

FIRST REGULAR SESSION

# HOUSE BILL NO. 1087

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BYRNES.

2099H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to school antibullying policies.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be  
2 known as section 160.771, to read as follows:

3       **160.771. 1. This section shall be known and may be cited as the "Missouri**  
4 **Childhood Hero Act".**

5       **2. As used in this section, the following words mean:**

6       **(1) "Act of school violence" or "violent behavior", the same meaning as in**  
7 **section 160.261;**

8       **(2) "Bullying", the same meaning as in section 160.775;**

9       **(3) "Crime", the crimes listed in section 160.261;**

10       **(4) "Zero-tolerance disciplinary policy", a policy or practice of discipline that**  
11 **results in an automatic disciplinary consequence such as suspension or expulsion for any**  
12 **student who commits one or more listed offenses even if administrators have some**  
13 **discretion to modify the consequence on a case-by-case basis.**

14       **3. The department of elementary and secondary education shall develop a model**  
15 **policy that each school district shall adopt to address bullying and school discipline.**  
16 **The policy shall contain at least the following components:**

17       **(1) A statement that the school district prohibits, does not have, and will not**  
18 **adopt, in name or in practice, a zero-tolerance disciplinary policy that requires the**  
19 **detention, suspension, expulsion, or imposition of other disciplinary measures against a**

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.

18 **pupil who is a victim of bullying and against whom an act of school violence, violent**  
19 **behavior, or crime is committed;**

20 **(2) A statement that the school district prohibits, does not have, and will not**  
21 **adopt, in name or in practice, a zero-tolerance disciplinary policy that requires the**  
22 **detention, suspension, expulsion, or imposition of other disciplinary measures against a**  
23 **pupil who intervenes on behalf of a pupil who is a victim of bullying and against whom**  
24 **an act of school violence, violent behavior, or crime is committed;**

25 **(3) A process for providing training and protections for school district employees**  
26 **or volunteers who, to protect a pupil who is a victim of bullying, intervene in an incident**  
27 **involving an act of school violence, violent behavior, or crime committed against such**  
28 **pupil. Training provided under this subdivision shall include at least instruction on**  
29 **actions that may be afforded the defense of justification under chapter 563;**

30 **(4) A method for providing mandatory training for school district employees on**  
31 **the duties and roles such employees are required to fulfill to ensure safety for pupils in**  
32 **schools including, but not limited to, reporting requirements under sections 160.261 and**  
33 **167.117. All school district employees shall be subject to the requirements and**  
34 **protections provided under section 167.117;**

35 **(5) Methods for providing annual age-appropriate bullying awareness training**  
36 **to pupils based on grade levels, discussing the school district's antibullying policy with**  
37 **pupils and school district employees and volunteers, and training school district**  
38 **employees and volunteers who have significant contact with pupils. Such methods shall**  
39 **include at least the following components:**

40 **(a) The school district will provide information and appropriate training**  
41 **regarding the policy to the school district employees and volunteers who have significant**  
42 **contact with pupils;**

43 **(b) The school district will provide education and information to pupils**  
44 **regarding bullying containing information regarding the school district antibullying**  
45 **policy, the harmful effects of bullying, nonconfrontational methods for avoiding conflict,**  
46 **and other applicable initiatives to address bullying including, but not limited to, pupil**  
47 **peer-to-peer initiatives to provide accountability and policy enforcement for individuals**  
48 **found to have engaged in bullying, reprisal, or retaliation against any individual who**  
49 **reports an act of bullying;**

50 **(c) The administration of the school district will instruct school counselors,**  
51 **school social workers, licensed social workers, mental health professionals, and school**  
52 **psychologists to educate pupils who are victims of bullying on techniques for pupils to**  
53 **overcome bullying's negative effects including, but not limited to:**

54 **a. Cultivating the pupil's self-worth and self-esteem;**

- 55           **b. Teaching the pupil assertive and effective self-defense;**  
56           **c. Helping the pupil develop social skills;**  
57           **d. Encouraging the pupil to develop an internal locus of control; or**  
58           **e. Teaching the pupil nonconfrontational methods for avoiding conflict; and**  
59           **(d) The administration of the school district shall implement programs and**  
60 **other initiatives to address bullying, to respond to such conduct in a manner that does**  
61 **not stigmatize the victim, and to make resources or referrals available to victims of**  
62 **bullying; and**  
63           **(6) A procedure based on criteria established by the school district by which the**  
64 **district:**  
65           **(a) Annually acknowledges any pupil in the district who has taken positive steps**  
66 **to resolving conflict through a nonphysical confrontation; and**  
67           **(b) Designates such pupil as a Missouri childhood hero.**  
68           **4. (1) The administration of each public school shall report to the school board**  
69 **all acts of bullying, the discipline of a pupil who has bullied another pupil as determined**  
70 **by the school administration, and all other disciplinary referrals to the administration.**  
71 **Such report shall be submitted monthly and shall be formatted to clearly describe each**  
72 **such incident.**  
73           **(2) The school board shall review such monthly report in a closed meeting under**  
74 **chapter 610. Within thirty days of the review and in conjunction with the school**  
75 **administration, the school board shall address and resolve all concerns relating to**  
76 **incidents listed on such report that are expressed during such monthly review by**  
77 **parents, school administration members, or school board members.**  
78           **5. (1) Any school district employee or volunteer may, in the course of fulfilling**  
79 **duties or performing services for such school district, intervene in an incident involving**  
80 **an act of school violence, violent behavior, or crime committed against a pupil who is a**  
81 **victim of bullying to protect such pupil.**  
82           **(2) Any such school district employee or volunteer shall be held harmless and**  
83 **immune from any liability for actions described in subdivision (1) of this subsection if:**  
84           **(a) In the course of intervening in such incident, such employee or volunteer**  
85 **follows a proper procedure for such interventions adopted by the school board of such**  
86 **school district; or**  
87           **(b) Such employee or volunteer intervenes in good faith and in a manner that**  
88 **such employee or volunteer reasonably believes is afforded the defense of justification**  
89 **under chapter 563.**  
90           **6. The provisions of paragraph (c) of subdivision (5) of subsection 3 of this**  
91 **section shall not be construed to contradict or limit any other provision of this section.**

92           **7. Each school district shall adopt the model policy developed under this section**  
93 **for the 2023-24 school year and all subsequent school years. The model policy**  
94 **developed under this section shall supersede any antibullying policy a school district**  
95 **adopted or implemented before the development of the antibullying policy under this**  
96 **section.**

97           **8. If any other provision of state law conflicts with a provision of this section, the**  
98 **provision of this section shall apply.**

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