

FIRST REGULAR SESSION

HOUSE BILL NO. 706

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOUX.

1155H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.261, 160.405, 160.420, 160.660, 160.2500, 162.069, 167.020, 167.022, 167.023, 167.026, 167.115, 167.117, 167.122, 167.123, 167.161, 167.164, 167.166, 167.171, 167.627, 168.133, 170.315, 171.011, 210.865, 571.010, and 571.030, RSMo, and section 167.121 as enacted by house bill no. 1606 merged with senate bill no. 603, et al., ninety-ninth general assembly, second regular session, and to enact in lieu thereof twenty-seven new sections relating to safe schools, with penalty provisions.

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

Section A. Sections 160.261, 160.405, 160.420, 160.660, 160.2500, 162.069, 167.020, 167.022, 167.023, 167.026, 167.115, 167.117, 167.122, 167.123, 167.161, 167.164, 167.166, 167.171, 167.627, 168.133, 170.315, 171.011, 210.865, 571.010, and 571.030, RSMo, and section 167.121 as enacted by house bill no. 1606 merged with senate bill no. 603, et al., ninety-ninth general assembly, second regular session, are repealed and twenty-seven new sections enacted in lieu thereof, to be known as sections 160.261, 160.405, 160.420, 160.660, 160.662, 160.2500, 162.069, 167.020, 167.022, 167.023, 167.026, 167.115, 167.121, 167.122, 167.161, 167.164, 167.166, 167.171, 167.627, 168.133, 170.315, 171.011, 210.865, 571.010, 571.030, 630.1020, and 650.040, to read as follows:

160.261. 1. **(1)** The local board of education of each school district **and the governing board of each charter school** shall clearly establish a written policy of discipline, including the **[district's]** determination **of the district or charter school** on the use of corporal punishment and the procedures in which punishment will be applied.

(2) A written copy of the district's **or charter school's** discipline policy and corporal punishment procedures, if applicable, shall be provided to the **[pupil]** **student** and parent or legal

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.

7 guardian of every ~~[pupil]~~ **student** enrolled in the district **or charter school** at the beginning of
8 each school year and also made available in the office of the superintendent of such district **or**
9 **in the office of the administrator of the charter school**, during normal business hours, for
10 public inspection.

11 **(3) A school district or charter school may satisfy the requirements of subdivision**
12 **(2) of this subsection by posting a copy of its discipline policy and corporal punishment**
13 **procedures, if applicable, on its website.**

14 **(4)** All employees of the district **or charter school** shall annually receive instruction
15 related to the specific contents of the policy of discipline and any interpretations necessary to
16 implement the provisions of the policy in the course of their duties, including but not limited to
17 approved methods of dealing with acts of school violence, disciplining students with disabilities
18 and instruction in the necessity and requirements for confidentiality.

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

31 ~~—— (1) First degree murder under section 565.020;~~

32 ~~—— (2) Second degree murder under section 565.021;~~

33 ~~—— (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or~~
34 ~~kidnapping in the first degree under section 565.110;~~

35 ~~—— (4) First degree assault under section 565.050;~~

36 ~~—— (5) Rape in the first degree under section 566.030;~~

37 ~~—— (6) Sodomy in the first degree under section 566.060;~~

38 ~~—— (7) Burglary in the first degree under section 569.160;~~

39 ~~—— (8) Burglary in the second degree under section 569.170;~~

40 ~~—— (9) Robbery in the first degree under section 569.020 as it existed prior to January 1,~~
41 ~~2017, or robbery in the first degree under section 570.023;~~

42 ~~————(10) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017,~~
43 ~~or manufacture of a controlled substance under section 579.055;~~
44 ~~————(11) Distribution of drugs to a minor under section 195.212 as it existed prior to January~~
45 ~~1, 2017, or delivery of a controlled substance under section 579.020;~~
46 ~~————(12) Arson in the first degree under section 569.040;~~
47 ~~————(13) Voluntary manslaughter under section 565.023;~~
48 ~~————(14) Involuntary manslaughter under section 565.024 as it existed prior to January 1,~~
49 ~~2017, involuntary manslaughter in the first degree under section 565.024, or involuntary~~
50 ~~manslaughter in the second degree under section 565.027;~~
51 ~~————(15) Second degree assault under section 565.060 as it existed prior to January 1, 2017,~~
52 ~~or second degree assault under section 565.052;~~
53 ~~————(16) Rape in the second degree under section 566.031;~~
54 ~~————(17) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or~~
55 ~~kidnapping in the second degree under section 565.120;~~
56 ~~————(18) Property damage in the first degree under section 569.100;~~
57 ~~————(19) The possession of a weapon under chapter 571;~~
58 ~~————(20) Child molestation in the first degree pursuant to section 566.067 as it existed prior~~
59 ~~to January 1, 2017, or child molestation in the first, second, or third degree pursuant to section~~
60 ~~566.067, 566.068, or 566.069;~~
61 ~~————(21) Sodomy in the second degree pursuant to section 566.061;~~
62 ~~————(22) Sexual misconduct involving a child pursuant to section 566.083;~~
63 ~~————(23) Sexual abuse in the first degree pursuant to section 566.100;~~
64 ~~————(24) Harassment under section 565.090 as it existed prior to January 1, 2017, or~~
65 ~~harassment in the first degree under section 565.090; or~~
66 ~~————(25) Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking in~~
67 ~~the first degree under section 565.225;~~
68
69 committed on school property, including but not limited to actions on any school bus in service
70 on behalf of the district or while involved in school activities.] **criminal offense committed on**
71 **school property, on any school bus in service on behalf of the district or charter school, or**
72 **at any district or charter school activity, regardless of location, in which a student causes**
73 **another person to suffer serious physical injury, as defined in section 556.061; in which**
74 **there is sexual contact, as defined in section 566.010; or that involves the possession, sale,**
75 **or use of weapons or illegal drugs. School administrators are encouraged to report all**
76 **other criminal offenses. School administrators shall notify the parents or guardians of**
77 **each perpetrator and victim of any incident, and the parents or guardians may report the**

78 **criminal offense to the appropriate law enforcement agency. School districts and charter**
79 **schools may enter into written agreements with law enforcement agencies as to the**
80 **procedure for reporting these criminal offenses. The agreement may authorize the district**
81 **or charter school to report the criminal offense to the children's division rather than law**
82 **enforcement if a student is under eleven years of age.**

83 **3. If a school employee, agent, or official becomes aware of an offense that is**
84 **required to be reported, the employee, agent, or official shall immediately notify the**
85 **principal to make the report. A school employee, agent, or official who in good faith**
86 **provides information to law enforcement in accordance with this section shall not be civilly**
87 **liable for providing such information. Any school employee, agent, or official responsible**
88 **for reporting under this section who willfully neglects or refuses to perform this duty shall**
89 **be subject to the penalty established in section 162.091.**

90 **4.** The **discipline** policy shall require that any portion of a student's individualized
91 education program that is related to demonstrated or potentially violent behavior shall be
92 provided to any teacher and other school district **or charter school** employees who are directly
93 responsible for the student's education or who otherwise interact with the student on an
94 educational basis while acting within the scope of their assigned duties. The policy shall also
95 contain the consequences of failure to obey standards of conduct set by the local board of
96 education **or the governing board of the charter school**, and the importance of the standards
97 to the maintenance of an atmosphere where orderly learning is possible and encouraged.

98 ~~[3-]~~ **5.** The policy shall provide that any student who is on suspension for any ~~[of the~~
99 ~~offenses listed in subsection 2 of this section or any act of violence or drug-related activity~~
100 ~~defined by school district policy as a serious]~~ violation of school discipline ~~[pursuant to~~
101 ~~subsection 9 of this section]~~ shall have as a condition of his or her suspension the requirement
102 that such student is not allowed, while on such suspension, to be within one thousand feet of any
103 school property in the school district **or charter school** where such student attended school or
104 any activity of that district **or charter school**, regardless of whether or not the activity takes
105 place on district **or charter school** property unless:

106 (1) Such student is under the direct supervision of the student's parent, legal guardian,
107 or custodian and the superintendent or the superintendent's designee **or the charter school**
108 **administrator or his or her designee** has authorized the student to be on school property;

109 (2) Such student is under the direct supervision of another adult designated by the
110 student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school
111 which suspended the student and the superintendent or the superintendent's designee **or the**
112 **charter school administrator or his or her designee** has authorized the student to be on school
113 property;

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

117 (4) Such student resides within one thousand feet of **the charter school the student**
118 **attended or** any public school in the school district where such student attended school, in which
119 case such student may be on the property of his or her residence without direct adult supervision.

120 [4-] 6. Any student who violates the condition of suspension required pursuant to
121 subsection [3] 5 of this section may be subject to expulsion or further suspension pursuant to the
122 provisions of sections 167.161, 167.164, and 167.171. In making this determination
123 consideration shall be given to whether the student poses a threat to the safety of any child or
124 school employee and whether such student's unsupervised presence within one thousand feet of
125 the school is disruptive to the educational process or undermines the effectiveness of the school's
126 disciplinary policy. Removal of any ~~pupil~~ **student** who is a student with a disability is subject
127 to state and federal procedural rights. This section shall not limit a school district's **or charter**
128 **school's** ability to:

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

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

133 [5-] 7. The policy shall provide for a suspension for a period of not less than one year,
134 or expulsion, for a student who is determined to have brought a weapon to school, including but
135 not limited to the school playground or the school parking lot, brought a weapon on a school bus
136 or brought a weapon to a school activity whether on or off of the school property in violation of
137 district **or charter school** policy, except that:

138 (1) The superintendent **or charter school administrator** or, in a school district with no
139 high school **or in a charter school that does not offer instruction in any grade higher than**
140 **eighth grade**, the principal of the school which such child attends may modify such suspension
141 on a case-by-case basis; ~~and~~

142 (2) This section shall not prevent the school district **or charter school** from providing
143 educational services in an alternative setting to a student suspended under the provisions of this
144 section; **and**

145 (3) **This section shall not prevent a student from transporting or possessing a**
146 **weapon on school district or charter school property in order to participate in a district-**
147 **sponsored, school-sponsored, or school-sanctioned weapon-related activity or event**
148 **including, but not limited to, gun safety courses, trap-shooting clubs or competitions, or**
149 **archery clubs or competitions, as long as the student follows district or charter school**

150 **policy and other rules regarding the transportation, possession, use, and storage of the**
151 **weapon.**

152 ~~[6-]~~ **8.** For the purpose of this section, the term "weapon" shall mean a firearm as
153 defined under 18 U.S.C. Section 921 and ~~[the following items, as defined in section 571.010:~~
154 ~~a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun,~~
155 ~~a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a~~
156 ~~switchblade knife; except that this section shall not be construed to prohibit a school board from~~
157 ~~adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school~~
158 ~~property for educational purposes so long as the firearm is unloaded]~~ **the weapon or weapon**
159 **components listed in section 571.010.** The local board of education **or the governing board**
160 **of the charter school** shall define weapon in the discipline policy. Such definition shall include
161 the weapons defined in this subsection but may also include other weapons. **Adults may possess**
162 **weapons on school property for use in a program approved by the board of the district or**
163 **the governing board of the charter school.**

164 ~~[7-]~~ **9.** All school district **or charter school** personnel responsible for the care and
165 supervision of students are authorized to hold every ~~[pupil]~~ **student** strictly accountable for any
166 disorderly conduct in school or on any property of the school, on any school bus going to or
167 returning from school, during school-sponsored activities, or during intermission or recess
168 periods.

169 ~~[8-]~~ **10.** Teachers and other authorized district **or charter school** personnel in public
170 schools responsible for the care, supervision, and discipline of schoolchildren, including
171 volunteers selected with reasonable care by the school district **or charter school**, shall not be
172 civilly liable when acting in conformity with the established policies developed by each board,
173 including but not limited to policies of student discipline or when reporting to his or her
174 supervisor or other person as mandated by state law acts of school violence or threatened acts
175 of school violence, within the course and scope of the duties of the teacher, authorized district
176 **or charter school** personnel or volunteer, when such individual is acting in conformity with the
177 established policies developed by the board. Nothing in this section shall be construed to create
178 a new cause of action against such school district **or charter school**, or to relieve the school
179 district **or charter school** from liability for the negligent acts of such persons.

180 ~~[9-]~~ **11.** Each school board **of a district or governing board of a charter school** shall
181 define in its discipline policy acts of violence and any other acts that constitute a serious
182 violation of that policy. "Acts of violence" as defined by school boards **and governing boards**
183 **of charter schools** shall include but not be limited to **threats of or** exertion of physical force by
184 a student with the intent to do serious bodily harm to another person while on school property,
185 including a school bus in service on behalf of the district **or charter school**, or while involved

186 in school activities. School districts **and charter schools** shall for each student enrolled in the
187 school district **or charter school** compile and maintain records of any serious violation of the
188 district's **or charter school's** discipline policy. Such records shall be made available to teachers
189 and other school district **or charter school** employees with a need to know while acting within
190 the scope of their assigned duties, and shall be provided as required in section 167.020 to any
191 school district **or charter school** in which the student subsequently attempts to enroll.

192 ~~[10.]~~ **12.** Spanking, when administered by ~~[eertificated]~~ personnel **of a school district**
193 **or charter school** and in the presence of a witness who is an employee of the school district **or**
194 **charter school**, or the use of reasonable force to protect persons or property, when administered
195 by personnel of a school district **or charter school** in a reasonable manner in accordance with
196 the ~~[local board of education's]~~ written policy of discipline **of the local board of education or**
197 **the governing board of the charter school**, is not abuse within the meaning of chapter 210.
198 The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall ~~[not]~~
199 have jurisdiction over ~~[or]~~ **and** investigate, **only to the extent allowed under this section**, any
200 report of alleged child abuse arising out of or related to the use of reasonable force to protect
201 persons or property when administered by personnel of a school district **or charter school** or any
202 spanking administered in a reasonable manner by ~~[any certified school]~~ personnel **of a school**
203 **district or charter school** in the presence of a witness who is an employee of the school district
204 **or charter school** pursuant to a written policy of discipline established by the board of education
205 of the school district~~[, as long as no allegation of sexual misconduct arises from the spanking~~
206 ~~or use of force]~~ **or the governing board of the charter school.**

207 ~~[11.]~~ **13.** If a student reports alleged sexual misconduct on the part of a teacher or other
208 school employee to a person employed in a school facility who is required to report such
209 misconduct to the children's division under section 210.115, such person ~~[and the superintendent~~
210 ~~of the school district]~~ shall report the allegation to the children's division as set forth in section
211 210.115 **and to the school district superintendent or his or her designee or the charter**
212 **school administrator or his or her designee.** Reports made to the children's division under this
213 subsection shall be investigated by the division in accordance with the provisions of sections
214 210.145 to 210.153 and shall not be investigated by the school district **or charter school** under
215 subsections ~~[12 to 20]~~ **14 and 15** of this section for purposes of determining whether the
216 allegations should or should not be substantiated. The district **or charter school** may investigate
217 the allegations for the purpose of making any decision regarding the employment of the accused
218 employee. **The children's division shall define the term "sexual misconduct" for purposes**
219 **of this section and section 162.068.**

220 ~~[12.]~~ **14.** Upon receipt of any reports of child abuse by the children's division other than
221 reports provided under subsection ~~[11]~~ **13** of this section, pursuant to sections 210.110 to

222 210.165 which allegedly involve personnel **or agents** of a school district **or charter school**, the
223 children's division shall notify the superintendent of schools of the district **or the charter school**
224 **administrator** or, if the person named in the alleged incident is the superintendent of schools
225 **or the charter school administrator**, the president of the school board of the school district **or**
226 **of the governing board of the charter school** where the alleged incident occurred. **The**
227 **children's division is responsible for investigating complaints made to the division. If, after**
228 **an investigation, the children's division determines that a school district or charter school**
229 **employee or agent spanked a student or used force to protect persons or property and the**
230 **school district or charter school has a policy that allows such actions, the children's**
231 **division shall refer the case to the school board of the district or the governing board of the**
232 **charter school to determine if the policy was violated and the complaint should be**
233 **substantiated. The school board of the district or the governing board of the charter**
234 **school, or a committee appointed by the school board or governing board, shall issue its**
235 **findings and conclusions within thirty days of receiving notice of the findings from the**
236 **children's division.**

237 ~~[13. If, after an initial investigation, the superintendent of schools or the president of the~~
238 ~~school board finds that the report involves an alleged incident of child abuse other than the~~
239 ~~administration of a spanking by certificated school personnel or the use of reasonable force to~~
240 ~~protect persons or property when administered by school personnel pursuant to a written policy~~
241 ~~of discipline or that the report was made for the sole purpose of harassing a public school~~
242 ~~employee, the superintendent of schools or the president of the school board shall immediately~~
243 ~~refer the matter back to the children's division and take no further action. In all matters referred~~
244 ~~back to the children's division, the division shall treat the report in the same manner as other~~
245 ~~reports of alleged child abuse received by the division.~~

246 ~~———— 14. If the report pertains to an alleged incident which arose out of or is related to a~~
247 ~~spanking administered by certificated personnel or the use of reasonable force to protect persons~~
248 ~~or property when administered by personnel of a school district pursuant to a written policy of~~
249 ~~discipline or a report made for the sole purpose of harassing a public school employee, a~~
250 ~~notification of the reported child abuse shall be sent by the superintendent of schools or the~~
251 ~~president of the school board to the law enforcement in the county in which the alleged incident~~
252 ~~occurred.~~

253 ~~———— 15. The report shall be jointly investigated by the law enforcement officer and the~~
254 ~~superintendent of schools or, if the subject of the report is the superintendent of schools, by a law~~
255 ~~enforcement officer and the president of the school board or such president's designee.~~

256 ~~———— 16. The investigation shall begin no later than forty-eight hours after notification from~~
257 ~~the children's division is received, and shall consist of, but need not be limited to, interviewing~~

258 ~~and recording statements of the child and the child's parents or guardian within two working days~~
259 ~~after the start of the investigation, of the school district personnel allegedly involved in the~~
260 ~~report, and of any witnesses to the alleged incident.~~

261 ~~———17. The law enforcement officer and the investigating school district personnel shall~~
262 ~~issue separate reports of their findings and recommendations after the conclusion of the~~
263 ~~investigation to the school board of the school district within seven days after receiving notice~~
264 ~~from the children's division.~~

265 ~~———18. The reports shall contain a statement of conclusion as to whether the report of alleged~~
266 ~~child abuse is substantiated or is unsubstantiated.~~

267 ~~———19. The school board shall consider the separate reports referred to in subsection 17 of~~
268 ~~this section and shall issue its findings and conclusions and the action to be taken, if any, within~~
269 ~~seven days after receiving the last of the two reports. The findings and conclusions shall be~~
270 ~~made in substantially the following form:~~

271 ~~———(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer~~
272 ~~and the investigating school board personnel agree that there was not a preponderance of~~
273 ~~evidence to substantiate that abuse occurred;~~

274 ~~———(2) The report of the alleged child abuse is substantiated. The law enforcement officer~~
275 ~~and the investigating school district personnel agree that the preponderance of evidence is~~
276 ~~sufficient to support a finding that the alleged incident of child abuse did occur;~~

277 ~~———(3) The issue involved in the alleged incident of child abuse is unresolved. The law~~
278 ~~enforcement officer and the investigating school personnel are unable to agree on their findings~~
279 ~~and conclusions on the alleged incident.~~

280 ~~———20.]~~ **15.** The findings and conclusions of the school board ~~[under subsection 19 of this~~
281 ~~section]~~ **of the district or the governing board of the charter school** shall be sent to the
282 children's division. If the findings and conclusions of the school board **of the district or the**
283 **governing board of the charter school** are that the report of the alleged child abuse is
284 unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be
285 entered in the children's division central registry. If the findings and conclusions of the school
286 board **of the district or the governing board of the charter school** are that the report of the
287 alleged child abuse is substantiated, the children's division shall report the incident to the
288 prosecuting attorney of the appropriate county along with the findings and conclusions of the
289 school district **or charter school** and shall include the information in the division's central
290 registry. If the findings and conclusions of the school board **of the district or the governing**
291 **board of the charter school** are that the issue involved in the alleged incident of child abuse is
292 unresolved, the children's division shall report the incident to the prosecuting attorney of the
293 appropriate county along with the findings and conclusions of the school board **of the district**

294 **or the governing board of the charter school**, however, the incident and the names of the
 295 parties allegedly involved shall not be entered into the central registry of the children's division
 296 unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

297 ~~[21.]~~ **16.** Any ~~[superintendent of schools, president of a school board or such person's~~
 298 ~~designee or law enforcement officer]~~ **employee, agent, or officer of the school district, charter**
 299 **school, or children's division** who knowingly falsifies any report of any matter pursuant to this
 300 section or who knowingly withholds any information relative to any investigation or report
 301 pursuant to this section is guilty of a class A misdemeanor.

302 ~~[22. In order to ensure the safety of all students, should a student be expelled for bringing~~
 303 ~~a weapon to school, violent behavior, or for an act of school violencee]~~ **17. If a student is**
 304 **expelled for a criminal offense in which the student causes a person to suffer serious**
 305 **physical injury, as defined in section 556.061; for a criminal offense in which there is sexual**
 306 **contact, as defined in section 566.010; or for a criminal offense that involves the possession,**
 307 **sale, or use of weapons or illegal drugs**, that student shall not, for the purposes of the
 308 accreditation process of the Missouri school improvement plan, be considered a dropout or be
 309 included in the calculation of that district's educational persistence ratio.

160.405. 1. A person, group or organization seeking to establish a charter school shall
 2 submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a
 3 school board, the applicant shall give a copy of its application to the school board of the district
 4 in which the charter school is to be located and to the state board of education, within five
 5 business days of the date the application is filed with the proposed sponsor. The school board
 6 may file objections with the proposed sponsor, and, if a charter is granted, the school board may
 7 file objections with the state board of education. The charter shall include a legally binding
 8 performance contract that describes the obligations and responsibilities of the school and the
 9 sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall address the
 10 following:

11 (1) A mission and vision statement for the charter school;

12 (2) A description of the charter school's organizational structure and bylaws of the
 13 governing body, which will be responsible for the policy, financial management, and operational
 14 decisions of the charter school, including the nature and extent of parental, professional educator,
 15 and community involvement in the governance and operation of the charter school;

16 (3) A financial plan for the first three years of operation of the charter school including
 17 provisions for annual audits;

18 (4) A description of the charter school's policy for securing personnel services, its
 19 personnel policies, personnel qualifications, and professional development plan;

20 (5) A description of the grades or ages of students being served;

21 (6) The school's calendar of operation, which shall include at least the equivalent of a
22 full school term as defined in section 160.011;

23 (7) A description of the charter school's ~~[pupil]~~ **student** performance standards and
24 academic program performance standards, which shall meet the requirements of subdivision (6)
25 of subsection 4 of this section. The charter school program shall be designed to enable each
26 ~~[pupil]~~ **student** to achieve such standards and shall contain a complete set of indicators,
27 measures, metrics, and targets for academic program performance, including specific goals on
28 graduation rates and standardized test performance and academic growth;

29 (8) A description of the charter school's educational program and curriculum;

30 (9) The term of the charter, which shall be five years and may be renewed;

31 (10) Procedures, consistent with the Missouri financial accounting manual, for
32 monitoring the financial accountability of the charter, which shall meet the requirements of
33 subdivision (4) of subsection 4 of this section;

34 (11) Preopening requirements for applications that require that charter schools meet all
35 health, safety, and other legal requirements prior to opening;

36 (12) A description of the charter school's policies on student discipline and student
37 admission, which shall include a statement, where applicable, of the validity of attendance of
38 students who do not reside in the district but who may be eligible to attend under the terms of
39 judicial settlements and procedures that ensure admission of students with disabilities in a
40 nondiscriminatory manner;

41 (13) A description of the charter school's grievance procedure for parents or guardians;

42 (14) A description of the agreement and time frame for implementation between the
43 charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a
44 sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when
45 a sponsor will not renew a charter under subsection 9 of this section;

46 (15) Procedures to be implemented if the charter school should close, as provided in
47 subdivision (6) of subsection 16 of section 160.400 including:

48 (a) Orderly transition of student records to new schools and archival of student records;

49 (b) Archival of business operation and transfer or repository of personnel records;

50 (c) Submission of final financial reports;

51 (d) Resolution of any remaining financial obligations;

52 (e) Disposition of the charter school's assets upon closure; and

53 (f) A notification plan to inform parents or guardians of students, the local school
54 district, the retirement system in which the charter school's employees participate, and the state
55 board of education within thirty days of the decision to close;

56 (16) A description of the special education and related services that shall be available
57 to meet the needs of students with disabilities; and

58 (17) For all new or revised charters, procedures to be used upon closure of the charter
59 school requiring that unobligated assets of the charter school be returned to the department of
60 elementary and secondary education for their disposition, which upon receipt of such assets shall
61 return them to the local school district in which the school was located, the state, or any other
62 entity to which they would belong.

63

64 Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the
65 requirements of this subsection.

66 2. Proposed charters shall be subject to the following requirements:

67 (1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and
68 procedures for review and granting of a charter approval, and be approved by the state board of
69 education by January thirty-first prior to the school year of the proposed opening date of the
70 charter school;

71 (2) A charter may be approved when the sponsor determines that the requirements of this
72 section are met, determines that the applicant is sufficiently qualified to operate a charter school,
73 and that the proposed charter is consistent with the sponsor's charter sponsorship goals and
74 capacity. The sponsor's decision of approval or denial shall be made within ninety days of the
75 filing of the proposed charter;

76 (3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as
77 to the reasons for its denial and forward a copy to the state board of education within five
78 business days following the denial;

79 (4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted
80 to the state board of education, along with the sponsor's written reasons for its denial. If the state
81 board determines that the applicant meets the requirements of this section, that the applicant is
82 sufficiently qualified to operate the charter school, and that granting a charter to the applicant
83 would be likely to provide educational benefit to the children of the district, the state board may
84 grant a charter and act as sponsor of the charter school. The state board shall review the
85 proposed charter and make a determination of whether to deny or grant the proposed charter
86 within sixty days of receipt of the proposed charter, provided that any charter to be considered
87 by the state board of education under this subdivision shall be submitted no later than March first
88 prior to the school year in which the charter school intends to begin operations. The state board
89 of education shall notify the applicant in writing as to the reasons for its denial, if applicable; and

90 (5) The sponsor of a charter school shall give priority to charter school applicants that
91 propose a school oriented to high-risk students and to the reentry of dropouts into the school

92 system. If a sponsor grants three or more charters, at least one-third of the charters granted by
93 the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student
94 body and address the needs of dropouts or high-risk students through their proposed mission,
95 curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk"
96 student is one who is at least one year behind in satisfactory completion of course work or
97 obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out
98 of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended
99 from school three or more times, has a history of severe truancy, is a pregnant or parenting teen,
100 has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is
101 homeless or has been homeless sometime within the preceding six months, has been referred by
102 an area school district for enrollment in an alternative program, or qualifies as high risk under
103 department of elementary and secondary education guidelines. Dropout shall be defined through
104 the guidelines of the school core data report. The provisions of this subsection do not apply to
105 charters sponsored by the state board of education.

106 3. If a charter is approved by a sponsor, the charter application shall be submitted to the
107 state board of education, along with a statement of finding by the sponsor that the application
108 meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring
109 plan under which the charter sponsor shall evaluate the academic performance, including annual
110 performance reports, of students enrolled in the charter school. The state board of education
111 shall approve or deny a charter application within sixty days of receipt of the application. The
112 state board of education may deny a charter on grounds that the application fails to meet the
113 requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor
114 previously failed to meet the statutory responsibilities of a charter sponsor. Any denial of a
115 charter application made by the state board of education shall be in writing and shall identify the
116 specific failures of the application to meet the requirements of sections 160.400 to 160.425 and
117 section 167.349, and the written denial shall be provided within ten business days to the sponsor.

118 4. A charter school shall, as provided in its charter:

119 (1) Be nonsectarian in its programs, admission policies, employment practices, and all
120 other operations;

121 (2) Comply with laws and regulations of the state, county, or city relating to health,
122 safety, and state minimum educational standards, as specified by the state board of education,
123 including the requirements relating to student discipline under sections 160.261, 167.161,
124 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under
125 sections **160.261 and** 167.115 [~~to 167.117~~], academic assessment under section 160.518,
126 transmittal of school records under section 167.020, the minimum amount of school time

127 required under section 171.031, and the employee criminal history background check [~~and the~~
128 ~~family care safety registry check~~] under section 168.133;

129 (3) Except as provided in sections 160.400 to 160.425 and as specifically provided in
130 other sections, be exempt from all laws and rules relating to schools, governing boards and
131 school districts;

132 (4) Be financially accountable, use practices consistent with the Missouri financial
133 accounting manual, provide for an annual audit by a certified public accountant, publish audit
134 reports and annual financial reports as provided in chapter 165, provided that the annual financial
135 report may be published on the department of elementary and secondary education's internet
136 website in addition to other publishing requirements, and provide liability insurance to indemnify
137 the school, its board, staff and teachers against tort claims. A charter school that receives local
138 educational agency status under subsection 6 of this section shall meet the requirements imposed
139 by the Elementary and Secondary Education Act for audits of such agencies and comply with all
140 federal audit requirements for charters with local educational agency status. For purposes of an
141 audit by petition under section 29.230, a charter school shall be treated as a political subdivision
142 on the same terms and conditions as the school district in which it is located. For the purposes
143 of securing such insurance, a charter school shall be eligible for the Missouri public entity risk
144 management fund pursuant to section 537.700. A charter school that incurs debt shall include
145 a repayment plan in its financial plan;

146 (5) Provide a comprehensive program of instruction for at least one grade or age group
147 from early childhood through grade twelve, as specified in its charter;

148 (6) (a) Design a method to measure ~~[pupil]~~ **student** progress toward the ~~[pupil]~~ **student**
149 academic standards adopted by the state board of education pursuant to section 160.514,
150 establish baseline student performance in accordance with the performance contract during the
151 first year of operation, collect student performance data as defined by the annual performance
152 report throughout the duration of the charter to annually monitor student academic performance,
153 and to the extent applicable based upon grade levels offered by the charter school, participate in
154 the statewide system of assessments, comprised of the essential skills tests and the nationally
155 standardized norm-referenced achievement tests, as designated by the state board pursuant to
156 section 160.518, complete and distribute an annual report card as prescribed in section 160.522,
157 which shall also include a statement that background checks have been completed on the charter
158 school's board members, and report to its sponsor, the local school district, and the state board
159 of education as to its teaching methods and any educational innovations and the results thereof.
160 No charter school shall be considered in the Missouri school improvement program review of
161 the district in which it is located for the resource or process standards of the program.

162 (b) For proposed high-risk or alternative charter schools, sponsors shall approve
163 performance measures based on mission, curriculum, teaching methods, and services. Sponsors
164 shall also approve comprehensive academic and behavioral measures to determine whether
165 students are meeting performance standards on a different time frame as specified in that school's
166 charter. Student performance shall be assessed comprehensively to determine whether a
167 high-risk or alternative charter school has documented adequate student progress. Student
168 performance shall be based on sponsor-approved comprehensive measures as well as
169 standardized public school measures. Annual presentation of charter school report card data to
170 the department of elementary and secondary education, the state board, and the public shall
171 include comprehensive measures of student progress.

172 (c) Nothing in this subdivision shall be construed as permitting a charter school to be
173 held to lower performance standards than other public schools within a district; however, the
174 charter of a charter school may permit students to meet performance standards on a different time
175 frame as specified in its charter. The performance standards for alternative and special purpose
176 charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this
177 section shall be based on measures defined in the school's performance contract with its
178 sponsors;

179 (7) Comply with all applicable federal and state laws and regulations regarding students
180 with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities
181 Education Act (20 U.S.C. Section 1400, **et seq.**) and Section 504 of the Rehabilitation Act of
182 1973 (29 U.S.C. Section 794) or successor legislation;

183 (8) Provide along with any request for review by the state board of education the
184 following:

185 (a) Documentation that the applicant has provided a copy of the application to the school
186 board of the district in which the charter school is to be located, except in those circumstances
187 where the school district is the sponsor of the charter school; and

188 (b) A statement outlining the reasons for approval or denial by the sponsor, specifically
189 addressing the requirements of sections 160.400 to 160.425 and 167.349.

190 5. (1) Proposed or existing high-risk or alternative charter schools may include
191 alternative arrangements for students to obtain credit for satisfying graduation requirements in
192 the school's charter application and charter. Alternative arrangements may include, but not be
193 limited to, credit for off-campus instruction, embedded credit, work experience through an
194 internship arranged through the school, and independent studies. When the state board of
195 education approves the charter, any such alternative arrangements shall be approved at such time.

196 (2) The department of elementary and secondary education shall conduct a study of any
197 charter school granted alternative arrangements for students to obtain credit under this subsection

198 after three years of operation to assess student performance, graduation rates, educational
199 outcomes, and entry into the workforce or higher education.

200 6. The charter of a charter school may be amended at the request of the governing body
201 of the charter school and on the approval of the sponsor. The sponsor and the governing board
202 and staff of the charter school shall jointly review the school's performance, management and
203 operations during the first year of operation and then every other year after the most recent
204 review or at any point where the operation or management of the charter school is changed or
205 transferred to another entity, either public or private. The governing board of a charter school
206 may amend the charter, if the sponsor approves such amendment, or the sponsor and the
207 governing board may reach an agreement in writing to reflect the charter school's decision to
208 become a local educational agency. In such case the sponsor shall give the department of
209 elementary and secondary education written notice no later than March first of any year, with the
210 agreement to become effective July first. The department may waive the March first notice date
211 in its discretion. The department shall identify and furnish a list of its regulations that pertain
212 to local educational agencies to such schools within thirty days of receiving such notice.

213 7. Sponsors shall annually review the charter school's compliance with statutory
214 standards including:

215 (1) Participation in the statewide system of assessments, as designated by the state board
216 of education under section 160.518;

217 (2) Assurances for the completion and distribution of an annual report card as prescribed
218 in section 160.522;

219 (3) The collection of baseline data during the first three years of operation to determine
220 the longitudinal success of the charter school;

221 (4) A method to measure ~~[pupil]~~ **student** progress toward the ~~[pupil]~~ **student** academic
222 standards adopted by the state board of education under section 160.514; and

223 (5) Publication of each charter school's annual performance report.

224 8. (1) (a) A sponsor's policies shall give schools clear, adequate, evidence-based, and
225 timely notice of contract violations or performance deficiencies and mandate intervention based
226 upon findings of the state board of education of the following:

227 a. The charter school provides a high school program which fails to maintain a
228 graduation rate of at least seventy percent in three of the last four school years unless the school
229 has dropout recovery as its mission;

230 b. The charter school's annual performance report results are below the district's annual
231 performance report results based on the performance standards that are applicable to the grade
232 level configuration of both the charter school and the district in which the charter school is
233 located in three of the last four school years; and

234 c. The charter school is identified as a persistently lowest achieving school by the
235 department of elementary and secondary education.

236 (b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

237 a. Clear evidence of underperformance as demonstrated in the charter school's annual
238 performance report in three of the last four school years; or

239 b. A violation of the law or the public trust that imperils students or public funds.

240 (c) A sponsor shall revoke a charter or take other appropriate remedial action, which may
241 include placing the charter school on probationary status for no more than twenty-four months,
242 provided that no more than one designation of probationary status shall be allowed for the
243 duration of the charter contract, at any time if the charter school commits a serious breach of one
244 or more provisions of its charter or on any of the following grounds: failure to meet the
245 performance contract as set forth in its charter, failure to meet generally accepted standards of
246 fiscal management, failure to provide information necessary to confirm compliance with all
247 provisions of the charter and sections 160.400 to 160.425 and 167.349 within forty-five days
248 following receipt of written notice requesting such information, or violation of law.

249 (2) The sponsor may place the charter school on probationary status to allow the
250 implementation of a remedial plan, which may require a change of methodology, a change in
251 leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

252 (3) At least sixty days before acting to revoke a charter, the sponsor shall notify the
253 governing board of the charter school of the proposed action in writing. The notice shall state
254 the grounds for the proposed action. The school's governing board may request in writing a
255 hearing before the sponsor within two weeks of receiving the notice.

256 (4) The sponsor of a charter school shall establish procedures to conduct administrative
257 hearings upon determination by the sponsor that grounds exist to revoke a charter. Final
258 decisions of a sponsor from hearings conducted pursuant to this subsection are subject to an
259 appeal to the state board of education, which shall determine whether the charter shall be
260 revoked.

261 (5) A termination shall be effective only at the conclusion of the school year, unless the
262 sponsor determines that continued operation of the school presents a clear and immediate threat
263 to the health and safety of the children.

264 (6) A charter sponsor shall make available the school accountability report card
265 information as provided under section 160.522 and the results of the academic monitoring
266 required under subsection 3 of this section.

267 9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter
268 school sponsored by such sponsor is in material compliance and remains in material compliance
269 with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every

270 charter school shall provide all information necessary to confirm ongoing compliance with all
271 provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its
272 sponsor.

273 (2) The sponsor's renewal process of the charter school shall be based on the thorough
274 analysis of a comprehensive body of objective evidence and consider if:

275 (a) The charter school has maintained results on its annual performance report that meet
276 or exceed the district in which the charter school is located based on the performance standards
277 that are applicable to the grade-level configuration of both the charter school and the district in
278 which the charter school is located in three of the last four school years;

279 (b) The charter school is organizationally and fiscally viable determining at a minimum
280 that the school does not have:

281 a. A negative balance in its operating funds;

282 b. A combined balance of less than three percent of the amount expended for such funds
283 during the previous fiscal year; or

284 c. Expenditures that exceed receipts for the most recently completed fiscal year;

285 (c) The charter is in compliance with its legally binding performance contract and
286 sections 160.400 to 160.425 and section 167.349; and

287 (d) The charter school has an annual performance report consistent with a classification
288 of accredited for three of the last four years and is fiscally viable as described in paragraph (b)
289 of this subdivision. If such is the case, the charter school may have an expedited renewal process
290 as defined by rule of the department of elementary and secondary education.

291 (3) (a) Beginning August first during the year in which a charter is considered for
292 renewal, a charter school sponsor shall demonstrate to the state board of education that the
293 charter school is in compliance with federal and state law as provided in sections 160.400 to
294 160.425 and section 167.349 and the school's performance contract including but not limited to
295 those requirements specific to academic performance.

296 (b) Along with data reflecting the academic performance standards indicated in
297 paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the
298 state board of education for review.

299 (c) Using the data requested and the revised charter application under paragraphs (a) and
300 (b) of this subdivision, the state board of education shall determine if compliance with all
301 standards enumerated in this subdivision has been achieved. The state board of education at its
302 next regularly scheduled meeting shall vote on the revised charter application.

303 (d) If a charter school sponsor demonstrates the objectives identified in this subdivision,
304 the state board of education shall renew the school's charter.

305 10. A school district may enter into a lease with a charter school for physical facilities.

306 11. A governing board or a school district employee who has control over personnel
307 actions shall not take unlawful reprisal against another employee at the school district because
308 the employee is directly or indirectly involved in an application to establish a charter school. A
309 governing board or a school district employee shall not take unlawful reprisal against an
310 educational program of the school or the school district because an application to establish a
311 charter school proposes the conversion of all or a portion of the educational program to a charter
312 school. As used in this subsection, "unlawful reprisal" means an action that is taken by a
313 governing board or a school district employee as a direct result of a lawful application to
314 establish a charter school and that is adverse to another employee or an educational program.

315 12. Charter school board members shall be subject to the same liability for acts while
316 in office as if they were regularly and duly elected members of school boards in any other public
317 school district in this state. The governing board of a charter school may participate, to the same
318 extent as a school board, in the Missouri public entity risk management fund in the manner
319 provided under sections 537.700 to 537.756.

320 13. Any entity, either public or private, operating, administering, or otherwise managing
321 a charter school shall be considered a quasi-public governmental body and subject to the
322 provisions of sections 610.010 to 610.035.

323 14. The chief financial officer of a charter school shall maintain:

324 (1) A surety bond in an amount determined by the sponsor to be adequate based on the
325 cash flow of the school; or

326 (2) An insurance policy issued by an insurance company licensed to do business in
327 Missouri on all employees in the amount of five hundred thousand dollars or more that provides
328 coverage in the event of employee theft.

329 15. The department of elementary and secondary education shall calculate an annual
330 performance report for each charter school and shall publish it in the same manner as annual
331 performance reports are calculated and published for districts and attendance centers.

332 16. The joint committee on education shall create a committee to investigate facility
333 access and affordability for charter schools. The committee shall be comprised of equal numbers
334 of the charter school sector and the public school sector and shall report its findings to the
335 general assembly by December 31, 2016.

160.420. 1. Any school district in which charter schools may be established under
2 sections 160.400 to 160.425 shall establish a uniform policy which provides that if a charter
3 school offers to retain the services of an employee of a school district, and the employee accepts
4 a position at the charter school, an employee at the employee's option may remain an employee
5 of the district and the charter school shall pay to the district the district's full costs of salary and
6 benefits provided to the employee. The district's policy shall provide that any teacher who

7 accepts a position at a charter school and opts to remain an employee of the district retains such
8 teacher's permanent teacher status and retains such teacher's seniority rights in the district for
9 three years. The school district shall not be liable for any such employee's acts while an
10 employee of the charter school.

11 2. A charter school may employ noncertificated instructional personnel; provided that
12 no more than twenty percent of the full-time equivalent instructional staff positions at the school
13 are filled by noncertificated personnel. All noncertificated instructional personnel shall be
14 supervised by certificated instructional personnel. A charter school that has a foreign language
15 immersion experience as its chief educational mission, as stated in its charter, shall not be subject
16 to the twenty-percent requirement of this subsection but shall ensure that any teachers whose
17 duties include instruction given in a foreign language have current valid credentials in the
18 country in which such teacher received his or her training and shall remain subject to the
19 remaining requirements of this subsection. The charter school shall ensure that all instructional
20 employees of the charter school have experience, training and skills appropriate to the
21 instructional duties of the employee, and the charter school shall ensure that a criminal
22 background check ~~[and family care safety registry check are]~~ is conducted for each employee of
23 the charter school prior to the hiring of the employee under the requirements of section 168.133.
24 The charter school may not employ instructional personnel whose certificate of license to teach
25 has been revoked or is currently suspended by the state board of education. Appropriate
26 experience, training and skills of noncertificated instructional personnel shall be determined
27 considering:

- 28 (1) Teaching certificates issued by another state or states;
- 29 (2) Certification by the National Board for Professional Teaching Standards;
- 30 (3) College degrees in the appropriate field;
- 31 (4) Evidence of technical training and competence when such is appropriate; and
- 32 (5) The level of supervision and coordination with certificated instructional staff.

33 3. Personnel employed by the charter school shall participate in the retirement system
34 of the school district in which the charter school is located, subject to the same terms, conditions,
35 requirements and other provisions applicable to personnel employed by the school district. For
36 purposes of participating in the retirement system, the charter school shall be considered to be
37 a public school within the school district, and personnel employed by the charter school shall be
38 public school employees. In the event of a lapse of the school district's corporate organization
39 as described in subsections 1 and 4 of section 162.081, personnel employed by the charter school
40 shall continue to participate in the retirement system and shall do so on the same terms,
41 conditions, requirements and other provisions as they participated prior to the lapse.

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

4 ~~——(1)] Each school board of a school district or governing board of a charter school shall designate an employee to serve as the safety coordinator for the district or charter school. The school board or governing board shall report the name of the safety coordinator to the department of public safety. Each school district's or charter school's designated safety coordinator [tø] shall have or develop a thorough knowledge of all federal, state and local school violence prevention programs and resources available to students, teachers or staff in the district[; and~~

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

13 2. ~~[Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.] The school safety coordinator shall attend a minimum of twenty hours of annual training on safety issues applicable to schools provided by the center for education safety described in section 650.040.~~

23 3. The school safety coordinator shall attend behavior risk assessment training with other appropriate school district and charter school employees on a regular basis. This training, even if not provided by the center for education safety, may count toward the twenty hours of annual training required under subsection 2 of this section.

27 4. The school safety coordinator shall develop and maintain a high-quality emergency operations plan for the district or charter school and each school building, and shall work directly with the superintendent and school board or charter school administrator and governing board of the charter school to implement the plan. The school board of the district or the governing board of the charter school shall adopt the emergency operations plan before July 1, 2020, and shall provide the plan to the department of public safety. The plan shall be a closed record under chapter 610, but it may be developed in cooperation with law enforcement and other relevant agencies and shared with those agencies. Each school year, the school board of the district or the governing board of the charter school shall review the plan, re-adopt it, and provide it to

37 the department of public safety. The school board or governing board may change the
38 plan as necessary throughout the school year.

39 **5. The school safety coordinator shall oversee implementation of safety training**
40 **including, but not limited to, bullying prevention, suicide prevention, methods of dealing**
41 **with acts of school violence, and active shooter drills. The school safety coordinator shall**
42 **coordinate safety drills or exercises in each building in a manner that aligns with the**
43 **district's or charter school's emergency operations plan.**

44 **6. The school safety coordinator shall work with employees to develop strategies**
45 **to foster an environment in which students feel comfortable sharing information regarding**
46 **a potentially threatening or dangerous situation with a responsible adult.**

47 **7. The school safety coordinator shall collaborate on safety issues with outside**
48 **agencies including, but not limited to, law enforcement, emergency first responders, mental**
49 **health services, and public health services.**

50 **8. The school safety coordinator shall evaluate district or charter school facilities,**
51 **or coordinate a facility evaluation, and make recommendations to improve the physical**
52 **security and safety of school buildings.**

53 **9. The school safety coordinator shall make recommendations at least annually to**
54 **the superintendent and the school board or the charter school administrator and the**
55 **governing board of the charter school on methods of improving safety in the district or**
56 **charter school.**

160.662. 1. There is hereby established a Missouri school safety task force. The
2 **task force shall advise the department of public safety and the center for education safety**
3 **described in section 650.040 and identify resources and services that school districts,**
4 **charter schools, and private and parochial schools need to improve school safety. The**
5 **resources and services may include, but shall not be limited to, mental health services,**
6 **emergency first responders, school security employees, quality training, and facility safety**
7 **assessments.**

8 **2. The Missouri school safety task force shall:**

9 **(1) Identify resources to improve school safety currently available in the state and**
10 **in the region. Once identified, the department of elementary and secondary education shall**
11 **provide the information to school districts and charter schools; and**

12 **(2) Identify legislative or administrative barriers to school safety and necessary**
13 **resources for school safety that are not available or are cost-prohibitive and make**
14 **recommendations to the governor and the general assembly before July 1, 2020, and**
15 **annually thereafter.**

16 **3. The Missouri school safety task force shall include the following members:**

- 17 **(1) The director of the department of social services or his or her designee;**
18 **(2) The commissioner of education or his or her designee;**
19 **(3) The director of the department of health and senior services or his or her**
20 **designee;**
21 **(4) The director of the department of mental health or his or her designee;**
22 **(5) The director of the department of public safety or his or her designee;**
23 **(6) A representative of local law enforcement, appointed by the governor;**
24 **(7) A representative from the juvenile and family court, appointed by the governor;**
25 **(8) A teacher, appointed by the Missouri State Teachers Association;**
26 **(9) A teacher, appointed by the Missouri National Education Association;**
27 **(10) An elementary school principal, appointed by the Missouri Association of**
28 **Elementary School Principals;**
29 **(11) A principal, appointed by the Missouri Association of Secondary School**
30 **Principals;**
31 **(12) A school superintendent, appointed by the Missouri Association of School**
32 **Administrators;**
33 **(13) A school board member, appointed by the Missouri School Boards'**
34 **Association;**
35 **(14) A parent, appointed by the Missouri Parent Teacher Association; and**
36 **(15) A representative of the center for education safety described in section 650.040,**
37 **appointed by the department of elementary and secondary education.**
38 **4. The member of the task force appointed under subdivision (15) of subsection 3**
39 **of this section shall chair the task force.**
40 **5. The task force shall hold its first meeting before December 1, 2019.**

160.2500. 1. This section shall be known and may be cited as the "Missouri Student
2 Religious Liberties Act".

3 2. A public school district shall not discriminate against students or parents on the basis
4 of a religious viewpoint or religious expression. A school district shall treat a student's voluntary
5 expression of a religious viewpoint, if any, on an otherwise permissible subject in the same
6 manner the district treats a student's voluntary expression of a secular or other viewpoint on an
7 otherwise permissible subject and shall not discriminate against the student based on a religious
8 viewpoint expressed by the student on an otherwise permissible subject.

9 3. Students may express their beliefs about religion in homework, artwork, and other
10 written and oral assignments free from discrimination based on the religious content of their
11 submissions. Homework and classroom assignments shall be judged by ordinary academic
12 standards of substance and relevance and against other legitimate pedagogical concerns identified

13 by the school district. Students shall not be penalized or rewarded on account of the religious
14 content of their work. If an assignment requires a student's viewpoints to be expressed in course
15 work, artwork or other written or oral assignments, a public school district shall not penalize or
16 reward a student on the basis of religious content or a religious viewpoint. In such an
17 assignment, a student's academic work that expresses a religious viewpoint shall be evaluated
18 based on ordinary academic standards of substance and relevance to the course curriculum or
19 requirements of the course work or assignment.

20 4. Students in public schools may pray or engage in religious activities or religious
21 expression before, during and after the school day in the same manner and to the same extent that
22 students may engage in nonreligious activities or expression, provided that such religious
23 expression or religious activities are not disruptive of scheduled instructional time or other
24 educational activities and do not impede access to school facilities or mobility on school
25 premises. Students may organize prayer groups, religious clubs, or other religious gatherings
26 before, during and after school to the same extent that students are permitted to organize other
27 noncurricular student activities and groups. Religious groups shall be given the same access to
28 school facilities for assembling as is given to other noncurricular groups without discrimination
29 based on the religious content of the student's expression. If student groups that meet for
30 nonreligious activities are permitted to advertise or announce meetings of the groups, the school
31 district shall not discriminate against groups that meet for prayer or other religious speech. A
32 school district may disclaim school sponsorship of noncurricular groups and events in a manner
33 that neither favors nor disfavors groups that meet to engage in prayer or religious speech.

34 5. Students in public schools may wear clothing, accessories and jewelry that display
35 religious messages or religious symbols in the same manner and to the same extent that other
36 types of clothing, accessories and jewelry that display messages or symbols are permitted~~[-as~~
37 ~~specified in subsection 7 of section 167.166]~~ **by the school district.**

38 6. (1) To ensure that the school district does not discriminate against a student's publicly
39 stated voluntary expression of a religious viewpoint, if any, and to eliminate any actual or
40 perceived affirmative school sponsorship or attribution to the district of a student's expression
41 of a religious viewpoint, if any, a school district shall adopt a policy, which shall include the
42 establishment of a limited public forum for student speakers at all school events at which a
43 student is to publicly speak. The policy regarding the limited public forum shall also require the
44 school district to:

45 (a) Provide the forum in a manner that does not discriminate against a student's voluntary
46 expression of a religious viewpoint, if any, on an otherwise permissible subject;

47 (b) Provide a method, based on neutral criteria, for the selection of student speakers at
48 school events and graduation ceremonies;

49 (c) Ensure that a student speaker does not engage in obscene, vulgar, offensively lewd
50 or indecent speech; and

51 (d) State, in writing, orally, or both, that the student's speech does not reflect the
52 endorsement, sponsorship, position or expression of the district.

53 (2) The school district disclaimer required by paragraph (d) of subdivision (1) of this
54 subsection shall be provided at all graduation ceremonies. The school district shall also continue
55 to provide the disclaimer at any other event in which a student speaks publicly for as long as a
56 need exists to dispel confusion over the district's nonsponsorship of the student's speech.

57 (3) Student expression on an otherwise permissible subject shall not be excluded from
58 the limited public forum because the subject is expressed from a religious viewpoint.

59 (4) All public school districts shall adopt and implement a local policy regarding a
60 limited public forum and voluntary student expression of religious viewpoints.

61 7. The provisions of this section shall not be construed to authorize this state or any of
62 its political subdivisions to either:

63 (1) Require any person to participate in prayer or in any other religious activity; or

64 (2) Violate the constitutional rights of any person.

65 8. The provisions of this section shall not be construed to limit the authority of any
66 public school to do any of the following:

67 (1) Maintain order and discipline on the campus of the public school in a content and
68 viewpoint neutral manner;

69 (2) Protect the safety of students, employees and visitors of the public school;

70 (3) Adopt and enforce policies and procedures regarding student speech at school,
71 provided that the policies and procedures do not violate the rights of students as guaranteed by
72 law.

73 9. The provisions of section 1.140 are applicable to this section.

162.069. 1. Every school district **and charter school** shall~~[-by March 1, 2012,]~~
2 promulgate a written policy concerning employee-student communication. ~~[The governing body~~
3 ~~of each charter school shall adopt a written policy concerning employee-student communication~~
4 ~~by January 1, 2014.]~~ Such policy shall include, but not be limited to, the use of electronic media
5 and other 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 school
7 shall~~[-by January 1, 2014,]~~ adopt and implement training guidelines and an annual training
8 program for all school employees who are mandatory reporters of child abuse or neglect under
9 section 210.115.

10 3. Every school district and the governing body of each charter school shall~~[-by July 1,~~
11 ~~2014,]~~ include in its teacher and employee training a component that provides up-to-date and

12 reliable information on identifying signs of sexual abuse in children and danger signals of
13 potentially abusive relationships between children and adults. The training shall emphasize the
14 importance of mandatory reporting of abuse under section 210.115 including the obligation of
15 mandated reporters to report suspected abuse by other mandated reporters, and how to establish
16 an atmosphere of trust so that students feel their school has concerned adults with whom they
17 feel comfortable discussing matters related to abuse. The training shall also emphasize that:

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

20 (2) No supervisor or administrator may impede or inhibit any reporting under section
21 210.115; and

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

24 **4. As a condition of obtaining and maintaining a license as a school district**
25 **administrator, the state board of education shall require every applicant and license holder**
26 **to attend a training provided or approved by the department of elementary and secondary**
27 **education and the department of social services on improper sexual relationships between**
28 **adults and children in the school environment, how to prevent this misconduct, and how**
29 **to investigate and respond to allegations. Every license holder shall attend the training at**
30 **least every four years.**

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.

14 2. In order to register a ~~[pupil]~~ **student**, the parent or legal guardian of the ~~[pupil]~~
15 **student** or the ~~[pupil]~~ **student** himself or herself shall provide, at the time of registration, one
16 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. For instances in which the family of a student living in Missouri
24 co-locates to live with other family members or live in a military family support community
25 because one or both of the child's parents are stationed or deployed out of state or deployed
26 within Missouri under [~~Title 32 or Title 10~~] active duty orders **under Title 10 or Title 32 of the**
27 **United States Code**, the student may attend the school district in which the family member's
28 residence or family support community is located. If the active duty orders expire during the
29 school year, the student may finish the school year in that district; or

30 (2) Proof that the person registering the student has requested a waiver under subsection
31 3 of this section within the last forty-five days.

32

33 In instances where there is reason to suspect that admission of the [~~pupil~~] **student** will create an
34 immediate danger to the safety of other [~~pupils~~] **students** and employees of the district, the
35 superintendent or the superintendent's designee may convene a hearing within five working days
36 of the request to register and determine whether or not the [~~pupil~~] **student** may register.

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

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

52 5. In addition to any other penalties authorized by law, a district board may file a civil
53 action to recover, from the parent, military guardian or legal guardian of the [pupil] **student**, the
54 costs of school attendance for any [pupil] **student** who was enrolled at a school in the district and
55 whose parent, military guardian or legal guardian filed false information to satisfy any
56 requirement of subsection 2 of this section.

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

68 7. Within two business days of enrolling a [pupil] **student**, the school official enrolling
69 a [pupil] **student**, including any special education [pupil] **student**, shall request those records
70 required by district policy for student transfer and those discipline records required by subsection
71 [9] **11** of section 160.261 from all schools previously attended by the [pupil] **student** within the
72 last twelve months. Any school district **or charter school** that receives a request for such
73 records from another school district **or charter school** enrolling a [pupil] **student** that had
74 previously attended a school in such district **or charter school** shall respond to such request
75 within five business days of receiving the request. School districts may report or disclose
76 education records to law enforcement and juvenile justice authorities if the disclosure concerns
77 law enforcement's or juvenile justice authorities' ability to effectively serve, prior to adjudication,
78 the student whose records are released. The officials and authorities to whom such information
79 is disclosed must comply with applicable restrictions set forth in 20 U.S.C. Section
80 1232g(b)(1)(E).

 167.022. Consistent with the provisions of section 167.020, within forty-eight hours of
2 enrolling a nonresident [pupil] **student** placed pursuant to sections 210.481 to 210.536, the
3 school official enrolling a [pupil] **student**, including any special education [pupil] **student**, shall
4 request those records required by district policy for student transfer and those discipline records
5 required by subsection [9] **11** of section 160.261 from all schools and other facilities previously
6 attended by the [pupil] **student** and from other state agencies as enumerated in section 210.518
7 and any entities involved with the placement of the student within the last twenty-four months.

8 Any request for records under this section shall include, if applicable to the student, any records
9 relating to an act of violence as defined under subsection [7] 11 of section [~~160.262~~] **160.261**.

167.023. Prior to admission to any public school, **including any charter school**, a
2 school board **of a district or governing board of a charter school** may require the parent,
3 guardian, or other person having control or charge of a child of school age to provide, upon
4 enrollment, a sworn statement or affirmation indicating whether the student has been **or is**
5 **currently suspended or** expelled from school attendance at any school, public or private, in this
6 state or in any other state [~~for an offense in violation of school board policies relating to~~
7 ~~weapons, alcohol or drugs, or for the willful infliction of injury to another person. Any person~~
8 ~~making a materially false statement or affirmation shall be guilty upon conviction of a class B~~
9 ~~misdemeanor~~] **or has left a school under the threat of suspension or expulsion**. The
10 registration document shall be maintained as a part of the student's scholastic record. **Any**
11 **person who knowingly or recklessly falsifies information on the sworn statement is guilty**
12 **of a class E felony. All cases shall be referred to the local prosecuting attorney or the**
13 **attorney general's office for investigation and prosecution.**

167.026. 1. The state board of education shall adopt a policy relating to the
2 expungement of disciplinary records of [~~pupils~~] **students** who have graduated or reached the age
3 of twenty-one years.

4 2. Any school district may adopt a policy consistent with the policy adopted pursuant to
5 subsection 1 of this section.

6 3. No such policy shall allow the expungement of any act [~~listed~~] **described** in
7 subsection 1 of section 167.115 unless the petition regarding the act was dismissed or the [~~pupil~~]
8 **student** has been acquitted or adjudicated not to have committed the act.

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

- 7 ~~—— (1) First degree murder under section 565.020;~~
8 ~~—— (2) Second degree murder under section 565.021;~~
9 ~~—— (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or~~
10 ~~kidnapping in the first degree under section 565.110;~~
11 ~~—— (4) First degree assault under section 565.050;~~
12 ~~—— (5) Forcible rape under section 566.030 as it existed prior to August 28, 2013, or rape~~
13 ~~in the first degree under section 566.030;~~

14 ~~———(6) Forcible sodomy under section 566.060 as it existed prior to August 28, 2013, or~~
15 ~~sodomy in the first degree under section 566.060;~~
16 ~~———(7) Burglary in the first degree under section 569.160;~~
17 ~~———(8) Robbery in the first degree under section 569.020 as it existed prior to January 1,~~
18 ~~2017, or robbery in the first degree under section 570.023;~~
19 ~~———(9) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or~~
20 ~~manufacture of a controlled substance under section 579.055;~~
21 ~~———(10) Distribution of drugs to a minor under section 195.212 as it existed prior to January~~
22 ~~1, 2017, or delivery of a controlled substance under section 579.020;~~
23 ~~———(11) Arson in the first degree under section 569.040;~~
24 ~~———(12) Voluntary manslaughter under section 565.023;~~
25 ~~———(13) Involuntary manslaughter under section 565.024 as it existed prior to January 1,~~
26 ~~2017, involuntary manslaughter in the first degree under section 565.024, or involuntary~~
27 ~~manslaughter in the second degree under section 565.027;~~
28 ~~———(14) Second degree assault under section 565.060 as it existed prior to January 1, 2017,~~
29 ~~or second degree assault under section 565.052;~~
30 ~~———(15) Sexual assault under section 566.040 as it existed prior to August 28, 2013, or rape~~
31 ~~in the second degree under section 566.031;~~
32 ~~———(16) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or~~
33 ~~kidnapping in the second degree under section 565.120;~~
34 ~~———(17) Property damage in the first degree under section 569.100;~~
35 ~~———(18) The possession of a weapon under chapter 571;~~
36 ~~———(19) Child molestation in the first degree pursuant to section 566.067 as it existed prior~~
37 ~~to January 1, 2017;~~
38 ~~———(20) Child molestation in the first, second, or third degree pursuant to sections 566.067,~~
39 ~~566.068, or 566.069;~~
40 ~~———(21) Deviate sexual assault pursuant to section 566.070 as it existed prior to August 28,~~
41 ~~2013, or sodomy in the second degree under section 566.061;~~
42 ~~———(22) Sexual misconduct involving a child pursuant to section 566.083; or~~
43 ~~———(23) Sexual abuse pursuant to section 566.100 as it existed prior to August 28, 2013, or~~
44 ~~sexual abuse in the first degree under section 566.100] **a misdemeanor or felony or an offense**~~
45 ~~**that would be a misdemeanor or felony if committed by an adult.**~~

46 2. The notification shall be made orally or in writing, in a timely manner, no later than
47 ~~[five]~~ **two business** days following the filing of the petition, **charge, or indictment**. If the report
48 is made orally, written notice shall follow in a timely manner. The notification shall include a
49 complete description of the conduct the ~~[pupil]~~ **student** is alleged to have committed and the

50 dates the conduct occurred but shall not include the name of any victim. Upon the disposition
51 of any such case, the juvenile office or prosecuting attorney or their designee shall send a second
52 notification to the superintendent providing the disposition of the case, including a brief
53 summary of the relevant finding of facts, no later than ~~[five]~~ **two business** days following the
54 disposition of the case.

55 3. The superintendent or the designee of the superintendent shall report such information
56 to teachers and other school district employees with a need to know while acting within the scope
57 of their assigned duties. Any information received by school district officials pursuant to this
58 section shall be received in confidence and used for the limited purpose of assuring that good
59 order and discipline is maintained in the school. This information shall not be used as the sole
60 basis for not providing educational services to a public school ~~[pupil]~~ **student but may be used**
61 **to provide the student educational services in an alternative environment. The school**
62 **district may seek an injunction from a court of competent jurisdiction to exclude the**
63 **student from educational services if there is a substantial likelihood of danger to the safety**
64 **of students or employees of the school district.**

65 4. The superintendent shall notify the appropriate division of the juvenile or family court
66 upon any ~~[pupil's]~~ **student's** suspension for more than ten days or expulsion of any ~~[pupil]~~
67 **student** that the school district is aware is under the jurisdiction of the court.

68 5. The superintendent or the superintendent's designee may be called to serve in a
69 consultant capacity at any dispositional proceedings pursuant to section 211.031 which may
70 involve reference to a ~~[pupil's]~~ **student's** academic treatment plan.

71 6. Upon the transfer of any ~~[pupil]~~ **student** described in this section to any other school
72 district in this state, the superintendent or the superintendent's designee shall forward the written
73 notification given to the superintendent pursuant to subsection 2 of this section to the
74 superintendent of the new school district in which the ~~[pupil]~~ **student** has enrolled. Such written
75 notification shall be required again in the event of any subsequent transfer by the ~~[pupil]~~ **student**.

76 7. As used in this section, the terms "school" and "school district" shall include any
77 charter, private or parochial school or school district, and the term "superintendent" shall include
78 the principal or equivalent chief school officer in the cases of charter, private or parochial
79 schools.

80 8. The superintendent or the designee of the superintendent or other school employee
81 who, in good faith, reports information in accordance with the terms of this section and section
82 160.261 shall not be civilly liable for providing such information.

167.121. If the residence of a ~~[pupil]~~ **student** is so located that attendance in the district
2 of residence constitutes an unusual or unreasonable transportation hardship because of natural
3 barriers, travel time, or distance, the commissioner of education or his or her designee may

4 assign the ~~[pupil]~~ **student** to another district **or charter school**, except as provided in section
5 167.125. **If the commissioner of education or his or her designee determines that a student**
6 **cannot attend the district of residence due to an extreme hardship, the commissioner or his**
7 **or her designee may assign the student to another district or charter school after consulting**
8 **the district of residence.** Subject to the provisions of this section, all ~~[existing]~~ assignments
9 shall be reviewed ~~[prior to July 1, 1984, and from time to time thereafter,]~~ **annually** and may be
10 continued or rescinded. Any assignment granted to a pupil under this section prior to August 28,
11 2018, shall remain in effect until the pupil completes his or her course of study in the receiving
12 district or until the parent or guardian withdraws the pupil from the assignment. Any assignment
13 granted to a pupil under this section prior to August 28, 2018, shall also be applicable to any
14 sibling of the pupil and shall remain in effect until the pupil completes his or her course of study
15 in the receiving district or until the parent or guardian withdraws the pupil from the assignment.
16 The board of education of the district in which the ~~[pupil]~~ **student** lives shall pay the tuition of
17 the ~~[pupil]~~ **student** assigned. The tuition shall not exceed the ~~[pro rata cost of instruction]~~ **rate**
18 **of tuition described in section 167.131.**

167.122. 1. Notwithstanding any provisions of chapter 211 or chapter 610 to the
2 contrary the juvenile officer or an employee of the children's division shall notify the school
3 district **or charter school** that a child under judicial custody pursuant to subsection 3 of section
4 211.031 is being enrolled in that district or **charter school**, that a child already enrolled has been
5 taken into judicial custody, **or that a case is active regarding a child.**

6 2. The notification shall be given to the superintendent of schools or a designee **or the**
7 **charter school administrator or his or her designee**, either orally or in writing, at the time of
8 enrollment or no later than ~~[five]~~ **two business** days following the court taking custody of the
9 child under subsection 3 of section 211.031. If the report is made orally, written notice shall
10 follow in a timely manner. The notification shall ~~[describe any conduct that involved physical~~
11 ~~force with the intent to do serious bodily harm to another person]~~ **include a complete**
12 **description of the case, the conduct the child is alleged to have committed, and the dates**
13 **the conduct occurred**, but shall not include the name of any victim other than the child **unless**
14 **the victim attends the same school district or charter school as the child.**

15 3. The superintendent or a designee **or charter school administrator or his or her**
16 **designee** is authorized to share this information with teachers and other school district **or**
17 **charter school** employees with a need to know while acting within the scope of their assigned
18 duties pursuant to subsection 2 of section 160.261. Any information received by school district
19 officials pursuant to this section shall be received in confidence and used for the limited purposes
20 of assuring that good order and discipline is maintained in the school, or for intervention and
21 counseling purposes for the benefit of the child. The information shall not be part of the child's

22 permanent record. The information shall not be used as the sole basis for denying educational
23 services to a ~~[pupil]~~ **student but may be used to provide the student educational services in**
24 **an alternative environment. The school district or charter school may request that the**
25 **attorney general's office seek an injunction from a court of competent jurisdiction on**
26 **behalf of the school district or charter school to exclude the student from educational**
27 **services if there is a substantial likelihood of danger to the safety of students or employees**
28 **of the school district or charter school.**

167.161. 1. The school board of any district **or the governing board of any charter**
2 **school**, after notice to parents or others having custodial care and a hearing upon charges
3 preferred, may suspend or expel a ~~[pupil]~~ **student** for conduct which is prejudicial to good order
4 and discipline in the schools or which tends to impair the morale or good conduct of the ~~[pupils]~~
5 **students**. In addition to the authority granted in section 167.171, a school board **of a district**
6 **or governing board of a charter school** may authorize, by general rule, the immediate removal
7 of a ~~[pupil]~~ **student** upon a finding by the principal, superintendent, or ~~[school]~~ board that the
8 ~~[pupil]~~ **student** poses a threat of harm to such ~~[pupil]~~ **student** or others, as evidenced by the
9 prior conduct of such ~~[pupil]~~ **student**. Prior disciplinary actions shall not be used as the sole
10 basis for removal, suspension or expulsion of a ~~[pupil]~~ **student**. Removal of any ~~[pupil who is~~
11 ~~a]~~ student with a disability is subject to state and federal procedural rights. At the hearing upon
12 any such removal, suspension or expulsion, the board shall consider the evidence and statements
13 that the parties present and may consider records of past disciplinary actions, criminal court
14 records or juvenile court records consistent with other provisions of the law, or the actions of the
15 ~~[pupil]~~ **student** which would constitute a criminal offense. The board may provide by general
16 rule not inconsistent with this section for the procedure and conduct of such hearings. After
17 meeting with the superintendent or his **or her** designee **or charter school administrator or his**
18 **or her designee** to discuss the expulsion, the parent, custodian or the student, if at least eighteen
19 years of age, may, in writing, waive any right to a hearing before the board of education **of the**
20 **district or the governing board of the charter school.**

21 2. The school board of any district **or governing board of any charter school**, after
22 notice to parents or others having custodial care and a hearing upon the matter, may suspend **or**
23 **expel a** ~~[pupil]~~ **student** upon a finding that the ~~[pupil]~~ **student** has been charged, convicted or
24 pled guilty in a court of general jurisdiction for the commission of a felony criminal violation of
25 state or federal law. At a hearing required by this subsection, the board shall consider statements
26 that the parties present. The board may provide for the procedure and conduct of such hearings.
27 **The superintendent or his or her designee or charter school administrator or his or her**
28 **designee may suspend the student pending the hearing or provide education in an**
29 **alternative environment.**

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

 167.164. 1. Any suspension **or expulsion issued by a school district or charter school**
2 pursuant to section 167.161[;] or this section~~[, or expulsion pursuant to section 167.161,]~~ shall
3 not relieve the state or the suspended student's parents or guardians of their responsibilities to
4 educate the student, **but school districts and charter schools are not required to provide such**
5 **education during a suspension or expulsion.**

6 2. School districts are encouraged to provide an in-school suspension system and to
7 search for other acceptable discipline alternatives prior to using suspensions of more than ten
8 days or expelling a student from the school. **School districts that suspend or expel students**
9 **may provide education in an alternative location and may collect state aid for the**
10 **instruction provided.**

11 3. Each school district or special school district constituting the domicile of any child
12 for whom alternative education programs are provided or procured under this section shall pay
13 toward the per ~~[pupil]~~ **student** costs for alternative education programs for such child. A school
14 district which is not a special school district shall pay an amount equal to the average sum
15 produced per child by the local tax effort of the district of domicile. A special school district
16 shall pay an amount not to exceed the average sum produced per child by the local tax efforts of
17 the domiciliary districts. When educational services have been provided by the school district
18 or special school district in which a child actually resides, other than the district of domicile, the
19 amounts as provided in ~~[subsection 2 of]~~ this section for which the domiciliary school district
20 or special school district is responsible shall be paid by such district directly to the serving
21 district. The school district, or special school district, as the case may be, shall send a written
22 voucher for payment to the regular or special district constituting the domicile of the child served
23 and the domiciliary school district or special school district receiving such voucher shall pay the
24 district providing or procuring the services an amount not to exceed the average sum produced
25 per child by the local tax efforts of the domiciliary districts. In the event the responsible district
26 fails to pay the appropriate amount to the district within ninety days after a voucher is submitted,
27 the state department of elementary and secondary education shall deduct the appropriate amount
28 due from the next payments of any state financial aid due that district and shall pay the same to
29 the appropriate district.

30 [2-] 4. A school district may contract with other political subdivisions, public agencies,
31 not-for-profit organizations, or private agencies for the provision of alternative education
32 services for students whose demonstrated disruptive behavior indicates that they cannot be
33 adequately served in the traditional classroom setting. Such contracting may be included as part
34 of a grant application pursuant to section 167.335 or conducted independent of the provisions
35 of section 167.335.

167.166. 1. Except as provided in subsections 2 and 3 of this section, no employee of
2 or volunteer at any public school or charter school within this state shall perform a strip search,
3 as that term is defined in section 544.193, of any student of any such school. However, strip
4 searches may be conducted by, or under the authority of, a commissioned law enforcement
5 officer.

6 2. A student may be strip searched by a school employee only if a commissioned law
7 enforcement officer is not immediately available and if the school employee reasonably believes
8 that a student possesses a weapon, explosive, or substance that poses an imminent threat of
9 physical harm to himself or herself or another person.

10 3. For the purposes of this section, the term "strip search" shall not include the removal
11 of clothing in order to investigate the potential abuse or neglect of a student; give medical
12 attention to a student; provide health services to a student; or screen a student for medical
13 conditions.

14 4. If a student is strip searched by an employee of a school or a commissioned law
15 enforcement officer, the district will attempt to notify the student's parent or guardian as soon
16 as possible.

17 5. Any employee of a public school or charter school who violates the provisions of
18 subsections 1 to 4 of this section shall be immediately suspended without pay, pending an
19 evidentiary hearing when such employee is entitled by statute or contract to such hearing. If an
20 employee is not entitled to such evidentiary hearing, the employee shall be suspended pending
21 completion of due process or further disciplinary action as provided in the district's personnel
22 policies, as applicable.

23 6. For the purposes of subsections 1 to 5 of this section, the term "employee" shall
24 include all temporary, part-time, and full-time employees of a public school or charter school.

25 ~~[7. No employee of or volunteer in or school board member of or school district~~
26 ~~administrator of a public school or charter school shall direct a student to remove an emblem,~~
27 ~~insignia, or garment, including a religious emblem, insignia, or garment, as long as such emblem,~~
28 ~~insignia, or garment is worn in a manner that does not promote disruptive behavior.]~~

167.171. 1. The school board in any district **or governing board of any charter school,**
2 by general rule and for the causes provided in section 167.161, may authorize the summary

3 suspension of ~~[pupils]~~ **students** by principals of schools for a period not to exceed ten school
4 days and by the superintendent of schools **or charter school administrator** for a period not to
5 exceed **an additional** one hundred and eighty school days. In case of a suspension by the
6 superintendent **or charter school administrator** for more than ten school days, the ~~[pupil]~~
7 **student**, the ~~[pupils]~~ **student's** parents or others having such ~~[pupils]~~ **student's** custodial care
8 may appeal the decision of the superintendent **or charter school administrator** to the board or
9 to a committee of board members appointed by the president of the board which shall have full
10 authority to act in lieu of the board. Any suspension by a principal shall be immediately reported
11 to the superintendent **or charter school administrator**, who may revoke the suspension at any
12 time. In event of an appeal to the board, the superintendent **or charter school administrator**
13 shall promptly transmit to it a full report in writing of the facts relating to the suspension, the
14 action taken by the superintendent **or charter school administrator** and the reasons therefor and
15 the board, upon request, shall grant a hearing to the appealing party to be conducted as provided
16 in section 167.161.

17 2. No ~~[pupil]~~ **student** shall be suspended unless:

18 (1) The ~~[pupil]~~ **student** shall be given oral or written notice of the charges against such
19 ~~[pupil]~~ **student**;

20 (2) If the ~~[pupil]~~ **student** denies the charges, such ~~[pupil]~~ **student** shall be given an oral
21 or written explanation of the facts which form the basis of the proposed suspension;

22 (3) The ~~[pupil]~~ **student** shall be given an opportunity to present such ~~[pupils]~~ **student's**
23 version of the incident; and

24 (4) In the event of a suspension for more than ten school days, where the ~~[pupil]~~ **student**
25 gives notice that such ~~[pupil]~~ **student** wishes to appeal the suspension to the board, the
26 suspension shall be stayed until the board renders its decision, unless in the judgment of the
27 superintendent of schools, or of the district superintendent **or charter school administrator**, the
28 ~~[pupils]~~ **student's** presence poses a continuing danger to persons or property or an ongoing
29 threat of disrupting the academic process, in which case the ~~[pupil]~~ **student** may be immediately
30 removed from school, and the notice and hearing shall follow as soon as practicable.

31 3. ~~[No school board shall readmit or enroll a pupil properly suspended for more than ten
32 consecutive school days for an act of school violence as defined in subsection 2 of section
33 160.261 regardless of whether or not such act was committed at a public school or at a private
34 school in this state, provided that such act shall have resulted in the suspension or expulsion of
35 such pupil in the case of a private school, or otherwise permit such pupil to attend school without
36 first holding a conference to review the conduct that resulted in the expulsion or suspension and
37 any remedial actions needed to prevent any future occurrences of such or related conduct] **If a
38 student has been suspended for more than ten consecutive school days for an act of school**~~

39 **violence, as defined in subsection 2 of section 160.261, from a public school, charter school,**
 40 **or private or parochial school, the student shall not be enrolled or readmitted by the board**
 41 **of a district or governing board of a charter school until a conference is held with the**
 42 **superintendent or his or her designee or charter school administrator or his or her designee**
 43 **to review the conduct and consider any remedial actions necessary to prevent additional**
 44 **misbehavior.** The conference shall include the appropriate school officials including any teacher
 45 employed in that school or district directly involved with the conduct that resulted in the
 46 suspension or expulsion, the [pupil] student, the parent or guardian of the [pupil] student or any
 47 agency having legal jurisdiction, care, custody or control of the [pupil] student. The school
 48 board **of the district or governing board of the charter school** shall notify in writing the
 49 parents or guardians and all other parties of the time, place, and agenda of any such conference.
 50 Failure of any party to attend this conference shall not preclude holding the conference.

51 **4.** Notwithstanding any provision of this subsection to the contrary, no [pupil] student
 52 shall be readmitted or enrolled to a regular program of instruction if:

53 (1) Such [pupil] student has been convicted of, **found guilty of, pled guilty to, or pled**
 54 **nolo contendere to any act, or an attempt to commit any act, enumerated in subdivision (4)**
 55 **of this subsection;** or

56 (2) An indictment or information has been filed alleging that the [pupil] student has
 57 committed **or attempted to commit** one of the acts enumerated in subdivision (4) of this
 58 subsection to which there has been no final judgment; or

59 (3) A petition has been filed pursuant to section 211.091 alleging that the [pupil] student
 60 has committed **or attempted to commit** one of the acts enumerated in subdivision (4) of this
 61 subsection to which there has been no final judgment; or

62 (4) The [pupil] student has been adjudicated to have committed **or attempted to**
 63 **commit** an act which if committed by an adult would be one of the following:

64 (a) First degree murder under section 565.020;

65 (b) Second degree murder under section 565.021;

66 (c) First degree assault under section 565.050;

67 (d) **Second degree assault under section 565.052;**

68 (e) Forcible rape under section 566.030 as it existed prior to August 28, 2013, or rape
 69 in the first degree under section 566.030;

70 ~~(e)~~ (f) **Rape in the second degree under section 566.031;**

71 (g) Forcible sodomy under section 566.060 as it existed prior to August 28, 2013, or
 72 sodomy in the first degree under section 566.060;

73 ~~(f) Statutory rape under section 566.032;~~

74 ~~———(g) Statutory sodomy under section 566.062;]~~

- 75 (h) **Sodomy in the second degree under section 566.061;**
 76 (i) **Child molestation in the first degree under section 566.067;**
 77 (j) **Child molestation in the second degree under section 566.068;**
 78 (k) **Child molestation in the third degree under section 566.069;**
 79 (l) **Child molestation in the fourth degree under section 566.071;**
 80 (m) **Sexual abuse in the first degree under section 566.100;**
 81 (n) Robbery in the first degree under section 569.020 as it existed prior to January 1,
 82 2017, or robbery in the first degree under section 570.023;
 83 ~~(+)~~ (o) Distribution of drugs to a minor under section 195.212 as it existed prior to
 84 January 1, 2017, or delivery of a controlled substance under section 579.020;
 85 ~~(+)~~ (p) Arson in the first degree under section 569.040;
 86 ~~(+)~~ (q) Kidnapping or kidnapping in the first degree, when classified as a class A
 87 felony under section 565.110.

88

89 ~~[Nothing in this subsection shall prohibit the readmittance or enrollment of any pupil]~~ **The**
 90 **student shall be enrolled or readmitted** if ~~[a]~~ the petition has been dismissed, or when a
 91 ~~[pupil]~~ **student** has been acquitted or adjudicated not to have committed any of the above acts.
 92 This subsection shall not apply to a student with a disability, as identified under state eligibility
 93 criteria, who is convicted or adjudicated guilty as a result of an action related to the student's
 94 disability. Nothing in this subsection shall be construed to prohibit a school district which
 95 provides an alternative education program from enrolling a ~~[pupil]~~ **student** in an alternative
 96 education program if the district determines such enrollment is appropriate.

97 ~~[4-]~~ **5.** If a ~~[pupil]~~ **student** is attempting to enroll in a school district **or charter school**
 98 during a suspension or expulsion from another in-state or out-of-state school district including
 99 a private, charter or parochial school or school district, ~~[a conference with]~~ the superintendent
 100 or the superintendent's designee ~~[may be held at the request of the parent, court-appointed legal~~
 101 ~~guardian, someone acting as a parent as defined by rule in the case of a special education student,~~
 102 ~~or the pupil]~~ **or the charter school administrator or his or her designee shall meet with the**
 103 **student and the parent, guardian, or person acting as a parent** to consider if the conduct of
 104 the ~~[pupil]~~ **student** would have resulted in a suspension or expulsion in the district **or charter**
 105 **school** in which the ~~[pupil]~~ **student** is enrolling. Upon a determination by the superintendent
 106 or the superintendent's designee **or charter school administrator or his or her designee** that
 107 such conduct would have resulted in a suspension or expulsion in the district **or charter school**
 108 in which the ~~[pupil]~~ **student** is enrolling or attempting to enroll, the school district **or charter**
 109 **school** may make such suspension or expulsion from another school or district effective in the
 110 district **or charter school** in which the ~~[pupil]~~ **student** is enrolling or attempting to enroll. Upon

111 a determination by the superintendent or the superintendent's designee **or charter school**
112 **administrator or his or her designee** that such conduct would not have resulted in a suspension
113 or expulsion in the district **or charter school** in which the student is enrolling or attempting to
114 enroll, the school district **or charter school** shall not make such suspension or expulsion
115 effective in ~~its~~ **the district or charter school** in which the student is enrolling or attempting to
116 enroll.

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]~~ **or other chronic health conditions**;

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

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

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

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

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

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

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

30 release the school district **or charter school** and its employees or agents from liability for
31 negligence.

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

33 (1) Permit such ~~[pupil]~~ **student** to possess and self-administer such ~~[pupil's]~~ **student's**
34 medication while in school, at a school-sponsored activity, and in transit to or from school or a
35 school-sponsored activity; and

36 (2) Be effective only for the same school and school year for which it is granted. Such
37 authorization shall be renewed by the ~~[pupil's]~~ **student's** parent or guardian each subsequent
38 school year in accordance with this section.

39 4. Any current duplicate prescription medication, if provided by a ~~[pupil's]~~ **student's**
40 parent or guardian or by the school, shall be kept at a ~~[pupil's]~~ **student's** school in a location at
41 which the ~~[pupil]~~ **student** or school staff has immediate access in the event of an asthma or
42 anaphylaxis emergency.

43 5. The information described in subdivisions (3) and (4) of subsection 2 of this section
44 shall be kept on file at the ~~[pupil's]~~ **student's** school in a location easily accessible in the event
45 of an emergency.

46 **6. The school district or charter school may revoke the authorization granted in this**
47 **section if:**

48 **(1) The student has negligently maintained the medication or improperly handled**
49 **or disposed of syringes; or**

50 **(2) The school district or charter school has evidence that the student is not**
51 **properly administering the medication or otherwise endangering the student or others.**

168.133. 1. ~~[The]~~ **A school district or charter school** shall ensure that a criminal
2 background check is conducted on any person employed ~~[after January 1, 2005,]~~ **who is**
3 authorized to have contact with ~~[pupils]~~ **students** and prior to the individual having contact with
4 any ~~[pupil]~~ **student**. Such persons include, but are not limited to, administrators, teachers, aides,
5 paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district **or**
6 **charter school** shall also ensure that a criminal background check is conducted for school bus
7 drivers. ~~[The district may allow such drivers to operate buses pending the result of the criminal~~
8 ~~background check.]~~ For bus drivers, the school district **or charter school** shall be responsible
9 for conducting the criminal background check on drivers employed by the school district **or**
10 **charter school**. For drivers employed by a ~~[pupil]~~ **student** transportation company under
11 contract with the school district, the criminal background check shall be conducted pursuant to
12 section 43.540 and conform to the requirements established in the National Child Protection Act
13 of 1993, as amended by the Volunteers for Children Act. Personnel who have successfully
14 undergone a criminal background check ~~[and a check of the family care safety registry]~~ as part

15 of the professional license application process under section 168.021 and who have received
16 clearance on the checks within one prior year of employment shall be considered to have
17 completed the background check requirement. ~~[A criminal background check under this section
18 shall include a search of any information publicly available in an electronic format through a
19 public index or single case display]~~ **The department of elementary and secondary education
20 is authorized to provide to the employing school district, upon request, criminal
21 background check results at any time before the expiration of one year after the initial
22 receipt of the results.**

23 2. **A criminal background check under this section shall include a fingerprint
24 search of the Missouri criminal history repository and a search of the sexual offender
25 registry under sections 589.400 to 589.425. Fingerprints and other information shall also
26 be forwarded to the Federal Bureau of Investigation for searching the federal criminal
27 history files. The criminal background check shall also include a search of the family care
28 safety registry established in sections 210.900 to 210.936 or a search of the child abuse
29 central registry under sections 210.109 to 210.183.** In order to facilitate the criminal history
30 background check, the applicant shall submit a set of fingerprints collected pursuant to standards
31 determined by the Missouri highway patrol. ~~[The fingerprints shall be used by the highway
32 patrol to search the criminal history repository and shall be forwarded to the Federal Bureau of
33 Investigation for searching the federal criminal history files.]~~

34 3. The applicant shall pay the ~~[fee for the state criminal history record information
35 pursuant to section 43.530 and sections 210.900 to 210.936 and pay the appropriate fee
36 determined by the Federal Bureau of Investigation for the federal criminal history record when
37 he or she applies for a position authorized to have contact with pupils pursuant to this section]~~
38 **fees for the criminal background check unless the school district or charter school agrees
39 to pay the fees or reimburse the applicant.** The department shall distribute the fees collected
40 for the state and federal criminal histories to the Missouri highway patrol.

41 4. The department of elementary and secondary education shall facilitate an annual check
42 of employed persons holding current active certificates under section 168.021 against criminal
43 history records in the central repository under section 43.530, the sexual offender registry under
44 sections 589.400 to ~~[589.475]~~ **589.425**, and child abuse central registry under sections 210.109
45 to 210.183. The department of elementary and secondary education ~~[shall facilitate procedures
46 for school districts to submit personnel information annually for persons employed by the school
47 districts who do not hold a current valid certificate who are required by subsection 1 of this
48 section to undergo a criminal background check, sexual offender registry check, and child abuse
49 central registry check]~~ **shall create a procedure for school districts or charter schools to
50 conduct subsequent background checks for employees who do not hold certificates.** The

51 Missouri state highway patrol shall provide ongoing electronic updates to criminal history
52 background checks of those persons previously submitted, both those who have an active
53 certificate and those who do not have an active certificate, by the department of elementary and
54 secondary education. This shall fulfill the annual check against the criminal history records in
55 the central repository under section 43.530.

56 5. ~~[The school district may adopt a policy to provide for reimbursement of expenses~~
57 ~~incurred by an employee for state and federal criminal history information pursuant to section~~
58 ~~43.530.~~

59 ~~6.]~~ If, as a result of the criminal history background check mandated by this section, it
60 is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty
61 or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a
62 similar crime or offense committed in another state, the United States, or any other country,
63 regardless of imposition of sentence, such information shall be reported to the department of
64 elementary and secondary education.

65 ~~[7.]~~ 6. Any school official making a report to the department of elementary and
66 secondary education in conformity with this section shall not be subject to civil liability for such
67 action.

68 ~~[8.]~~ 7. For any teacher who is employed by a school district on a substitute or part-time
69 basis within one year of such teacher's retirement from a Missouri school, the state of Missouri
70 shall not require such teacher to be subject to any additional background checks prior to having
71 contact with ~~[pupils]~~ **students**. Nothing in this subsection shall be construed as prohibiting or
72 otherwise restricting a school district from requiring additional background checks for such
73 teachers employed by the school district.

74 ~~[9.]~~ 8. A criminal background check and fingerprint collection conducted under
75 subsections 1 and 2 of this section shall be valid for at least a period of one year and transferrable
76 from one school district to another district. A school district may, in its discretion, conduct a
77 new criminal background check and fingerprint collection under subsections 1 and 2 for a newly
78 hired employee at the district's expense. A teacher's change in type of certification shall have no
79 effect on the transferability or validity of such records.

80 ~~[10.]~~ 9. Nothing in this section shall be construed to alter the standards for suspension,
81 denial, or revocation of a certificate issued pursuant to this chapter.

82 ~~[11.]~~ 10. The state board of education may promulgate rules for criminal history
83 background checks made pursuant to this section. Any rule or portion of a rule, as that term is
84 defined in section 536.010, that is created under the authority delegated in this section shall
85 become effective only if it complies with and is subject to all of the provisions of chapter 536
86 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of

87 the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
 88 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
 89 grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be
 90 invalid and void.

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 the
 6 school. Training ~~[may]~~ **shall** also 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 conduct the training on an annual basis.~~
 9 ~~If no formal training has previously occurred, the length of the training may be eight hours. The~~
 10 ~~length of annual continuing training may be four hours.~~

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

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

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

20 ~~———4.]~~ 3. All instructors for the program shall be certified by the department of public
 21 safety's peace officers standards training commission.

22 ~~[5.]~~ 4. School districts and charter schools may consult and collaborate with law
 23 enforcement authorities, emergency response agencies, and other organizations and entities
 24 trained to deal with active shooters or potentially dangerous or armed intruders.

25 ~~[6.]~~ 5. Public schools shall foster an environment in which students feel comfortable
 26 sharing information they have regarding a potentially threatening or dangerous situation with a
 27 responsible adult.

171.011. The school board of each school district **and the governing board of each**
 2 **charter school** in the state ~~[may make all needful rules and regulations for the organization,~~
 3 ~~grading and government in]~~ **shall adopt policies to govern** the school district **or charter school**.
 4 The ~~[rules]~~ **policies** shall take effect when ~~[a copy of the rules, duly signed by order of the board,~~
 5 ~~is deposited with the district clerk. The district clerk shall transmit forthwith a copy of the rules~~

6 to the teachers employed in the schools. The rules may be amended or repealed in like manner]
7 **approved by a majority of a quorum of the school board or the governing board of the**
8 **charter school. The approval shall be documented in the official minutes, and an official**
9 **copy shall be maintained physically or electronically in the primary office of the school**
10 **district or charter school. The policies shall be distributed in accordance with section**
11 **162.208, when applicable, and as determined appropriate by the school board or the**
12 **governing board of the charter school.**

210.865. The juvenile divisions of the circuit courts; **public, charter, private, and**
2 **parochial schools;** and the departments of social services, mental health, elementary and
3 secondary education and health shall share information regarding individual children who have
4 come into contact with, or been provided services by, the courts, **schools,** and such departments.
5 The state courts administrator and the departments of social services, mental health, elementary
6 and secondary education and health shall coordinate their information systems to allow for
7 sharing of information regarding and tracking of individual children by the juvenile divisions of
8 the circuit courts, the departments of social services, mental health, elementary and secondary
9 education and health and school districts. All information received by a court, any department
10 or any **school or** school district pursuant to this section shall remain subject to the same
11 confidentiality requirements as are imposed on the department that originally collected the
12 information. With regard to the information required to be shared pursuant to this section, the
13 department of elementary and secondary education shall only share information on students who
14 have committed an act which, if it had been committed by an adult, would be a misdemeanor or
15 felony offense pursuant to the laws of Missouri, other states or the federal government.

571.010. As used in this chapter, the following terms shall mean:

2 (1) "Antique, curio or relic firearm", any firearm so defined by the National Gun Control
3 Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of Alcohol
4 Tobacco and Firearms, 27 CFR Section 178.11:

5 (a) "Antique firearm" is any firearm not designed or redesigned for using rim fire or
6 conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said
7 ammunition not being manufactured any longer; this includes any matchlock, wheel lock,
8 flintlock, percussion cap or similar type ignition system, or replica thereof;

9 (b) "Curio or relic firearm" is any firearm deriving value as a collectible weapon due to
10 its unique design, ignition system, operation or at least fifty years old, associated with a historical
11 event, renown personage or major war;

12 (2) "Blackjack", any instrument that is designed or adapted for the purpose of stunning
13 or inflicting physical injury by striking a person, and which is readily capable of lethal use;

14 (3) "Blasting agent", any material or mixture, consisting of fuel and oxidizer that is
15 intended for blasting, but not otherwise defined as an explosive under this section, provided that
16 the finished product, as mixed for use of shipment, cannot be detonated by means of a numbered
17 8 test blasting cap when unconfined;

18 (4) "Concealable firearm", any firearm with a barrel less than sixteen inches in length,
19 measured from the face of the bolt or standing breech;

20 (5) "Deface", to alter or destroy the manufacturer's or importer's serial number or any
21 other distinguishing number or identification mark;

22 (6) "Detonator", any device containing a detonating charge that is used for initiating
23 detonation in an explosive, including but not limited to, electric blasting caps of instantaneous
24 and delay types, nonelectric blasting caps for use with safety fuse or shock tube and detonating
25 cord delay connectors;

26 (7) "Explosive weapon", any explosive, incendiary, or poison gas bomb or similar device
27 designed or adapted for the purpose of inflicting death, serious physical injury, or substantial
28 property damage; or any device designed or adapted for delivering or shooting such a weapon.
29 For the purposes of this subdivision, the term "explosive" shall mean any chemical compound
30 mixture or device, the primary or common purpose of which is to function by explosion,
31 including but not limited to, dynamite and other high explosives, pellet powder, initiating
32 explosives, detonators, safety fuses, squibs, detonating cords, igniter cords, and igniters or
33 blasting agents;

34 (8) "Firearm", any weapon that is designed or adapted to expel a projectile by the action
35 of an explosive;

36 (9) "Firearm silencer", any instrument, attachment, or appliance that is designed or
37 adapted to muffle the noise made by the firing of any firearm;

38 (10) "Gas gun", any gas ejection device, weapon, cartridge, container or contrivance
39 other than a gas bomb that is designed or adapted for the purpose of ejecting any poison gas that
40 will cause death or serious physical injury, but not any device that ejects a repellant or temporary
41 incapacitating substance;

42 (11) "Intoxicated", substantially impaired mental or physical capacity resulting from
43 introduction of any substance into the body;

44 (12) "Knife", any dagger, dirk, stiletto, or bladed hand instrument that is readily capable
45 of inflicting serious physical injury or death by cutting or stabbing a person. For purposes of this
46 chapter, "knife" does not include any ordinary pocketknife with no blade more than four inches
47 in length;

48 (13) "Knuckles", any instrument that consists of finger rings or guards made of a hard
49 substance that is designed or adapted for the purpose of inflicting serious physical injury or death
50 by striking a person with a fist enclosed in the knuckles;

51 (14) "Machine gun", any firearm that is capable of firing more than one shot
52 automatically, without manual reloading, by a single function of the trigger;

53 (15) "Projectile weapon", any bow, crossbow, pellet gun, slingshot or other weapon that
54 is not a firearm, which is capable of expelling a projectile that could inflict serious physical
55 injury or death by striking or piercing a person;

56 (16) "Rifle", any firearm designed or adapted to be fired from the shoulder and to use
57 the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore
58 by a single function of the trigger;

59 (17) "Short barrel", a barrel length of less than sixteen inches for a rifle and eighteen
60 inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall
61 rifle or shotgun length of less than twenty-six inches;

62 (18) "Shotgun", any firearm designed or adapted to be fired from the shoulder and to use
63 the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile
64 through a smooth bore barrel by a single function of the trigger;

65 (19) "Spring gun", any fused, timed or nonmanually controlled trap or device designed
66 or adapted to set off an explosion for the purpose of inflicting serious physical injury or death;

67 (20) **"Stun gun", any device designed to temporarily immobilize a victim by**
68 **delivering an electric shock;**

69 (21) "Switchblade knife", any knife which has a blade that folds or closes into the handle
70 or sheath, and:

71 (a) That opens automatically by pressure applied to a button or other device located on
72 the handle; or

73 (b) That opens or releases from the handle or sheath by the force of gravity or by the
74 application of centrifugal force.

571.030. 1. A person commits the offense of unlawful use of weapons, except as
2 otherwise provided by sections 571.101 to 571.121, if he or she knowingly:

3 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or
4 any other weapon readily capable of lethal use into any area where firearms are restricted under
5 section 571.107; or

6 (2) Sets a spring gun; or

7 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft,
8 or motor vehicle as defined in section 302.010, or any building or structure used for the
9 assembling of people; or

10 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of
11 lethal use in an angry or threatening manner; or

12 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person,
13 while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon
14 in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless
15 acting in self-defense; or

16 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse,
17 courthouse, or church building; or

18 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or
19 across a public highway or discharges or shoots a firearm into any outbuilding; or

20 (8) Carries a firearm or any other weapon readily capable of lethal use into any church
21 or place where people have assembled for worship, or into any election precinct on any election
22 day, or into any building owned or occupied by any agency of the federal government, state
23 government, or political subdivision thereof; or

24 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section
25 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any
26 building or habitable structure, unless the person was lawfully acting in self-defense; or

27 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable
28 of lethal use into any school, onto any school bus, or onto the premises of any function or activity
29 sponsored or sanctioned by school officials or the district school board; or

30 (11) Possesses a firearm while also knowingly in possession of a controlled substance
31 that is sufficient for a felony violation of section 579.015.

32 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the
33 persons described in this subsection, regardless of whether such uses are reasonably associated
34 with or are necessary to the fulfillment of such person's official duties except as otherwise
35 provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section
36 shall not apply to or affect any of the following persons, when such uses are reasonably
37 associated with or are necessary to the fulfillment of such person's official duties, except as
38 otherwise provided in this subsection:

39 (1) All state, county and municipal peace officers who have completed the training
40 required by the police officer standards and training commission pursuant to sections 590.030
41 to 590.050 and who possess the duty and power of arrest for violation of the general criminal
42 laws of the state or for violation of ordinances of counties or municipalities of the state, whether
43 such officers are on or off duty, and whether such officers are within or outside of the law
44 enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection
45 12 of this section, and who carry the identification defined in subsection 13 of this section, or

46 any person summoned by such officers to assist in making arrests or preserving the peace while
47 actually engaged in assisting such officer;

48 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other
49 institutions for the detention of persons accused or convicted of crime;

50 (3) Members of the Armed Forces or National Guard while performing their official
51 duty;

52 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with
53 the judicial power of the state and those persons vested by Article III of the Constitution of the
54 United States with the judicial power of the United States, the members of the federal judiciary;

55 (5) Any person whose bona fide duty is to execute process, civil or criminal;

56 (6) Any federal probation officer or federal flight deck officer as defined under the
57 federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers
58 are on duty, or within the law enforcement agency's jurisdiction;

59 (7) Any state probation or parole officer, including supervisors and members of the
60 board of probation and parole;

61 (8) Any corporate security advisor meeting the definition and fulfilling the requirements
62 of the regulations established by the department of public safety under section 590.750;

63 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

64 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney;
65 circuit attorney or assistant circuit attorney; municipal, associate, or circuit judge; or any person
66 appointed by a court to be a special prosecutor who has completed the firearms safety training
67 course required under subsection 2 of section 571.111;

68 (11) Any member of a fire department or fire protection district who is employed on a
69 full-time basis as a fire investigator and who has a valid concealed carry endorsement issued
70 prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such
71 uses are reasonably associated with or are necessary to the fulfillment of such person's official
72 duties; and

73 (12) Upon the written approval of the governing body of a fire department or fire
74 protection district, any paid fire department or fire protection district member who is employed
75 on a full-time basis and who has a valid concealed carry endorsement issued prior to August 28,
76 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are
77 necessary to the fulfillment of such person's official duties.

78 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when
79 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when
80 ammunition is not readily accessible or when such weapons are not readily accessible.
81 Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of age

82 or older or eighteen years of age or older and a member of the United States Armed Forces, or
83 honorably discharged from the United States Armed Forces, transporting a concealable firearm
84 in the passenger compartment of a motor vehicle, so long as such concealable firearm is
85 otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or
86 projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon
87 premises over which the actor has possession, authority or control, or is traveling in a continuous
88 journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not
89 apply if the firearm is otherwise lawfully possessed by a person while traversing school premises
90 for the purposes of transporting a student to or from school, **or if a firearm or other weapon**
91 **is possessed by an adult or student for the purposes of [facilitation of] facilitating or**
92 **participating in** a school-sanctioned firearm-related event or club event **or other school-**
93 **sanctioned event involving weapons as long as the adult or student is authorized by the**
94 **school to do so and follows school policy and other rules.**

95 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any
96 person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121,
97 a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or
98 endorsement to carry concealed firearms issued by another state or political subdivision of
99 another state.

100 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall
101 not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

102 6. Notwithstanding any provision of this section to the contrary, the state shall not
103 prohibit any state employee from having a firearm in the employee's vehicle on the state's
104 property provided that the vehicle is locked and the firearm is not visible. This subsection shall
105 only apply to the state as an employer when the state employee's vehicle is on property owned
106 or leased by the state and the state employee is conducting activities within the scope of his or
107 her employment. For the purposes of this subsection, "state employee" means an employee of
108 the executive, legislative, or judicial branch of the government of the state of Missouri.

109 7. Nothing in this section shall make it unlawful for a student to actually participate in
110 school-sanctioned gun safety courses, student military or ROTC courses, ~~[or other]~~
111 school-sponsored or club-sponsored firearm-related events, **or other school-sponsored or club-**
112 **sponsored events involving weapons**, provided the student ~~[does not carry a firearm or other~~
113 ~~weapon readily capable of lethal use into any school, onto any school bus, or onto the premises~~
114 ~~of any other function or activity sponsored or sanctioned by school officials or the district school~~
115 ~~board]~~ **follows district or charter school policy and other related rules regarding the**
116 **transportation, possession, use, or storage of the weapon and any ammunition.**

117 8. A person who commits the ~~[crime]~~ **offense** of unlawful use of weapons under:

118 (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a
119 class E felony;

120 (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class
121 B misdemeanor, except when a concealed weapon is carried onto any private property whose
122 owner has posted the premises as being off-limits to concealed firearms by means of one or more
123 signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches
124 with the writing thereon in letters of not less than one inch, in which case the penalties of
125 subsection 2 of section 571.107 shall apply;

126 (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A
127 misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

128 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony,
129 except that if the violation of subdivision (9) of subsection 1 of this section results in injury or
130 death to another person, it is a class A felony.

131 9. Violations of subdivision (9) of subsection 1 of this section shall be punished as
132 follows:

133 (1) For the first violation a person shall be sentenced to the maximum authorized term
134 of imprisonment for a class B felony;

135 (2) For any violation by a prior offender as defined in section 558.016, a person shall be
136 sentenced to the maximum authorized term of imprisonment for a class B felony without the
137 possibility of parole, probation or conditional release for a term of ten years;

138 (3) For any violation by a persistent offender as defined in section 558.016, a person
139 shall be sentenced to the maximum authorized term of imprisonment for a class B felony without
140 the possibility of parole, probation, or conditional release;

141 (4) For any violation which results in injury or death to another person, a person shall
142 be sentenced to an authorized disposition for a class A felony.

143 10. Any person knowingly aiding or abetting any other person in the violation of
144 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that
145 prescribed by this section for violations by other persons.

146 11. Notwithstanding any other provision of law, no person who pleads guilty to or is
147 found guilty of a felony violation of subsection 1 of this section shall receive a suspended
148 imposition of sentence if such person has previously received a suspended imposition of sentence
149 for any other firearms- or weapons-related felony offense.

150 12. As used in this section "qualified retired peace officer" means an individual who:

151 (1) Retired in good standing from service with a public agency as a peace officer, other
152 than for reasons of mental instability;

153 (2) Before such retirement, was authorized by law to engage in or supervise the
154 prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any
155 violation of law, and had statutory powers of arrest;

156 (3) Before such retirement, was regularly employed as a peace officer for an aggregate
157 of fifteen years or more, or retired from service with such agency, after completing any
158 applicable probationary period of such service, due to a service-connected disability, as
159 determined by such agency;

160 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such
161 a plan is available;

162 (5) During the most recent twelve-month period, has met, at the expense of the
163 individual, the standards for training and qualification for active peace officers to carry firearms;

164 (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or
165 substance; and

166 (7) Is not prohibited by federal law from receiving a firearm.

167 13. The identification required by subdivision (1) of subsection 2 of this section is:

168 (1) A photographic identification issued by the agency from which the individual retired
169 from service as a peace officer that indicates that the individual has, not less recently than one
170 year before the date the individual is carrying the concealed firearm, been tested or otherwise
171 found by the agency to meet the standards established by the agency for training and qualification
172 for active peace officers to carry a firearm of the same type as the concealed firearm; or

173 (2) A photographic identification issued by the agency from which the individual retired
174 from service as a peace officer; and

175 (3) A certification issued by the state in which the individual resides that indicates that
176 the individual has, not less recently than one year before the date the individual is carrying the
177 concealed firearm, been tested or otherwise found by the state to meet the standards established
178 by the state for training and qualification for active peace officers to carry a firearm of the same
179 type as the concealed firearm.

**630.1020. 1. The department of mental health, in cooperation with the department
2 of public safety, shall establish and maintain a dedicated behavioral health crisis hotline
3 for the purpose of receiving calls from persons in a mental health crisis and from members
4 of the public who are concerned that a person might be a danger to himself or herself or
5 others and in need of mental health services. The hotline shall operate seven days a week,
6 twenty-four hours a day, and include both a telephone contact as well as options for
7 reporting electronically.**

**8 2. The hotline shall provide information on available mental health services in the
9 region and may alert first responders or other agencies when appropriate. The hotline**

10 shall also provide general information about common mental health conditions when
11 appropriate to increase awareness and prevent negative perceptions of mental illness.

12 **3. The department of mental health shall work with the department of public safety**
13 **to develop training and protocols for persons staffing the hotline to determine when local**
14 **law enforcement or other state or federal agencies should be notified regarding a concern**
15 **or to verify the well-being of a person or to escort other persons or agencies to verify the**
16 **well-being of a person.**

17 **4. Any person who makes a report to the behavioral health crisis hotline shall have**
18 **immunity from any liability, civil or criminal, that otherwise might result because of such**
19 **report; provided, however, that any such person who makes a false report, knowing that**
20 **the report is false, or who acts in bad faith or with ill intent in making such report, shall**
21 **not have immunity from any civil or criminal liability.**

22 **5. All calls or contacts to the hotline shall be confidential and shall be disclosed only**
23 **to the staff of the department of mental health, the department of public safety, or law**
24 **enforcement, when necessary, to protect the safety of the individual or others. The**
25 **information may also be released to a medical professional who is treating the individual.**
26 **Otherwise, records of calls or contacts to the hotline are closed records under chapter 610**
27 **and are confidential. Any person who knowingly violates the confidentiality of a hotline**
28 **call or uses the information provided for purposes other than to protect the safety of the**
29 **public is guilty of a class A misdemeanor.**

30 **6. The department of mental health shall advertise the behavioral health crisis**
31 **hotline to the public. The department of mental health and the department of public safety**
32 **shall post the contact information on each department's website and develop one or more**
33 **posters advertising the hotline, which shall be prominently displayed in every state**
34 **building and every political subdivision building accessible to the public and in every**
35 **public school building and charter school building.**

36 **7. The department of mental health shall provide an annual report to the governor**
37 **and the general assembly on the number of calls received and an aggregate categorization**
38 **of the concerns.**

39 **8. The department of mental health, the department of public safety, and any**
40 **employee or agent of these entities who accepts or responds to hotline calls shall have**
41 **immunity from any liability, civil or criminal, for actions or inactions associated with the**
42 **hotline unless there is proof of intentional actions or intentional inactions made in bad faith**
43 **or with ill intent.**

2 **650.040. The department of public safety shall create an initiative focused on**
3 **maintaining and improving school safety in school districts, charter schools, and private**
4 **and parochial schools. The department shall:**

5 **(1) Provide statewide technical assistance and training to school districts and**
6 **schools and help school districts and schools to develop and revise emergency plans, assess**
7 **risks, and, when appropriate, respond to school safety concerns;**

8 **(2) Designate a statewide safety organization as the state's official center for**
9 **education safety to assist the department in coordinating with schools and school districts**
10 **and accomplishing its school safety initiative. The center for education safety shall be**
11 **sponsored by a statewide education association whose directors consist entirely of public**
12 **school board members;**

13 **(3) Appoint at least one employee to be a liaison between the department, the state's**
14 **primary fusion center recognized by the United States Department of Homeland Security,**
15 **and the designated center for education safety;**

16 **(4) Provide or designate an alert system to ensure schools and districts are**
17 **immediately informed of safety concerns;**

18 **(5) Provide for a study to be conducted to determine the approximate time it would**
19 **take for police, fire, and ambulance services to respond to a crisis situation in every public**
20 **school district and charter school. Before July 1, 2020, the department of public safety**
21 **shall provide a report as well as recommendations, if any, for improving response times to**
22 **the governor, lieutenant governor, attorney general, state auditor, speaker of the house of**
23 **representatives, and president pro tempore of the senate. The report shall be closed under**
24 **chapter 610; and**

25 **(6) Subject to appropriation, distribute funding to school districts and schools to**
improve school safety statewide.

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

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

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

26 ~~4. A school employee, superintendent or such person's designee who in~~
 27 ~~good faith provides information to law enforcement or juvenile authorities~~
 28 ~~pursuant to this section or section 160.261 shall not be civilly liable for providing~~
 29 ~~such information.~~

30 ~~5. Any school official responsible for reporting pursuant to this section~~
 31 ~~or section 160.261 who willfully neglects or refuses to perform this duty shall be~~
 32 ~~subject to the penalty established pursuant to section 162.091.]~~
 33

~~[167.123. 1. Notwithstanding any other provisions of this chapter, or~~
 2 ~~chapter 610, to the contrary, the juvenile officer or an employee of the children's~~
 3 ~~division shall notify the superintendent of the school district in which the child~~
 4 ~~is enrolled, or the superintendent's designee, upon request by the superintendent~~
 5 ~~or designee regarding such child, when a case is active regarding the child.~~

6 ~~2. The notification shall be made orally or in writing, in a timely manner;~~
 7 ~~no later than five days following the request by the superintendent or designee.~~
 8 ~~If the report is made orally, written notice shall follow in a timely manner. The~~
 9 ~~notification shall include a complete description of the case involving the pupil,~~
 10 ~~the conduct the child is alleged to have committed, if any, and the dates the~~
 11 ~~conduct occurred but shall not include the name of any victim other than the~~
 12 ~~child.~~

13 ~~3. The superintendent or the designee of the superintendent shall report~~
 14 ~~such information to teachers and other school district employees with a need to~~
 15 ~~know while acting within the scope of their assigned duties. Any information~~
 16 ~~received by school district officials pursuant to this section shall be received in~~
 17 ~~confidence and used for the limited purposes of assuring that good order and~~
 18 ~~discipline is maintained in the school, or for intervention and counseling~~
 19 ~~purposes for the benefit of the child. The information shall not be part of the~~
 20 ~~child's permanent record. The information shall not be used as the sole basis for~~
 21 ~~not providing educational services to a pupil.]~~

✓