shall be entitled to receive state aid pursuant to section 163.031, RSMo. If such aid is  
22 determined by the department to be insufficient to implement any program or programs adopted  
23 by a district pursuant to this section:

24 (1) The department may fund the program or programs adopted pursuant to this section  
25 or pursuant to subsection 2 of section 160.530, RSMo, or both, after securing any funding  
26 available from alternative sources; and

27 (2) School districts may fund the program or programs from funds received pursuant to  
28 subsection 1 of section 160.530, RSMo[, and section 166.260, RSMo].

29 4. No rule or portion of a rule promulgated pursuant to this section shall become  
30 effective unless it has been promulgated pursuant to chapter 536, RSMo.

167.018. 1. Sections 167.018 and 167.019 shall be known and may be cited as the  
2 "Foster Care Education Bill of Rights".

3 2. Each school district **and charter school** shall designate a staff person as the  
4 educational liaison for foster care children. The liaison shall do all of the following in an  
5 advisory capacity:

6 (1) Ensure and facilitate the proper educational placement, enrollment in school, and  
7 checkout from school of foster children;

8 (2) Assist foster care pupils when transferring from one school to another or from one  
9 school district **or charter school** to another, by ensuring proper transfer of credits, records, and  
10 grades;

11 (3) Request school records, as provided in section 167.022, within two business days of  
12 placement of a foster care pupil in a school; and

13 (4) Submit school records of foster care pupils within three business days of receiving  
14 a request for school records, under subdivision (3) of this subsection.

167.020. 1. As used in this section, the term "homeless child" or "homeless youth" shall  
2 [mean a person less than twenty-one years of age who lacks a fixed, regular and adequate  
3 nighttime residence, including a child or youth who:

4 (1) Is sharing the housing of other persons due to loss of housing, economic hardship,  
5 or a similar reason; is living in motels, hotels, or camping grounds due to lack of alternative  
6 adequate accommodations; is living in emergency or transitional shelters; is abandoned in  
7 hospitals; or is awaiting foster care placement;

8 (2) Has a primary nighttime residence that is a public or private place not designed for  
9 or ordinarily used as a regular sleeping accommodation for human beings;

10 (3) Is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus  
11 or train stations, or similar settings; and

12 (4) Is a migratory child or youth who qualifies as homeless because the child or youth  
13 is living in circumstances described in subdivisions (1) to (3) of this subsection] **have the same**  
14 **meaning as the term "homeless children and youths" in 42 U.S.C. Section 11434a.**

15 2. In order to register a pupil, the parent or legal guardian of the pupil or the pupil  
16 himself or herself shall provide, at the time of registration, one of the following:

17 (1) Proof of residency in the district. Except as otherwise provided in section 167.151,  
18 the term "residency" shall mean that a person both physically resides within a school district and  
19 is domiciled within that district or, in the case of a private school student suspected of having  
20 a disability under the Individuals With Disabilities Education Act, 20 U.S.C. Section 1412, et  
21 seq, that the student attends private school within that district. The domicile of a minor child  
22 shall be the domicile of a parent, military guardian pursuant to a military-issued guardianship or  
23 court-appointed legal guardian; or

24 (2) Proof that the person registering the student has requested a waiver under subsection  
25 3 of this section within the last forty-five days. In instances where there is reason to suspect that  
26 admission of the pupil will create an immediate danger to the safety of other pupils and  
27 employees of the district, the superintendent or the superintendent's designee may convene a  
28 hearing within five working days of the request to register and determine whether or not the pupil  
29 may register.

30           3. Any person subject to the requirements of subsection 2 of this section may request a  
31 waiver from the district board of any of those requirements on the basis of hardship or good  
32 cause. Under no circumstances shall athletic ability be a valid basis of hardship or good cause  
33 for the issuance of a waiver of the requirements of subsection 2 of this section. The district  
34 board or committee of the board appointed by the president and which shall have full authority  
35 to act in lieu of the board shall convene a hearing as soon as possible, but no later than forty-five  
36 days after receipt of the waiver request made under this subsection or the waiver request shall  
37 be granted. The district board or committee of the board may grant the request for a waiver of  
38 any requirement of subsection 2 of this section. The district board or committee of the board  
39 may also reject the request for a waiver in which case the pupil shall not be allowed to register.  
40 Any person aggrieved by a decision of a district board or committee of the board on a request  
41 for a waiver under this subsection may appeal such decision to the circuit court in the county  
42 where the school district is located.

43           4. Any person who knowingly submits false information to satisfy any requirement of  
44 subsection 2 of this section is guilty of a class A misdemeanor.

45           5. In addition to any other penalties authorized by law, a district board may file a civil  
46 action to recover, from the parent, military guardian or legal guardian of the pupil, the costs of  
47 school attendance for any pupil who was enrolled at a school in the district and whose parent,  
48 military guardian or legal guardian filed false information to satisfy any requirement of  
49 subsection 2 of this section.

50           6. Subsection 2 of this section shall not apply to a pupil who is a homeless child or  
51 youth, or a pupil attending a school not in the pupil's district of residence as a participant in an  
52 interdistrict transfer program established under a court-ordered desegregation program, a pupil  
53 who is a ward of the state and has been placed in a residential care facility by state officials, a  
54 pupil who has been placed in a residential care facility due to a mental illness or developmental  
55 disability, a pupil attending a school pursuant to sections 167.121 and 167.151, a pupil placed  
56 in a residential facility by a juvenile court, a pupil with a disability identified under state  
57 eligibility criteria if the student is in the district for reasons other than accessing the district's  
58 educational program, or a pupil attending a regional or cooperative alternative education program  
59 or an alternative education program on a contractual basis.

60           7. Within two business days of enrolling a pupil, the school official enrolling a pupil,  
61 including any special education pupil, shall request **all education records deemed necessary**  
62 **by the school official for enrollment, including but not limited to** those records required by  
63 district policy for student transfer, **individual education plans, health records,** and those  
64 discipline records required by subsection 9 of section 160.261, RSMo, from all schools  
65 previously attended by the pupil within the last twelve months. Any school district that receives

66 a request for such records from another school district **or private or parochial school** enrolling  
67 a pupil that had previously attended a school in such district shall respond to such request within  
68 five business days of receiving the request. School districts may report or disclose education  
69 records to law enforcement [and] , juvenile justice authorities, **or other state or local officials**  
70 if the disclosure concerns law enforcement's or juvenile justice authorities' ability to effectively  
71 serve, prior to adjudication, the student whose records are released. The officials and authorities  
72 to whom such information is disclosed must comply with applicable restrictions set forth in 20  
73 U.S.C. Section 1232g (b)(1)(E).

167.022. Consistent with the provisions of section 167.020, within [forty-eight hours]  
2 **two business days** of enrolling a nonresident pupil placed pursuant to sections 210.481 to  
3 210.536, RSMo, the school official enrolling a pupil, including any special education pupil, shall  
4 request **all education records deemed necessary by the school official for enrollment,**  
5 **including but not limited to** those records required by district policy for student transfer,  
6 **individual education plans, health records,** and those discipline records required by subsection  
7 [7] **9** of section 160.261, RSMo, from all schools and other facilities previously attended by the  
8 pupil and from other state agencies as enumerated in section 210.518, RSMo, and any entities  
9 involved with the placement of the student within the last twenty-four months. Any request for  
10 records under this section shall include, if applicable to the student, any records relating to an  
11 act of violence as defined under subsection [7] **9** of section [160.262] **160.261**, RSMo.

167.023. **1. When a student is found to have committed a reportable offense under**  
2 **subdivisions (1) to (25) of subsection 2 of section 160.261, the school district shall provide**  
3 **notice of such reportable offense to any school district or private or parochial school to**  
4 **which the student transfers or enrolls. In addition, if the student has been certified for**  
5 **trial as an adult under section 211.071, then the school district shall attach notice of the**  
6 **commission of the reportable offense to the student's disciplinary record. However, if the**  
7 **student is under the jurisdiction of the juvenile court, the school shall attach a notice to the**  
8 **student's disciplinary record stating only that a reportable offense under subdivisions (1)**  
9 **to (25) of subsection 2 of section 160.261 has been committed by the student. Expungement**  
10 **of school disciplinary records may occur in accordance with section 167.026.**

11 **2.** Prior to admission to any public school, a school board may require the parent,  
12 guardian, or other person having control or charge of a child of school age to provide, upon  
13 enrollment, a sworn statement or affirmation indicating whether the student has been expelled  
14 from school attendance at any school, public or private, in this state or in any other state for an  
15 offense in violation of school board policies relating to weapons, alcohol or drugs, or for the  
16 willful infliction of injury to another person. Any person making a materially false statement or

17 affirmation shall be guilty upon conviction of a class B misdemeanor. The registration document  
18 shall be maintained as a part of the student's scholastic record.

167.029. A public school district [in any city not within a county shall determine whether  
2 a dress code policy requiring pupils] **may require students** to wear a school uniform [is  
3 appropriate at any school or schools within such district, and if it is so determined, shall adopt  
4 such a policy] **or restrict student dress to a particular style in accordance with the law**. The  
5 school district may determine the style and color of the school uniform.

167.115. 1. Notwithstanding any provision of chapter 211, RSMo, or chapter 610,  
2 RSMo, to the contrary, the juvenile officer, sheriff, chief of police or other appropriate law  
3 enforcement authority shall, as soon as reasonably practical, notify the superintendent, or the  
4 superintendent's designee, of the school district in which the pupil is enrolled when a petition is  
5 filed pursuant to subsection 1 of section 211.031, RSMo, alleging that the pupil has committed  
6 one of the following acts:

- 7 (1) First degree murder under section 565.020, RSMo;
- 8 (2) Second degree murder under section 565.021, RSMo;
- 9 (3) Kidnapping under section 565.110, RSMo;
- 10 (4) First degree assault under section 565.050, RSMo;
- 11 (5) Forcible rape under section 566.030, RSMo;
- 12 (6) Forcible sodomy under section 566.060, RSMo;
- 13 (7) Burglary in the first degree under section 569.160, RSMo;
- 14 (8) **Burglary in the second degree under section 569.170;**
- 15 (9) Robbery in the first degree under section 569.020, RSMo;
- 16 [(9)] (10) Distribution of drugs under section 195.211, RSMo;
- 17 [(10)] (11) Distribution of drugs to a minor under section 195.212, RSMo;
- 18 [(11)] (12) Arson in the first degree under section 569.040, RSMo;
- 19 [(12)] (13) Voluntary manslaughter under section 565.023, RSMo;
- 20 [(13)] (14) Involuntary manslaughter under section 565.024, RSMo;
- 21 [(14)] (15) Second degree assault under section 565.060, RSMo;
- 22 [(15)] (16) Sexual assault under section 566.040, RSMo;
- 23 [(16)] (17) Felonious restraint under section 565.120, RSMo;
- 24 [(17)] (18) Property damage in the first degree under section 569.100, RSMo;
- 25 [(18)] (19) The possession of a weapon under chapter 571, RSMo;
- 26 [(19)] (20) Child molestation in the first degree pursuant to section 566.067, RSMo;
- 27 [(20)] (21) Deviate sexual assault pursuant to section 566.070, RSMo;
- 28 [(21)] (22) Sexual misconduct involving a child pursuant to section 566.083, RSMo; [or]
- 29 [(22)] (23) Sexual abuse pursuant to section 566.100, RSMo;



30           **(24) Harassment under section 565.090; or**

31           **(25) Stalking under section 565.225.**

32           2. The notification shall be made orally or in writing, in a timely manner, no later than  
33 five days following the filing of the petition. If the report is made orally, written notice shall  
34 follow in a timely manner. The notification shall include a complete description of the conduct  
35 the pupil is alleged to have committed and the dates the conduct occurred but shall not include  
36 the name of any victim. Upon the disposition of any such case, the juvenile office or prosecuting  
37 attorney or their designee shall send a second notification to the superintendent providing the  
38 disposition of the case, including a brief summary of the relevant finding of facts, no later than  
39 five days following the disposition of the case.

40           3. The superintendent or the designee of the superintendent shall report such information  
41 to **all** teachers **at the student's attendance center** and **to any** other school district employees  
42 with a need to know while acting within the scope of their assigned duties. Any information  
43 received by school district officials pursuant to this section shall be received in confidence and  
44 used for the limited purpose of assuring that good order and discipline is maintained in the  
45 school. This information shall not be used as the sole basis for not providing educational  
46 services to a public school pupil.

47           4. The superintendent shall notify the appropriate division of the juvenile or family court  
48 upon any pupil's suspension for more than ten days or expulsion of any pupil that the school  
49 district is aware is under the jurisdiction of the court.

50           5. The superintendent or the superintendent's designee may be called to serve in a  
51 consultant capacity at any dispositional proceedings pursuant to section 211.031, RSMo, which  
52 may involve reference to a pupil's academic treatment plan.

53           6. Upon the transfer of any pupil described in this section to any other school district in  
54 this state, the superintendent or the superintendent's designee shall forward the written  
55 notification given to the superintendent pursuant to subsection 2 of this section to the  
56 superintendent of the new school district in which the pupil has enrolled. Such written  
57 notification shall be required again in the event of any subsequent transfer by the pupil.

58           7. As used in this section, the terms "school" and "school district" shall include any  
59 charter, private or parochial school or school district, and the term "superintendent" shall include  
60 the principal or equivalent chief school officer in the cases of charter, private or parochial  
61 schools.

62           8. The superintendent or the designee of the superintendent or other school employee  
63 who, in good faith, reports information in accordance with the terms of this section and section  
64 160.261, RSMo, shall not be civilly liable for providing such information.

167.117. 1. In any instance when any person is believed to have committed an act which  
2 if committed by an adult would be assault in the first, second or third degree, sexual assault, or  
3 deviate sexual assault against a pupil or school employee, while on school property, including  
4 a school bus in service on behalf of the district, or while involved in school activities, the  
5 principal shall immediately report such incident to the appropriate local law enforcement agency  
6 and to the superintendent, except in any instance when any person is believed to have committed  
7 an act which if committed by an adult would be assault in the third degree and a written  
8 agreement as to the procedure for the reporting of such incidents of third degree assault has been  
9 executed between the superintendent of the school district and the appropriate local law  
10 enforcement agency, the principal shall report such incident to the appropriate local law  
11 enforcement agency in accordance with such agreement.

12 2. In any instance when a pupil is discovered to have on or about such pupil's person, or  
13 among such pupil's possessions, or placed elsewhere on the school premises, including but not  
14 limited to the school playground or the school parking lot, on a school bus or at a school activity  
15 whether on or off of school property any controlled substance as defined in section 195.010,  
16 RSMo, or any weapon as defined in subsection [4] 6 of section 160.261, RSMo, in violation of  
17 school policy, the principal shall immediately report such incident to the appropriate local law  
18 enforcement agency and to the superintendent.

19 3. In any instance when a teacher becomes aware of an assault as set forth in subsection  
20 1 of this section or finds a pupil in possession of a weapon or controlled substances as set forth  
21 in subsection 2 of this section, the teacher shall immediately report such incident to the principal.

22 4. A school employee, superintendent or such person's designee who in good faith  
23 provides information to law enforcement or juvenile authorities pursuant to this section or  
24 section 160.261, RSMo, shall not be civilly liable for providing such information.

25 5. Any school official responsible for reporting pursuant to this section or section  
26 160.261, RSMo, who willfully neglects or refuses to perform this duty shall be subject to the  
27 penalty established pursuant to section 162.091, RSMo.

167.161. 1. The school board of any district, after notice to parents or others having  
2 custodial care and a hearing upon charges preferred, may suspend or expel a pupil for conduct  
3 which is prejudicial to good order and discipline in the schools or which tends to impair the  
4 morale or good conduct of the pupils. In addition to the authority granted in section 167.171,  
5 a school board may authorize, by general rule, the immediate removal of a pupil upon a finding  
6 by the principal, superintendent, or school board that the pupil poses a threat of harm to such  
7 pupil or others, as evidenced by the prior conduct of such pupil. Prior disciplinary actions shall  
8 not be used as the sole basis for removal, suspension or expulsion of a pupil. Removal of any  
9 pupil who is a student with a disability is subject to state and federal procedural rights. At the

10 hearing upon any such removal, suspension or expulsion, the board shall consider the evidence  
11 and statements that the parties present and may consider records of past disciplinary actions,  
12 criminal court records or juvenile court records consistent with other provisions of the law, or  
13 the actions of the pupil which would constitute a criminal offense. The board may provide by  
14 general rule not inconsistent with this section for the procedure and conduct of such hearings.  
15 After meeting with the superintendent or his designee to discuss the expulsion, the parent,  
16 custodian or the student, if at least eighteen years of age, may, in writing, waive any right to a  
17 hearing before the board of education.

18 2. The school board of any district, after notice to parents or others having custodial care  
19 and a hearing upon the matter, may suspend **or expel** a pupil upon a finding that the pupil has  
20 been charged, convicted or pled guilty in a court of general jurisdiction for the commission of  
21 a felony criminal violation of state or federal law. At a hearing required by this subsection, the  
22 board shall consider statements that the parties present. The board may provide for the procedure  
23 and conduct of such hearings.

24 3. The school board shall make a good-faith effort to have the parents or others having  
25 custodial care present at any such hearing. Notwithstanding any other provision of law to the  
26 contrary, student discipline hearings or proceedings related to the rights of students to attend  
27 school or to receive academic credit shall not be required to comply with the requirements  
28 applicable to contested case hearings as provided in chapter 536, RSMo, provided that  
29 appropriate due process procedures shall be observed which shall include the right for a trial de  
30 novo by the circuit court.

167.164. 1. Any suspension **or expulsion** issued [pursuant to] **by a public school**  
2 **district under** section 167.161[,] or this section[, or expulsion pursuant to section 167.161,]  
3 shall not relieve the state or the suspended student's parents or guardians of their responsibilities  
4 to educate the student. School districts are encouraged to provide an in-school suspension  
5 system and to search for other acceptable discipline alternatives prior to using suspensions of  
6 more than ten days or expelling a student from the school. Each school district or special school  
7 district constituting the domicile of any child for whom alternative education programs are  
8 provided or procured under this section shall pay toward the per pupil costs for alternative  
9 education programs for such child. A school district which is not a special school district shall  
10 pay an amount equal to the average sum produced per child by the local tax effort of the district  
11 of domicile. A special school district shall pay an amount not to exceed the average sum  
12 produced per child by the local tax efforts of the domiciliary districts. When educational services  
13 have been provided by the school district or special school district in which a child actually  
14 resides, other than the district of domicile, the amounts as provided in subsection 2 of this  
15 section for which the domiciliary school district or special school district is responsible shall be

16 paid by such district directly to the serving district. The school district, or special school district,  
17 as the case may be, shall send a written voucher for payment to the regular or special district  
18 constituting the domicile of the child served and the domiciliary school district or special school  
19 district receiving such voucher shall pay the district providing or procuring the services an  
20 amount not to exceed the average sum produced per child by the local tax efforts of the  
21 domiciliary districts. In the event the responsible district fails to pay the appropriate amount to  
22 the district within ninety days after a voucher is submitted, the state department of elementary  
23 and secondary education shall deduct the appropriate amount due from the next payments of any  
24 state financial aid due that district and shall pay the same to the appropriate district.

25 2. A school district may contract with other political subdivisions, public agencies,  
26 not-for-profit organizations, or private agencies for the provision of alternative education  
27 services for students whose demonstrated disruptive behavior indicates that they cannot be  
28 adequately served in the traditional classroom setting. Such contracting may be included as part  
29 of a grant application pursuant to section 167.335 or conducted independent of the provisions  
30 of section 167.335.

167.621. 1. Persons providing health services under sections 167.600 to 167.621 shall  
2 obtain authorization from a parent or guardian of the child before providing services as provided  
3 by section 431.061, RSMo.

4 2. No employee of any school district may be required to administer medication or  
5 medical services for which the employee is not qualified according to standard medical practices.  
6 No **unqualified** employee who refuses to [violate this provision] **administer medication or**  
7 **medical services** shall be subject to any disciplinary action for such refusal. Nothing herein  
8 shall be construed to prevent any employee from providing routine first aid, provided that any  
9 employee shall be held harmless **and immune** from any liability if such employee is following  
10 a proper procedure adopted by the local school board.

11 **3. Any qualified employee shall be held harmless and immune from any civil**  
12 **liability for administering medication or medical services in good faith and according to**  
13 **standard medical practices.**

167.624. Each school board in the state, if the school district does not presently have a  
2 program as described below, may develop and implement a program to train the students **and**  
3 **employees** of the district in the administration of cardiopulmonary resuscitation and other  
4 lifesaving methods, as they determine best, and may consult the department of public safety, the  
5 state fire marshal's office, the local fire protection authorities, and others as the board sees fit.  
6 The board may make completion of the program a requirement for graduation. **Any trained**  
7 **employee shall be held harmless and immune from any civil liability for administering**

8 **cardiopulmonary resuscitation and other lifesaving methods in good faith and according**  
9 **to standard medical practices.**

167.627. 1. For purposes of this section, the following terms shall mean:

2 (1) "Medication", any medicine prescribed or ordered by a physician for the treatment  
3 of asthma or anaphylaxis, including without limitation inhaled bronchodilators and  
4 auto-injectible epinephrine;

5 (2) "Self-administration", a pupil's discretionary use of medication prescribed by a  
6 physician or under a written treatment plan from a physician.

7 2. Each board of education and its employees and agents in this state shall grant any  
8 pupil in the school authorization for the possession and self-administration of medication to treat  
9 such pupil's **chronic health condition, including but not limited to** asthma or anaphylaxis if:

10 (1) A licensed physician prescribed or ordered such medication for use by the pupil and  
11 instructed such pupil in the correct and responsible use of such medication;

12 (2) The pupil has demonstrated to the pupil's licensed physician or the licensed  
13 physician's designee, and the school nurse, if available, the skill level necessary to use the  
14 medication and any device necessary to administer such medication prescribed or ordered;

15 (3) The pupil's physician has approved and signed a written treatment plan for managing  
16 **the pupil's chronic health condition, including** asthma or anaphylaxis episodes [of the pupil]  
17 and for medication for use by the pupil. Such plan shall include a statement that the pupil is  
18 capable of self-administering the medication under the treatment plan;

19 (4) The pupil's parent or guardian has completed and submitted to the school any written  
20 documentation required by the school, including the treatment plan required under subdivision  
21 (3) of this subsection and the liability statement required under subdivision (5) of this subsection;  
22 and

23 (5) The pupil's parent or guardian has signed a statement acknowledging that the school  
24 district and its employees or agents shall incur no liability as a result of any injury arising from  
25 the self-administration of medication by the pupil or the administration of such medication by  
26 school staff. Such statement shall not be construed to release the school district and its  
27 employees or agents from liability for negligence.

28 3. An authorization granted under subsection 2 of this section shall:

29 (1) Permit such pupil to possess and self-administer such pupil's medication while in  
30 school, at a school-sponsored activity, and in transit to or from school or school-sponsored  
31 activity; and

32 (2) Be effective only for the same school and school year for which it is granted. Such  
33 authorization shall be renewed by the pupil's parent or guardian each subsequent school year in  
34 accordance with this section.

35           4. Any current duplicate prescription medication, if provided by a pupil's parent or  
36 guardian or by the school, shall be kept at a pupil's school in a location at which the pupil or  
37 school staff has immediate access in the event of an asthma or anaphylaxis emergency.

38           5. The information described in subdivisions (3) and (4) of subsection 2 of this section  
39 shall be kept on file at the pupil's school in a location easily accessible in the event of an [asthma  
40 or anaphylaxis] emergency.

          167.630. 1. Each school board may authorize a school nurse licensed under chapter 335,  
2 RSMo, who is employed by the school district and for whom the board is responsible for to  
3 maintain an adequate supply of prefilled auto syringes of epinephrine with fifteen-hundredths  
4 milligram or three-tenths milligram delivery at the school. The nurse shall recommend to the  
5 school board the number of prefilled epinephrine auto syringes that the school should maintain.

6           2. To obtain prefilled epinephrine auto syringes for a school district, a prescription  
7 written by a licensed physician, a physician's assistant, or nurse practitioner is required. For such  
8 prescriptions, the school district shall be designated as the patient, the nurse's name shall be  
9 required, and the prescription shall be filled at a licensed pharmacy.

10          3. A school nurse **or other school employee trained by and supervised by the nurse**  
11 shall have the discretion to use an epinephrine auto syringe on any student the school nurse **or**  
12 **trained employee** believes is having a life-threatening anaphylactic reaction based on the  
13 [nurse's] training in recognizing an acute episode of an anaphylactic reaction. **The provisions**  
14 **of section 167.624 concerning immunity from civil liability for trained employees**  
15 **administering life-saving methods shall apply to trained employees administering a**  
16 **prefilled auto syringe under this section.**

          168.221. 1. The first five years of employment of all teachers entering the employment  
2 of the metropolitan school district shall be deemed a period of probation during which period all  
3 appointments of teachers shall expire at the end of each school year. During the probationary  
4 period any probationary teacher whose work is unsatisfactory shall be furnished by the  
5 superintendent of schools with a written statement setting forth the nature of his incompetency.  
6 If improvement satisfactory to the superintendent is not made within one semester after the  
7 receipt of the statement, the probationary teacher shall be dismissed. The semester granted the  
8 probationary teacher in which to improve shall not in any case be a means of prolonging the  
9 probationary period beyond five years and six months from the date on which the teacher entered  
10 the employ of the board of education. The superintendent of schools on or before the fifteenth  
11 day of April in each year shall notify probationary teachers who will not be retained by the  
12 school district of the termination of their services. Any probationary teacher who is not so  
13 notified shall be deemed to have been appointed for the next school year. Any principal who  
14 prior to becoming a principal had attained permanent employee status as a teacher shall upon

15 ceasing to be a principal have a right to resume his or her permanent teacher position with the  
16 time served as a principal being treated as if such time had been served as a teacher for the  
17 purpose of calculating seniority and pay scale. The rights and duties and remuneration of a  
18 teacher who was formerly a principal shall be the same as any other teacher with the same level  
19 of qualifications and time of service.

20         2. After completion of satisfactory probationary services, appointments of teachers shall  
21 become permanent, subject to removal for any one or more causes herein described and to the  
22 right of the board to terminate the services of all who attain the age of compulsory retirement  
23 fixed by the retirement system. In determining the duration of the probationary period of  
24 employment in this section specified, the time of service rendered as a substitute teacher shall  
25 not be included.

26         3. No teacher whose appointment has become permanent may be removed except for one  
27 or more of the following causes: immorality, inefficiency in line of duty, violation of the  
28 published regulations of the school district, violation of the laws of Missouri governing the  
29 public schools of the state, or physical or mental condition which incapacitates him for  
30 instructing or associating with children, and then only by a vote of not less than a majority of all  
31 the members of the board, upon written charges presented by the superintendent of schools, to  
32 be heard by **a hearing officer appointed by** the board after thirty days' notice, with copy of the  
33 charges served upon the person against whom they are preferred, who shall have the privilege  
34 of being present **at the hearing**, together with counsel, offering evidence and making defense  
35 thereto. Notifications received by an employee during a vacation period shall be considered as  
36 received on the first day of the school term following. At the request of any person so charged  
37 the hearing shall be public. **The hearing officer shall conduct the hearing as a contested case**  
38 **under chapter 536 and shall issue a written recommendation to the board rendering the**  
39 **charges against the teacher. The board shall render a decision on the charges upon the**  
40 **review of the hearing officer's recommendations and the record from the hearing.** The  
41 action and decision of the board upon the charges shall be final. Pending the hearing of the  
42 charges, the person charged may be suspended if the rules of the board so prescribe, but in the  
43 event the board does not by a majority vote of all the members remove the teacher upon charges  
44 presented by the superintendent, the person shall not suffer any loss of salary by reason of the  
45 suspension. Inefficiency in line of duty is cause for dismissal only after the teacher has been  
46 notified in writing at least one semester prior to the presentment of charges against him by the  
47 superintendent. The notification shall specify the nature of the inefficiency with such  
48 particularity as to enable the teacher to be informed of the nature of his inefficiency.

49         4. No teacher whose appointment has become permanent shall be demoted nor shall his  
50 salary be reduced unless the same procedure is followed as herein stated for the removal of the

51 teacher because of inefficiency in line of duty, and any teacher whose salary is reduced or who  
52 is demoted may waive the presentment of charges against him by the superintendent and a  
53 hearing thereon by the board. The foregoing provision shall apply only to permanent teachers  
54 prior to the compulsory retirement age under the retirement system. Nothing herein contained  
55 shall in any way restrict or limit the power of the board of education to make reductions in the  
56 number of teachers or principals, or both, because of insufficient funds, decrease in pupil  
57 enrollment, or abolition of particular subjects or courses of instruction, except that the abolition  
58 of particular subjects or courses of instruction shall not cause those teachers who have been  
59 teaching the subjects or giving the courses of instruction to be placed on leave of absence as  
60 herein provided who are qualified to teach other subjects or courses of instruction, if positions  
61 are available for the teachers in the other subjects or courses of instruction.

62         5. Whenever it is necessary to decrease the number of teachers because of insufficient  
63 funds or a substantial decrease of pupil population within the school district, the board of  
64 education upon recommendation of the superintendent of schools may cause the necessary  
65 number of teachers beginning with those serving probationary periods to be placed on leave of  
66 absence without pay, but only in the inverse order of their appointment. Nothing herein stated  
67 shall prevent a readjustment by the board of education of existing salary schedules. No teacher  
68 placed on a leave of absence shall be precluded from securing other employment during the  
69 period of the leave of absence. Each teacher placed on leave of absence shall be reinstated in  
70 inverse order of his placement on leave of absence. Such reemployment shall not result in a loss  
71 of status or credit for previous years of service. No new appointments shall be made while there  
72 are available teachers on leave of absence who are seventy years of age or less and who are  
73 adequately qualified to fill the vacancy unless the teachers fail to advise the superintendent of  
74 schools within thirty days from the date of notification by the superintendent of schools that  
75 positions are available to them that they will return to employment and will assume the duties  
76 of the position to which appointed not later than the beginning of the school year next following  
77 the date of the notice by the superintendent of schools.

78         6. If any regulation which deals with the promotion of teachers is amended by increasing  
79 the qualifications necessary to be met before a teacher is eligible for promotion, the amendment  
80 shall fix an effective date which shall allow a reasonable length of time within which teachers  
81 may become qualified for promotion under the regulations.

82         7. A teacher whose appointment has become permanent may give up the right to a  
83 permanent appointment to participate in the teacher choice compensation package under sections  
84 168.745 to 168.750.



171.054. All public schools shall observe Veterans Day each school year by  
2 sponsoring activities or projects for students in kindergarten through twelfth grade to  
3 commemorate the day.

177.161. In metropolitan school districts, all contracts for the erection of school  
2 buildings and all contracts for repairs and alterations or additions to school property or materials,  
3 equipment or apparatus to be furnished exceeding the sum of [five] **fifteen** thousand dollars shall  
4 be made by the board of education, after public letting, to the lowest responsible bidder  
5 complying with the terms of the letting. The necessary specifications and drawings shall be  
6 prepared for all such work, and bids therefor shall be solicited by advertisement as the board of  
7 education provides. No bid shall be entertained by the board of education which is not made in  
8 accordance with the specifications and drawings furnished and all contracts shall be let to the  
9 lowest responsible bidder complying with the terms of the letting. The board of education shall  
10 have the right to reject any and all bids. Contracts involving the expenditure of less than [five]  
11 **fifteen** thousand dollars for work to be done and materials or equipment to be furnished may be  
12 made directly by the superintendent of schools, or by the other officer or employee of the board  
13 of education that he designates with the approval of the board, without public letting and without  
14 advertising for or inviting bids. The board of education may, however, use its own employees  
15 to alter, maintain and repair school buildings, to maintain and repair apparatus or equipment, or  
16 to make improvements of school grounds without the letting of contracts whenever the total cost  
17 of labor on the job does not exceed the amount of [twenty] **fifteen** thousand dollars.

177.171. The board of education shall cause advertisements to be made under regulations  
2 that it provides for proposals for furnishing the supplies required in the schools and by the board.  
3 Every contract shall be awarded to the lowest responsible bidder complying with the terms of  
4 the letting; but the board shall have and reserve the right to reject any and all bids. The board  
5 may authorize the purchase of supplies not exceeding [five] **fifteen** thousand dollars in amount  
6 without letting of contract. The board shall make distribution of supplies through the agencies  
7 and in the manner that it deems proper. The board may contract for textbooks or school  
8 apparatus for such term of years as it deems proper. **Upon approval of the board, contracts**  
9 **involving the expenditures of less than fifteen thousand dollars for supplies may be made**  
10 **directly by the superintendent of schools, or by the other officer or employee of the board**  
11 **of education that said superintendent designates, with approval of the board, without**  
12 **public letting and without advertising for or inviting bids.**

210.102. 1. It shall be the duty of the Missouri children's services commission to:

2 (1) Make recommendations which will encourage greater interagency coordination,  
3 cooperation, more effective utilization of existing resources and less duplication of effort in  
4 activities of state agencies which affect the legal rights and well-being of children in Missouri;

5 (2) Develop an integrated state plan for the care provided to children in this state through  
6 state programs;

7 (3) Develop a plan to improve the quality of children's programs statewide. Such plan  
8 shall include, but not be limited to:

9 (a) Methods for promoting geographic availability and financial accessibility for all  
10 children and families in need of such services;

11 (b) Program recommendations for children's services which include child development,  
12 education, supervision, health and social services;

13 (4) Design and implement evaluation of the activities of the commission in fulfilling the  
14 duties as set out in this section;

15 (5) Report annually to the governor with five copies each to the house of representatives  
16 and senate about its activities including, but not limited to the following:

17 (a) A general description of the activities pertaining to children of each state agency  
18 having a member on the commission;

19 (b) A general description of the plans and goals, as they affect children, of each state  
20 agency having a member on the commission;

21 (c) Recommendations for statutory and appropriation initiatives to implement the  
22 integrated state plan;

23 (d) A report from the commission regarding the state of children in Missouri;

24 **(6) On or before July 1, 2011, develop recommendations for best practices in**  
25 **sharing relevant agency information relating to school-aged children receiving state**  
26 **services in order to permit the best degree of coordination in the delivery of such services**  
27 **while protecting the privacy of the involved student and family.**

28 2. There is hereby established within the children's services commission the  
29 "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic,  
30 and shall include but not be limited to the following members:

31 (1) A representative from the governor's office;

32 (2) A representative from each of the following departments: health and senior services,  
33 mental health, social services, and elementary and secondary education;

34 (3) A representative of the judiciary;

35 (4) A representative of the family and community trust board (FACT);

36 (5) A representative from the head start program;

37 (6) Nine members appointed by the governor with the advice and consent of the senate  
38 who are representatives of the groups, such as business, philanthropy, civic groups, faith-based  
39 organizations, parent groups, advocacy organizations, early childhood service providers, and  
40 other stakeholders.

41

42 The coordinating board may make all rules it deems necessary to enable it to conduct its  
43 meetings, elect its officers, and set the terms and duties of its officers. The coordinating board  
44 shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and  
45 such other officers as it deems necessary. Members of the board shall serve without  
46 compensation but may be reimbursed for actual expenses necessary to the performance of their  
47 official duties for the board.

48 3. The coordinating board for early childhood shall have the power to:

49 (1) Develop a comprehensive statewide long-range strategic plan for a cohesive early  
50 childhood system;

51 (2) Confer with public and private entities for the purpose of promoting and improving  
52 the development of children from birth through age five of this state;

53 (3) Identify legislative recommendations to improve services for children from birth  
54 through age five;

55 (4) Promote coordination of existing services and programs across public and private  
56 entities;

57 (5) Promote research-based approaches to services and ongoing program evaluation;

58 (6) Identify service gaps and advise public and private entities on methods to close such  
59 gaps;

60 (7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the  
61 coordinating board for early childhood fund from any source, public or private, and enter into  
62 contracts or other transactions with any federal or state agency, any private organizations, or any  
63 other source in furtherance of the purpose of subsections 2 and 3 of this section, and take any and  
64 all actions necessary to avail itself of such aid and cooperation;

65 (8) Direct disbursements from the coordinating board for early childhood fund as  
66 provided in this section;

67 (9) Administer the coordinating board for early childhood fund and invest any portion  
68 of the moneys not required for immediate disbursement in obligations of the United States or any  
69 agency or instrumentality of the United States, in obligations of the state of Missouri and its  
70 political subdivisions, in certificates of deposit and time deposits, or other obligations of banks  
71 and savings and loan associations, or in such other obligations as may be prescribed by the board;

72 (10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or  
73 otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal  
74 property or any interests therein, wherever situated;

75 (11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its  
76 property or any interest therein, wherever situated;

77 (12) Employ and fix the compensation of an executive director and such other agents or  
78 employees as it considers necessary;

79 (13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the  
80 manner in which its business may be transacted;

81 (14) Adopt and use an official seal;

82 (15) Assess or charge fees as the board determines to be reasonable to carry out its  
83 purposes;

84 (16) Make all expenditures which are incident and necessary to carry out its purposes;

85 (17) Sue and be sued in its official name;

86 (18) Take such action, enter into such agreements, and exercise all functions necessary  
87 or appropriate to carry out the duties and purposes set forth in this section.

88 4. There is hereby created the "Coordinating Board for Early Childhood Fund" which  
89 shall consist of the following:

90 (1) Any moneys appropriated by the general assembly for use by the board in carrying  
91 out the powers set out in subsections 2 and 3 of this section;

92 (2) Any moneys received from grants or which are given, donated, or contributed to the  
93 fund from any source;

94 (3) Any moneys received as fees authorized under subsections 2 and 3 of this section;

95 (4) Any moneys received as interest on deposits or as income on approved investments  
96 of the fund;

97 (5) Any moneys obtained from any other available source.

98

99 Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining  
100 in the coordinating board for early childhood fund at the end of the biennium shall not revert to  
101 the credit of the general revenue fund.

**210.118. No mandatory reporter of child abuse or neglect under section 210.115  
2 required to report in an official capacity as a staff member of a medical facility, school  
3 facility, or other agency shall be prohibited or otherwise delayed or restricted in any way  
4 from making a report of child abuse or neglect under section 210.115 by any policy, action,  
5 or instruction of any official, administrator, person in charge, or other designated agent,  
6 nor shall any such mandatory reporter suffer any disciplinary action, unfavorable or  
7 diminished rating or evaluation, or any other employment or workplace consequence on  
8 the basis of making a report under section 210.115.**

Section B. The repeal and reenactment of section 168.221 of section A of this act shall  
2 be effective July 1, 2011.

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