

FIRST EXTRAORDINARY SESSION

# SENATE BILL NO. 1

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time September 6, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

0029S.02I

## AN ACT

To repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

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

Section A. Section 162.069, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 162.069, to read as follows:

162.069. 1. Every school district shall, by January 1, 2012, promulgate  
2 a written policy concerning [teacher-student communication and]  
3 employee-student communication **with the primary purpose of promoting**  
4 **appropriate communications between school district employees and**  
5 **students**. Such policy shall [contain at least the following elements] **address:**

6 (1) [Appropriate oral and nonverbal personal communication, which may  
7 be combined with or included in any policy on sexual harassment; and

8 (2) Appropriate use of electronic media such as text messaging and  
9 internet sites for both instructional and personal purposes, with an element  
10 concerning use of social networking sites no less stringent than the provisions of  
11 subsections 2, 3, and 4 of this section] **Proper communication, including**  
12 **appropriate use of electronic media such as text messaging, emailing,**  
13 **social networking, and internet use for both instructional and personal**  
14 **purposes;**

15 (2) **Limitations on private communications between staff**  
16 **members and students;**

17 (3) **Specific mechanisms to prevent improper communications**  
18 **between staff members and students;**

19 (4) **The policy may include reasonable exceptions, including but**  
20 **not limited to providing for private communications between family**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

21 **members or relatives, in connection with civic, religious, business or**  
22 **other organizations in which the student and staff member are**  
23 **involved, or when a staff member has received prior approval from an**  
24 **administrator and parent or guardian.**

25 2. As used in this section, the [following terms shall mean:

26 (1) "Exclusive access", the information on the website is available only to  
27 the owner (teacher) and user (student) by mutual explicit consent and where third  
28 parties have no access to the information on the website absent an explicit  
29 consent agreement with the owner (teacher);

30 (2) "Former student", any person who was at one time a student at the  
31 school at which the teacher is employed and who is eighteen years of age or less  
32 and who has not graduated;

33 (3) "Nonwork-related internet site", any internet website or web page used  
34 by a teacher primarily for personal purposes and not for educational purposes;

35 (4) "Work-related internet site", any internet website or web pages used  
36 by a teacher for educational purposes] **term "student" shall mean any person**  
37 **enrolled in the school district where the staff member is employed or**  
38 **participating in any district activities under eighteen years of age who**  
39 **has not graduated.**

40 3. [No teacher shall establish, maintain, or use a work-related internet  
41 site unless such site is available to school administrators and the child's legal  
42 custodian, physical custodian, or legal guardian.

43 4. No teacher shall establish, maintain, or use a nonwork-related internet  
44 site which allows exclusive access with a current or former student. Nothing in  
45 this subsection shall be construed as prohibiting a teacher from establishing a  
46 nonwork- related internet site, provided the site is used in accordance with this  
47 section.

48 5.] Every school district shall, by July 1, 2012, include in its teacher and  
49 employee training a component that provides up-to-date and reliable information  
50 on identifying signs of sexual abuse in children and danger signals of potentially  
51 abusive relationships between children and adults. The training shall emphasize  
52 the importance of mandatory reporting of abuse under section 210.115 including  
53 the obligation of mandated reporters to report suspected abuse by other mandated  
54 reporters, and how to establish an atmosphere of trust so that students feel their  
55 school has concerned adults with whom they feel comfortable discussing matters  
56 related to abuse.