

SECOND REGULAR SESSION

HOUSE BILL NO. 3309

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SEITZ.

7147H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to protest activities.

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

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be
2 known as section 167.075, to read as follows:

167.075. 1. No student shall establish, organize, or participate in any protest
2 **activity on or off the property of a public school during regularly scheduled**
3 **instructional periods of learning if such activity materially and substantially disrupts**
4 **the public school's operations.**

5 **2. No person shall:**

6 **(1) Knowingly disrupt or interfere with the lawful administration or functions of**
7 **a public school or activity on school property in this state;**

8 **(2) Knowingly advise, counsel, or instruct any student or school employee to**
9 **disrupt any school or school function, activity on school property, or classroom;**

10 **(3) Knowingly interfere with the attendance of any student or school employee in**
11 **a school or classroom; or**

12 **(4) Conspire to riot or to engage in any school campus or school function**
13 **disruption or disturbance that interferes with the educational processes or with the**
14 **orderly conduct of a school campus, school, or school function or activity on school**
15 **property.**

16

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.

17 **This subsection shall apply to all public schools and functions or activities on school**
18 **property; however, nothing in this subsection shall deny public school employees the**
19 **opportunity to exercise their rights under state or federal law.**

20 **3. Consequences for students, teachers, and school districts or charter schools**
21 **shall include, but are not limited to, the following:**

22 **(1) Students who leave a scheduled instructional period without authorization to**
23 **participate in a protest activity or demonstration shall be marked absent from school;**

24 **(2) Teachers who facilitate walkouts shall be subject to an investigation and**
25 **sanctions, including licensure revocation; and**

26 **(3) School districts or charter schools that allow, encourage, or facilitate**
27 **walkouts shall be at risk of losing daily attendance funding and shall be subject to an**
28 **investigation and sanctions.**

29 **4. Students in public schools retain the right to free expression consistent with**
30 **the First Amendment to the Constitution of the United States and Article I, Section 8 of**
31 **the Constitution of Missouri.**

32 **5. A school district or charter school may adopt and enforce content-neutral**
33 **policies governing the time, place, and manner of student expression, including protest**
34 **activities, provided that such policies are reasonably related to legitimate pedagogical**
35 **concerns and the orderly operation of the district or school.**

36 **6. No student shall be disciplined solely for engaging in peaceful expression**
37 **unless the student's conduct:**

38 **(1) Materially and substantially disrupts the work and discipline of the school;**

39 **(2) Infringes upon the rights of other students or school personnel; or**

40 **(3) Violates content-neutral time, place, and manner restrictions.**

41 **7. Nothing in this section shall be construed to:**

42 **(1) Prohibit voluntary, nondisruptive student expression that occurs outside**
43 **scheduled instructional time;**

44 **(2) Limit lawful activities protected under state or federal law; or**

45 **(3) Authorize the suppression of expression based on viewpoint.**

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