

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 633
102ND GENERAL ASSEMBLY

1432H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.261, 160.263, 160.775, 162.065, 162.069, 167.950, 170.048, and 170.315, RSMo, and to enact in lieu thereof nine new sections relating to school employee training.

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

Section A. Sections 160.261, 160.263, 160.775, 162.065, 162.069, 167.950, 170.048, 2 and 170.315, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known 3 as sections 160.261, 160.263, 160.775, 162.065, 162.069, 167.950, 168.331, 170.048, and 4 170.315, to read as follows:

160.261. 1. **(1)** The local board of education of each school district shall clearly 2 establish a written policy of discipline, including the district's determination on the use of 3 corporal punishment and the procedures in which punishment will be applied. A written copy 4 of the district's discipline policy and corporal punishment procedures, if applicable, shall be 5 provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the 6 beginning of each school year and also made available in the office of the superintendent of 7 such district, during normal business hours, for public inspection. No pupil shall be subject to 8 corporal punishment procedures outlined in the discipline and corporal punishment policy 9 without a parent or guardian being notified and providing written permission for the corporal 10 punishment.

11 **(2)** All employees of the district shall [~~annually~~] receive instruction related to the 12 specific contents of the policy of discipline and any interpretations necessary to implement 13 the provisions of the policy in the course of their duties, including but not limited to approved 14 methods of dealing with acts of school violence, disciplining students with disabilities and

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.

15 instruction in the necessity and requirements for confidentiality. **Such instruction shall be**
16 **provided as established in section 168.331.**

17 2. The policy shall require school administrators to report acts of school violence to
18 all teachers at the attendance center and, in addition, to other school district employees with a
19 need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as
20 school personnel who are directly responsible for the student's education or who otherwise
21 interact with the student on a professional basis while acting within the scope of their
22 assigned duties. As used in this section, the phrase "act of school violence" or "violent
23 behavior" means the exertion of physical force by a student with the intent to do serious
24 physical injury as defined in section 556.061 to another person while on school property,
25 including a school bus in service on behalf of the district, or while involved in school
26 activities. The policy shall at a minimum require school administrators to report, as soon as
27 reasonably practical, to the appropriate law enforcement agency any of the following crimes,
28 or any act which if committed by an adult would be one of the following crimes:

- 29 (1) First degree murder under section 565.020;
- 30 (2) Second degree murder under section 565.021;
- 31 (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or
32 kidnapping in the first degree under section 565.110;
- 33 (4) First degree assault under section 565.050;
- 34 (5) Rape in the first degree under section 566.030;
- 35 (6) Sodomy in the first degree under section 566.060;
- 36 (7) Burglary in the first degree under section 569.160;
- 37 (8) Burglary in the second degree under section 569.170;
- 38 (9) Robbery in the first degree under section 569.020 as it existed prior to January 1,
39 2017, or robbery in the first degree under section 570.023;
- 40 (10) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017,
41 or manufacture of a controlled substance under section 579.055;
- 42 (11) Distribution of drugs to a minor under section 195.212 as it existed prior to
43 January 1, 2017, or delivery of a controlled substance under section 579.020;
- 44 (12) Arson in the first degree under section 569.040;
- 45 (13) Voluntary manslaughter under section 565.023;
- 46 (14) Involuntary manslaughter under section 565.024 as it existed prior to January 1,
47 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary
48 manslaughter in the second degree under section 565.027;
- 49 (15) Second degree assault under section 565.060 as it existed prior to January 1,
50 2017, or second degree assault under section 565.052;
- 51 (16) Rape in the second degree under section 566.031;

52 (17) Felonious restraint under section 565.120 as it existed prior to January 1, 2017,
53 or kidnapping in the second degree under section 565.120;

54 (18) Property damage in the first degree under section 569.100;

55 (19) The possession of a weapon under chapter 571;

56 (20) Child molestation in the first degree pursuant to section 566.067 as it existed
57 prior to January 1, 2017, or child molestation in the first, second, or third degree pursuant to
58 section 566.067, 566.068, or 566.069;

59 (21) Sodomy in the second degree pursuant to section 566.061;

60 (22) Sexual misconduct involving a child pursuant to section 566.083;

61 (23) Sexual abuse in the first degree pursuant to section 566.100;

62 (24) Harassment under section 565.090 as it existed prior to January 1, 2017, or
63 harassment in the first degree under section 565.090; or

64 (25) Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking
65 in the first degree under section 565.225;

66

67 committed on school property, including but not limited to actions on any school bus in
68 service on behalf of the district or while involved in school activities. The policy shall require
69 that any portion of a student's individualized education program that is related to
70 demonstrated or potentially violent behavior shall be provided to any teacher and other
71 school district employees who are directly responsible for the student's education or who
72 otherwise interact with the student on an educational basis while acting within the scope of
73 their assigned duties. The policy shall also contain the consequences of failure to obey
74 standards of conduct set by the local board of education, and the importance of the standards
75 to the maintenance of an atmosphere where orderly learning is possible and encouraged.

76 3. The policy shall provide that any student who is on suspension for any of the
77 offenses listed in subsection 2 of this section or any act of violence or drug-related activity
78 defined by school district policy as a serious violation of school discipline pursuant to
79 subsection 9 of this section shall have as a condition of his or her suspension the requirement
80 that such student is not allowed, while on such suspension, to be within one thousand feet of
81 any school property in the school district where such student attended school or any activity
82 of that district, regardless of whether or not the activity takes place on district property unless:

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

86 (2) Such student is under the direct supervision of another adult designated by the
87 student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the

88 school which suspended the student and the superintendent or the superintendent's designee
89 has authorized the student to be on school property;

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

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

96 4. Any student who violates the condition of suspension required pursuant to
97 subsection 3 of this section may be subject to expulsion or further suspension pursuant to the
98 provisions of sections 167.161, 167.164, and 167.171. In making this determination
99 consideration shall be given to whether the student poses a threat to the safety of any child or
100 school employee and whether such student's unsupervised presence within one thousand feet
101 of the school is disruptive to the educational process or undermines the effectiveness of the
102 school's disciplinary policy. Removal of any pupil who is a student with a disability is subject
103 to state and federal procedural rights. This section shall not limit a school district's ability to:

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

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

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

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

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

117 6. For the purpose of this section, the term "weapon" shall mean a firearm as defined
118 under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a
119 blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas
120 gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or
121 a switchblade knife; except that this section shall not be construed to prohibit a school board
122 from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on
123 school property for educational purposes so long as the firearm is unloaded. The local board

124 of education shall define weapon in the discipline policy. Such definition shall include the
125 weapons defined in this subsection but may also include other weapons.

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

130 8. Teachers and other authorized district personnel in public schools responsible for
131 the care, supervision, and discipline of schoolchildren, including volunteers selected with
132 reasonable care by the school district, shall not be civilly liable when acting in conformity
133 with the established policies developed by each board, including but not limited to policies of
134 student discipline or when reporting to his or her supervisor or other person as mandated by
135 state law acts of school violence or threatened acts of school violence, within the course and
136 scope of the duties of the teacher, authorized district personnel or volunteer, when such
137 individual is acting in conformity with the established policies developed by the board.
138 Nothing in this section shall be construed to create a new cause of action against such school
139 district, or to relieve the school district from liability for the negligent acts of such persons.

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

150 10. Spanking, when administered by certificated personnel and in the presence of a
151 witness who is an employee of the school district, or the use of reasonable force to protect
152 persons or property, when administered by personnel of a school district in a reasonable
153 manner in accordance with the local board of education's written policy of discipline, is not
154 abuse within the meaning of chapter 210.

155 11. Upon receipt of any reports of child abuse by the children's division pursuant to
156 sections 210.110 to 210.165 which allegedly involve personnel of a school district, the
157 children's division shall notify the superintendent of schools of the district or, if the person
158 named in the alleged incident is the superintendent of schools, the president of the school
159 board of the school district where the alleged incident occurred.

160 12. In order to ensure the safety of all students, should a student be expelled for
161 bringing a weapon to school, violent behavior, or for an act of school violence, that student
162 shall not, for the purposes of the accreditation process of the Missouri school improvement
163 plan, be considered a dropout or be included in the calculation of that district's educational
164 persistence ratio.

160.263. 1. As used in this section, the following terms mean:

2 (1) "Mechanical restraint", the use of any device or equipment to restrict a student's
3 freedom of movement. Mechanical restraint shall not include devices implemented by trained
4 personnel or used by a student with a prescription for such devices from an appropriate
5 medical or related services professional and that are used for specific and approved purposes
6 for which such devices were designed, such as the following:

7 (a) Adaptive devices or mechanical supports used to achieve proper body position,
8 balance, or alignment to allow greater freedom of mobility than would be possible without the
9 use of such devices or mechanical supports;

10 (b) Vehicle safety restraints when used as intended during the transport of a student in
11 a moving vehicle;

12 (c) Restraints for medical immobilization; or

13 (d) Orthopedically prescribed devices that permit a student to participate in activities
14 without risk;

15 (2) "Physical restraint", a personal restriction such as person-to-person physical
16 contact that immobilizes, reduces, or restricts the ability of a student to move the student's
17 torso, arms, legs, or head freely. Physical restraint shall not include:

18 (a) A physical escort, which is a temporary touching or holding of the hand, wrist,
19 arm, shoulder, or back for the purpose of inducing a student to walk to a safe location;

20 (b) Comforting or calming a student;

21 (c) Holding a student's hand to transport the student for safety purposes;

22 (d) Intervening in a fight; or

23 (e) Using an assistive or protective device prescribed by an appropriately trained
24 professional or professional team;

25 (3) "Prone restraint", using mechanical or physical restraint or both to restrict a
26 student's movement while the student is lying with the student's front or face downward;

27 (4) "Restraint" includes, but is not limited to, mechanical restraint, physical restraint,
28 and prone restraint;

29 (5) "Seclusion", the involuntary confinement of a student alone in a room or area that
30 the student is physically prevented from leaving and that complies with the building code in
31 effect in the school district. Seclusion shall not include the following:

32 (a) A timeout, which is a behavior management technique that is part of an approved
33 program, involves the monitored separation of the student in a nonlocked setting, and is
34 implemented for the purpose of calming;

35 (b) In-school suspension;

36 (c) Detention; or

37 (d) Other appropriate disciplinary measures.

38 2. The school discipline policy under section 160.261 shall reserve confining a
39 student in seclusion for situations or conditions in which there is imminent danger of physical
40 harm to self or others.

41 3. For all school years beginning on or after July 1, 2022, no school district, charter
42 school, or publicly contracted private provider shall use any mechanical, physical, or prone
43 restraint technique that:

44 (1) Obstructs views of the student's face;

45 (2) Obstructs the student's respiratory airway, impairs the student's breathing or
46 respiratory capacity, or restricts the movement required for normal breathing to cause
47 positional or postural asphyxia;

48 (3) Places pressure or weight on or causes the compression of the student's chest,
49 lungs, sternum, diaphragm, back, abdomen, or genitals;

50 (4) Obstructs the student's circulation of blood;

51 (5) Involves pushing on or into the student's mouth, nose, eyes, or any part of the face
52 or involves covering the face or body with anything including, but not limited to, soft objects
53 such as pillows, blankets, or washcloths;

54 (6) Endangers the student's life or significantly exacerbates the student's medical
55 condition;

56 (7) Is purposely designed to inflict pain;

57 (8) Restricts the student from communicating. If an employee physically restrains a
58 student who uses sign language or an augmentative mode of communication as the student's
59 primary mode of communication, the student shall be permitted to have the student's hands
60 free of restraint for brief periods unless an employee determines that such freedom appears
61 likely to result in harm to self or others.

62 4. (1) By July 1, 2011, the local board of education of each school district shall adopt
63 a written policy that comprehensively addresses the use of restrictive behavioral interventions
64 as a form of discipline or behavior management technique. The policy shall be consistent
65 with professionally accepted practices and standards of student discipline, behavior
66 management, health and safety, including the safe schools act. The policy shall include
67 but not be limited to:

68 (a) Definitions of restraint, seclusion, and time-out and any other terminology
69 necessary to describe the continuum of restrictive behavioral interventions available for use
70 or prohibited in the district, consistent with the provisions of this section;

71 (b) Description of circumstances under which a restrictive behavioral intervention is
72 allowed and prohibited, consistent with the provisions of this section, and any unique
73 application requirements for specific groups of students such as differences based on age,
74 disability, or environment in which the educational services are provided;

75 (c) Specific implementation requirements associated with a restrictive behavioral
76 intervention such as time limits, facility specifications, training requirements or supervision
77 requirements; and

78 (d) Documentation, notice and permission requirements associated with use of a
79 restrictive behavioral intervention.

80 (2) Before July 1, 2022, each written policy adopted under this subsection shall be
81 updated to prohibit the school district, charter school, or publicly contracted private provider
82 from using any restraint that employs any technique listed in subsection 3 of this section.

83 (3) Before July 1, 2022, each written policy adopted under this subsection shall be
84 updated to state that the school district, charter school, or publicly contracted private provider
85 will reserve restraint or seclusion for situations or conditions in which there is imminent
86 danger of physical harm to self or others.

87 5. Before July 1, 2022, each school district, charter school, and publicly contracted
88 private provider shall ensure that the policy adopted under subsection 4 of this section
89 requires the following:

90 (1) Any student placed in seclusion or restraint shall be removed from such seclusion
91 or restraint as soon as the school district, charter school, or publicly contracted private
92 provider determines that the student is no longer an imminent danger of physical harm to self
93 or others;

94 (2) All school district, charter school, and publicly contracted private provider
95 personnel shall annually review the policy and procedures involving the use of seclusion and
96 restraint. Personnel who use seclusion or restraint shall [~~annually~~] complete mandatory
97 training in the specific seclusion and restraint techniques the school district, charter school, or
98 publicly contracted private provider uses under this section. **Such training shall be**
99 **provided as established in section 168.331;**

100 (3) (a) Each time seclusion or restraint is used for a student, the incident shall be
101 monitored by a member of the school district, charter school, or publicly contracted private
102 provider personnel, and a report shall be completed by the school district, charter school, or
103 publicly contracted private provider that contains, at a minimum, the following:

- 104 a. The date, time of day, location, duration, and description of the incident and
105 interventions;
- 106 b. Any event leading to the incident and the reason for using seclusion or restraint;
- 107 c. A description of the methods of seclusion or restraint used;
- 108 d. The nature and extent of any injury to the student;
- 109 e. The names, roles, and certifications of each employee involved in the use of
110 seclusion or restraint;
- 111 f. The name, role, and signature of the person who prepared the report;
- 112 g. The name of an employee whom the parent or guardian can contact regarding the
113 incident and use of seclusion or restraint;
- 114 h. The name of an employee to contact if the parent or guardian wishes to file a
115 complaint; and
- 116 i. A statement directing parents and legal guardians to a sociological, emotional, or
117 behavioral support organization and a hotline number to report child abuse and neglect.
- 118 (b) The school district, charter school, or publicly contracted private provider shall
119 maintain the report as an education record of the student, provide a copy to the parent or legal
120 guardian within five school days, and a copy of each incident report shall be given to the
121 department of elementary and secondary education within thirty days of the incident;
- 122 (4) The school district, charter school, or publicly contracted private provider shall
123 attempt to notify the parents or legal guardians as soon as possible but no later than one hour
124 after the end of the school day on which the use of seclusion or restraint occurred.
125 Notification shall be oral or electronic and shall include a statement indicating that the school
126 district, charter school, or publicly contracted private provider will provide the parents or
127 legal guardians a copy of the report described in subdivision (3) of this subsection within five
128 school days;
- 129 (5) An officer, administrator, or employee of a public school district or charter school
130 shall not retaliate against any person for having:
- 131 (a) Reported a violation of any policy established under this section or failure of a
132 district or charter school to follow any provisions of this section in relation to incidents of
133 seclusion and restraint; or
- 134 (b) Provided information regarding a violation of this section by a public school
135 district or charter school or a member of the staff of the public school district or charter
136 school.
- 137 6. The department of elementary and secondary education shall compile and maintain
138 all incidents reported under this section in the department's core data system and make such
139 data available on the Missouri comprehensive data system. No personally identifiable data
140 shall be accessible on the database.

141 7. The department of elementary and secondary education shall, in cooperation with
142 appropriate associations, organizations, agencies and individuals with specialized expertise in
143 behavior management, develop a model policy that satisfies the requirements of subsection 2
144 of this section as it existed on August 28, 2009, by July 1, 2010, and shall update such model
145 policy to include the requirements of subdivisions (2) and (3) of subsection 4 and subsection 5
146 of this section by July 1, 2022.

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

2 2. "Bullying" means intimidation, unwanted aggressive behavior, or harassment that
3 is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for
4 his or her physical safety or property; substantially interferes with the educational
5 performance, opportunities, or benefits of any student without exception; or substantially
6 disrupts the orderly operation of the school. Bullying may consist of physical actions,
7 including gestures, or oral, cyberbullying, electronic, or written communication, and any
8 threat of retaliation for reporting of such acts. Bullying of students is prohibited on school
9 property, at any school function, or on a school bus. "Cyberbullying" means bullying as
10 defined in this subsection through the transmission of a communication including, but not
11 limited to, a message, text, sound, or image by means of an electronic device including, but
12 not limited to, a telephone, wireless telephone, or other wireless communication device,
13 computer, or pager.

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

19 4. Each district's antibullying policy shall be included in the student handbook and
20 shall require, at a minimum, the following components:

21 (1) A statement prohibiting bullying, defined no less inclusively than in subsection 2
22 of this section;

23 (2) A statement requiring district employees to report any instance of bullying of
24 which the employee has firsthand knowledge. The policy shall require a district employee
25 who witnesses an incident of bullying to report the incident to the district's designated
26 individual at the school within two school days of the employee witnessing the incident;

27 (3) A procedure for reporting an act of bullying. The policy shall also include a
28 statement requiring that the district designate an individual at each school in the district to
29 receive reports of incidents of bullying. Such individual shall be a district employee who is
30 teacher level staff or above;

31 (4) A procedure for prompt investigation of reports of violations and complaints,
32 identifying one or more employees responsible for the investigation including, at a minimum,
33 the following requirements:

34 (a) Within two school days of a report of an incident of bullying being received, the
35 school principal, or his or her designee, shall initiate an investigation of the incident;

36 (b) The school principal may appoint other school staff to assist with the
37 investigation; and

38 (c) The investigation shall be completed within ten school days from the date of the
39 written report unless good cause exists to extend the investigation;

40 (5) A statement that prohibits reprisal or retaliation against any person who reports an
41 act of bullying and the consequence and appropriate remedial action for a person who
42 engages in reprisal or retaliation;

43 (6) A statement of how the policy is to be publicized; and

44 (7) A process for discussing the district's antibullying policy with students and
45 training school employees and volunteers who have significant contact with students in the
46 requirements of the policy, including, at a minimum, the following statements:

47 (a) The school district shall provide information and appropriate training to the school
48 district staff who have significant contact with students regarding the policy. **Such training**
49 **shall be provided as established in section 168.331;**

50 (b) The school district shall give annual notice of the policy to students, parents or
51 guardians, and staff;

52 (c) The school district shall provide education and information to students regarding
53 bullying, including information regarding the school district policy prohibiting bullying, the
54 harmful effects of bullying, and other applicable initiatives to address bullying, including
55 student peer-to-peer initiatives to provide accountability and policy enforcement for those
56 found to have engaged in bullying, reprisal, or retaliation against any person who reports an
57 act of bullying;

58 (d) The administration of the school district shall instruct its school counselors,
59 school social workers, licensed social workers, mental health professionals, and school
60 psychologists to educate students who are victims of bullying on techniques for students to
61 overcome bullying's negative effects. Such techniques shall include, but not be limited to,
62 cultivating the student's self-worth and self-esteem; teaching the student to defend himself or
63 herself assertively and effectively; helping the student develop social skills; or encouraging
64 the student to develop an internal locus of control. The provisions of this paragraph shall not
65 be construed to contradict or limit any other provision of this section; and

66 (e) The administration of the school district shall implement programs and other
67 initiatives to address bullying, to respond to such conduct in a manner that does not stigmatize
68 the victim, and to make resources or referrals available to victims of bullying.

69 5. Notwithstanding any other provision of law to the contrary, any school district shall
70 have jurisdiction to prohibit cyberbullying that originates on a school's campus or at a district
71 activity if the electronic communication was made using the school's technological resources,
72 if there is a sufficient nexus to the educational environment, or if the electronic
73 communication was made on the school's campus or at a district activity using the
74 student's own personal technological resources. The school district may discipline any
75 student for such cyberbullying to the greatest extent allowed by law.

76 6. Each district shall review its antibullying policy and revise it as needed. The
77 district's school board shall receive input from school personnel, students, and administrators
78 when reviewing and revising the policy.

162.065. On an annual basis, each school district shall provide training in at least
2 ~~eight~~ **four** hours of duration to each school bus driver employed by the school district or
3 under contract with the school district. Such training shall provide special instruction in
4 school bus driving.

162.069. 1. Every school district shall, by March 1, 2012, promulgate a written
2 policy concerning employee-student communication. The governing body of each charter
3 school shall adopt a written policy concerning employee-student communication by January
4 1, 2014. Such policy shall include, but not be limited to, the use of electronic media and other
5 mechanisms to prevent improper communications between staff members and students.

6 2. The school board of each school district and the governing body of each charter
7 school shall, by January 1, 2014, adopt and implement training guidelines and ~~an annual~~ **a**
8 training program for all school employees who are mandatory reporters of child abuse or
9 neglect under section 210.115. **Such training shall be provided as established in section**
10 **168.331.**

11 3. Every school district and the governing body of each charter school shall, by July
12 1, 2014, include in its teacher and employee training a component that provides up-to-date
13 and reliable information on identifying signs of sexual abuse in children and danger signals of
14 potentially abusive relationships between children and adults. The training shall emphasize
15 the importance of mandatory reporting of abuse under section 210.115 including the
16 obligation of mandated reporters to report suspected abuse by other mandated reporters, and
17 how to establish an atmosphere of trust so that students feel their school has concerned adults
18 with whom they feel comfortable discussing matters related to abuse. **Such training shall be**
19 **provided as established in section 168.331.** The training shall also emphasize that:

20 (1) All mandatory reporters shall, upon finding reasonable cause, directly and
21 immediately report suspected child abuse or neglect as provided in section 210.115;

22 (2) No supervisor or administrator may impede or inhibit any reporting under section
23 210.115; and

24 (3) No person making a report under section 210.115 shall be subject to any sanction,
25 including any adverse employment action, for making such report.

167.950. 1. (1) By December 31, 2017, the department of elementary and secondary
2 education shall develop guidelines for the appropriate screening of students for dyslexia and
3 related disorders and the necessary classroom support for students with dyslexia and related
4 disorders. Such guidelines shall be consistent with the findings and recommendations of the
5 task force created under section 633.420.

6 (2) In the 2018-19 school year and subsequent years, each public school, including
7 each charter school, shall conduct dyslexia screenings for students in the appropriate year
8 consistent with the guidelines developed by the department of elementary and secondary
9 education.

10 (3) In the 2018-19 school year and subsequent years, the school board of each district
11 and the governing board of each charter school shall provide reasonable classroom support
12 consistent with the guidelines developed by the department of elementary and secondary
13 education.

14 2. In the 2018-19 school year and subsequent years, the practicing teacher assistance
15 programs established under section 168.400 shall offer and include two hours of in-service
16 training provided by each local school district for all practicing teachers in such district
17 regarding dyslexia and related disorders. Each charter school shall also offer all of its
18 teachers two hours of training on dyslexia and related disorders. Districts and charter schools
19 may seek assistance from the department of elementary and secondary education in
20 developing and providing such training. Completion of such training shall count as two
21 contact hours of professional development under section 168.021. **Such training shall be
22 provided as established in section 168.331.**

23 3. For purposes of this section, the following terms mean:

24 (1) "Dyslexia", a disorder that is neurological in origin, characterized by difficulties
25 with accurate and fluent word recognition and poor spelling and decoding abilities that
26 typically result from a deficit in the phonological component of language, often unexpected in
27 relation to other cognitive abilities and the provision of effective classroom instruction, and of
28 which secondary consequences may include problems in reading comprehension and reduced
29 reading experience that can impede growth of vocabulary and background knowledge.
30 Nothing in this definition shall require a student with dyslexia to obtain an individualized

31 education program (IEP) unless the student has otherwise met the federal conditions
32 necessary;

33 (2) "Dyslexia screening", a short test conducted by a teacher or school counselor to
34 determine whether a student likely has dyslexia or a related disorder in which a positive result
35 does not represent a medical diagnosis but indicates that the student could benefit from
36 approved support;

37 (3) "Related disorders", disorders similar to or related to dyslexia, such as
38 developmental auditory imperception, dysphasia, specific developmental dyslexia,
39 developmental dysgraphia, and developmental spelling disability;

40 (4) "Support", low-cost and effective best practices, such as oral examinations and
41 extended test-taking periods, used to support students who have dyslexia or any related
42 disorder.

43 4. The state board of education shall promulgate rules and regulations for each public
44 school to screen students for dyslexia and related disorders and to provide the necessary
45 classroom support for students with dyslexia and related disorders. Any rule or portion of a
46 rule, as that term is defined in section 536.010, that is created under the authority delegated in
47 this section shall become effective only if it complies with and is subject to all of the
48 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
49 are nonseverable and if any of the powers vested with the general assembly pursuant to
50 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
51 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
52 proposed or adopted after August 28, 2016, shall be invalid and void.

53 5. Nothing in this section shall require the MO HealthNet program to expand the
54 services that it provides.

**168.331. 1. As used in this section, "school employee" means an individual who
2 works in any paid capacity for a school district or a charter school, such as a
3 superintendent, assistant superintendent, principal, assistant principal, supervising
4 principal, supervisor, teacher, teacher-secretary, substitute teacher, school nurse, social
5 worker, school counselor, school psychologist, mental health professional, librarian,
6 janitor, cafeteria worker, or any other individual employed by such school district or
7 charter school.**

8 **2. Except as provided in subsection 4 of this section, in the 2023-24 school year
9 and each subsequent school year, the training, instruction, or education provided to
10 each school employee of a school district or a charter school under section 160.261,
11 160.263, 160.775, 162.065, 162.069, 167.950, 170.048, or 170.315, other provisions of state
12 law, or the employing school district's or charter school's policies shall be provided as
13 follows:**

14 **(1) For each newly hired school employee, the employing school district or**
15 **charter school shall provide such training, instruction, or education annually in each of**
16 **the first three school years after the hiring of such school employee; and**

17 **(2) For all other school employees, the employing school district or charter**
18 **school shall provide such training, instruction, or education on a schedule as determined**
19 **by such school district based on the needs of the school district or charter school, each**
20 **school employee, or both.**

21 **3. This section shall not be construed to exempt a school employee from**
22 **attending or completing any training, instruction, or education that is required for such**
23 **school employee's position or job duties or that is required for such school employee by**
24 **federal law.**

25 **4. In the 2024-25 school year and each subsequent school year, all new training,**
26 **instruction, or education required under state law or rules promulgated by the**
27 **department of elementary and secondary education for school employees shall be**
28 **mandatory for and provided to each school employee for at least three consecutive**
29 **school years before the provisions of subsection 2 of this section apply.**

170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide
2 awareness and prevention, including plans for how the district will provide for the training
3 and education of its district employees. **Such training and education shall be provided as**
4 **established in section 168.331.**

5 2. Each district's policy shall address and include, but not be limited to, the following:

- 6 (1) Strategies that can help identify students who are at possible risk of suicide;
7 (2) Strategies and protocols for helping students at possible risk of suicide; and
8 (3) Protocols for responding to a suicide death.

9 3. By July 1, 2017, the department of elementary and secondary education shall
10 develop a model policy that districts may adopt. When developing the model policy, the
11 department shall cooperate, consult with, and seek input from organizations that have
12 expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three
13 years thereafter, the department shall request information and seek feedback from districts on
14 their experience with the policy for youth suicide awareness and prevention. The department
15 shall review this information and may use it to adapt the department's model policy. The
16 department shall post any information on its website that it has received from districts that it
17 deems relevant. The department shall not post any confidential information or any
18 information that personally identifies any student or school employee.

19 4. (1) Beginning July 1, 2023, a public school or charter school that serves any pupils
20 in grades seven to twelve and that issues pupil identification cards shall have printed on either

21 side of the cards the three-digit dialing code that directs calls and routes text messages to the
22 Suicide and Crisis Lifeline, 988.

23 (2) If, on July 1, 2023, a public school or charter school subject to the requirements of
24 this subsection has a supply of unissued pupil identification cards that do not comply with the
25 requirements of subdivision (1) of this subsection, the school shall issue those cards until that
26 supply is depleted.

27 (3) Subdivision (1) of this subsection shall apply to a pupil identification card issued
28 for the first time to a pupil and to a card issued to replace a damaged or lost card.

170.315. 1. There is hereby established the Active Shooter and Intruder Response
2 Training for Schools Program (ASIRT). Each school district and charter school [~~may, by July~~
3 ~~1, 2014,~~] **shall** include in its teacher and school employee training a component on how to
4 properly respond to students who provide them with information about a threatening situation
5 and how to address situations in which there is a potentially dangerous or armed intruder in
6 the school. Training [~~may also~~] **shall** include information and techniques on how to address
7 situations where an active shooter is present in the school or on school property.

8 2. Each school district and charter school [~~may~~] **shall** conduct the training [~~on an~~
9 ~~annual basis~~] **as established in section 168.331**. If no formal training has previously
10 occurred, the length of the training may be eight hours. The length of [~~annual~~] continuing
11 training may be four hours.

12 3. All school personnel shall participate in a simulated active shooter and intruder
13 response drill conducted and led by law enforcement professionals. Each drill [~~may~~] **shall**
14 include an explanation of its purpose and a safety briefing. The [~~training~~] **drill** shall require
15 each participant to know and understand how to respond in the event of an actual emergency
16 on school property or at a school event. The drill [~~may~~] **shall** include:

17 (1) Allowing school personnel to respond to the simulated emergency in whatever
18 way they have been trained or informed; and

19 (2) Allowing school personnel to attempt and implement new methods of responding
20 to the simulated emergency based upon previously used unsuccessful methods of response.

21 4. All instructors for the program shall be certified by the department of public
22 safety's peace officers standards training commission.

23 5. School districts and charter schools [~~may~~] **shall** consult and collaborate with law
24 enforcement authorities, emergency response agencies, and other organizations and entities
25 trained to deal with active shooters or potentially dangerous or armed intruders.

26 6. Public schools shall foster an environment in which students feel comfortable
27 sharing information they have regarding a potentially threatening or dangerous situation with
28 a responsible adult.

✓