

FIRST REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 68

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HENDERSON.

0999S.07P

KRISTINA MARTIN, Secretary

AN ACT

To amend chapters 160 and 162, RSMo, by adding thereto two new sections relating to safe school environments.

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

Section A. Chapters 160 and 162, RSMo, are amended by
2 adding thereto two new sections, to be known as sections 160.664
3 and 162.207, to read as follows:

**160.664. 1. As used in this section, the following
2 terms mean:**

3 (1) "Department", the department of elementary and
4 secondary education;

5 (2) "Local educational agency", as such term is
6 defined in section 161.1085.

7 2. The department shall establish procedures by which
8 each local educational agency shall regularly report to the
9 department all school safety incidents and credible school
10 safety threats that occur at each attendance center of such
11 local educational agency, including all incidents of school
12 shootings or other incidents involving a firearm, explosive,
13 knife, or other weapon defined in section 571.010 and all
14 credible threats of school shootings or other incidents

15 involving a firearm, explosive, knife, or other weapon
16 defined in section 571.010. The department may require
17 local educational agencies to report acts of school violence
18 or violent behavior, as such terms are defined in section
19 160.261, or any crimes required to be reported to law
20 enforcement pursuant to section 160.261.

21 3. The procedures established pursuant to subsection 2
22 of this section shall include, but shall not be limited to,
23 the following elements:

24 (1) Criteria to assist local educational agencies in
25 determining what constitutes a school safety incident or
26 credible school safety threat that is required to be
27 reported to the department;

28 (2) A time frame within which a local educational
29 agency shall report a school safety incident or credible
30 school safety threat after such incident or threat occurs;
31 and

32 (3) Any other information that the department requires
33 to be included in each report of a school safety incident or
34 credible school safety threat pursuant to the provisions of
35 this section.

36 4. The department shall maintain and regularly update
37 a database of all school safety incidents and credible
38 school safety threats that are reported pursuant to the
39 provisions of this section. Any record in the database that
40 contains personally identifiable information of a student
41 shall be a closed record under chapter 610. Any record that
42 contains aggregate data by charter school, school district,
43 or attendance center thereof and does not contain any
44 personally identifiable information of a student shall be a
45 public record subject to disclosure under chapter 610.

46 5. The department may promulgate rules to implement
47 the provisions of this section. Any rule or portion of a
48 rule, as that term is defined in section 536.010, that is
49 created under the authority delegated in this section shall
50 become effective only if it complies with and is subject to
51 all of the provisions of chapter 536 and, if applicable,
52 section 536.028. This section and chapter 536 are
53 nonseverable and if any of the powers vested with the
54 general assembly pursuant to chapter 536 to review, to delay
55 the effective date, or to disapprove and annul a rule are
56 subsequently held unconstitutional, then the grant of
57 rulemaking authority and any rule proposed or adopted after
58 August 28, 2025, shall be invalid and void.

 162.207. 1. For purposes of this section, "electronic
2 personal communications device" includes, but is not limited
3 to, the following:

- 4 (1) Cellular telephones;
- 5 (2) Paging devices;
- 6 (3) Beepers;
- 7 (4) Mobile telephones that offer advanced computing
8 and internet accessibility;
- 9 (5) Digital media players;
- 10 (6) Portable game consoles;
- 11 (7) Tablets, notebooks, or laptop computers;
- 12 (8) Digital cameras;
- 13 (9) Digital video or audio recorders;
- 14 (10) Smart watches; and
- 15 (11) Devices that can connect and transmit data
16 through Bluetooth technology.

17 2. For the 2025-26 school year and all subsequent
18 school years, each school district and charter school
19 governing board shall adopt a written policy governing a

20 student's possession or use of an electronic personal
21 communications device. Such school district or governing
22 board shall develop and design such policy to promote the
23 educational interests of students and to provide a safe and
24 effective working environment for school employees and
25 volunteers.

26 3. Such policy shall, at a minimum:

27 (1) Prohibit a student from displaying or using an
28 electronic personal communications device from the beginning
29 of the school day until the end of the school day,
30 including, but not limited to, instructional time, meal
31 times, breaks, time between classes, and during study halls
32 and field trips;

33 (2) Describe the disciplinary procedures and measures
34 that will be taken if a student violates the policy; and

35 (3) Provide exceptions to the prohibition that allow
36 the display and use of an electronic personal communications
37 device by a student:

38 (a) In the case of an emergency. For purposes of this
39 paragraph, "emergency" means a serious, unexpected, and
40 dangerous situation that requires immediate action,
41 including, but not limited to, the following:

42 a. An active fire;

43 b. An active tornado or earthquake;

44 c. An active shooter;

45 d. An evacuation of school grounds;

46 e. A medical emergency; or

47 f. Any other serious, unexpected, and dangerous
48 situation that requires immediate action and is identified
49 in school district policy as an emergency;

50 (b) When directed to use such device by a school
51 employee or volunteer for an instructional purpose; and

52 (c) When authorized by the following federal acts or
53 their successor acts:

54 a. The Individuals with Disabilities Education Act
55 (IDEA), 20 U.S.C. Section 1400, et seq., as amended;

56 b. The Americans with Disabilities Act, 42 U.S.C.
57 Section 12101, et seq., as amended; or

58 c. The Rehabilitation Act of 1973, 29 U.S.C. Section
59 701, et seq., as amended.

60 4. Each school district and charter school governing
61 board shall publish the policy on such district's or charter
62 school's website.

63 5. A school district or charter school employee or
64 volunteer shall be held harmless and immune from any
65 liability for actions taken under this section if such
66 employee or volunteer acts in good faith and follows the
67 proper disciplinary procedures and measures adopted under
68 this section by the school board or charter school governing
69 board.

70 6. The provisions of this section shall expire on
71 August 28, 2032.

✓