

SECOND REGULAR SESSION

HOUSE BILL NO. 1715

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BYRNES.

4138H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

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

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", any of 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;**
- 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; and**
- 68 **(7) A statement that the school district administration, when determining**
69 **disciplinary action for a pupil who has committed an act of school violence or exhibited**
70 **violent behavior, will take into account if such act of school violence or violent behavior**
71 **was committed in self-defense as an immediate response to an act of school violence or**
72 **violent behavior committed against such pupil.**
- 73 **4. (1) The administration of each public school shall report to the school board**
74 **all acts of bullying, the discipline of a pupil who has bullied another pupil as determined**
75 **by the school administration, and all other disciplinary referrals to the administration.**
76 **Such report shall be submitted monthly and shall be formatted to clearly describe each**
77 **such incident.**
- 78 **(2) The school board shall review such monthly report in a closed meeting under**
79 **chapter 610. Within thirty days of the review and in conjunction with the school**
80 **administration, the school board shall address and resolve all concerns relating to**
81 **incidents listed on such report that are expressed during such monthly review by**
82 **parents, school administration members, or school board members.**
- 83 **5. (1) Any school district employee or volunteer may, in the course of fulfilling**
84 **duties or performing services for such school district, intervene in an incident involving**
85 **an act of school violence, violent behavior, or crime committed against a pupil who is a**
86 **victim of bullying to protect such pupil.**
- 87 **(2) Any such school district employee or volunteer shall be held harmless and**
88 **immune from any liability for actions described in subdivision (1) of this subsection if:**
- 89 **(a) In the course of intervening in such incident, such employee or volunteer**
90 **follows a proper procedure for such interventions adopted by the school board of such**
91 **school district; or**

92 **(b) Such employee or volunteer intervenes in good faith and in a manner that**
93 **such employee or volunteer reasonably believes is afforded the defense of justification**
94 **under chapter 563.**

95 **6. The provisions of paragraph (c) of subdivision (5) of subsection 3 of this**
96 **section shall not be construed to contradict or limit any other provision of this section.**

97 **7. Each school district shall adopt the model policy developed under this section**
98 **for the 2024-25 school year and all subsequent school years. The model policy**
99 **developed under this section shall supersede any antibullying policy a school district**
100 **adopted or implemented before the development of the antibullying policy under this**
101 **section.**

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

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