

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 2335

AN ACT

To repeal sections 160.261, 160.263, 160.485, 160.775, 162.065, 162.069, 167.625, 167.950, 170.047, 170.048, and 170.315, RSMo, and to enact in lieu thereof thirteen new sections relating to schools, with an emergency clause for a certain section.

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

Section A. Sections 160.261, 160.263, 160.485, 160.775, 162.065, 162.069, 167.625, 167.950, 170.047, 170.048, and 170.315, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 160.231, 160.261, 160.263, 160.485, 160.775, 162.065, 162.069, 167.625, 167.950, 168.331, 170.047, 170.048, and 170.315, to read as follows:

160.231. 1. As used in this section, the following terms mean:

(1) "Multiple-occupancy restroom or changing area", an area in a private school building designed or designated to be used by more than one individual at a time and where individuals may be in various stages of undress in the presence of other individuals. The term includes, but is not limited to, a school restroom, locker room, changing room, or shower room;

(2) "Sex", the physical condition of being male or female based on genetics and physiology as identified on the individual's original birth certificate.

2. A private school that serves students in prekindergarten to grade twelve may establish, to ensure

privacy and safety, one or more multiple-occupancy restrooms or changing areas designated as follows:

(1) For the exclusive use of the male sex; or

(2) For the exclusive use of the female sex.

3. The provisions of this section shall not apply to individuals entering a multiple-occupancy restroom or changing area designated for use by the opposite sex when entering:

(1) For custodial, maintenance, or inspection purposes;

(2) To render emergency medical assistance; or

(3) As a parent or guardian accompanying their child, who is eight years of age or younger, with the permission of the school.

4. (1) No political subdivision shall adopt any ordinance, rule, or regulation prohibiting a private school from establishing one or more multiple-occupancy restrooms or changing areas as provided in this section.

(2) If a political subdivision adopts an ordinance, rule, or regulation in violation of subdivision (1) of this subsection, such political subdivision shall pay the attorney's fees and costs incurred by a private school in such private school's legal defense against such ordinance, rule, or regulation.

160.261. 1. (1) The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such

district, during normal business hours, for public inspection. No pupil shall be subject to corporal punishment procedures outlined in the discipline and corporal punishment policy without a parent or guardian being notified and providing written permission for the corporal punishment.

(2) For school years prior to the 2027-28 school year, all employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality. Such instruction shall be provided as established in section 168.331 for the 2027-28 school year and all subsequent school years.

2. (1) The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know.

(2) For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in section 556.061 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities.

(3) The policy shall at a minimum require school administrators to report, as soon as reasonably [practical] practicable, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes, committed on school property including, but not limited to, actions on any school bus in service on behalf of the district or while involved in school activities:

[(1)] (a) First degree murder under section 565.020;

[(2)] (b) Second degree murder under section 565.021;

[(3)] (c) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110;

[(4)] (d) First degree assault under section 565.050;

[(5)] (e) Rape in the first degree under section 566.030;

[(6)] (f) Sodomy in the first degree under section 566.060;

[(7)] (g) Burglary in the first degree under section 569.160;

[(8)] (h) Burglary in the second degree under section 569.170;

[(9)] (i) Robbery in the first degree under section 569.020 as it existed prior to January 1, 2017, or robbery in the first degree under section 570.023;

[(10)] (j) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or manufacture of a controlled substance under section 579.055;

[(11)] (k) Distribution of drugs to a minor under section 195.212 as it existed prior to January 1, 2017, or delivery of a controlled substance under section 579.020;

[(12)] (l) Arson in the first degree under section 569.040;

[(13)] (m) Voluntary manslaughter under section 565.023;

[(14)] (n) Involuntary manslaughter under section 565.024 as it existed prior to January 1, 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary manslaughter in the second degree under section 565.027;

[(15)] (o) Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052;

[(16)] (p) Rape in the second degree under section 566.031;

[(17)] (q) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or kidnapping in the second degree under section 565.120;

[(18)] (r) Property damage in the first degree under section 569.100;

[(19)] (s) The possession of a weapon under chapter 571;

[(20)] (t) Child molestation in the first degree pursuant to section 566.067 as it existed prior to January 1, 2017, or child molestation in the first, second, or third degree pursuant to section 566.067, 566.068, or 566.069;

[(21)] (u) Sodomy in the second degree pursuant to section 566.061;

[(22)] (v) Sexual misconduct involving a child pursuant to section 566.083;

[(23)] (w) Sexual abuse in the first degree pursuant to section 566.100;

[(24)] (x) Harassment under section 565.090 as it existed prior to January 1, 2017, or harassment in the first degree under section 565.090; or

[(25)] (y) Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking in the first degree under section 565.225[;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities].

(4) The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of [their] such teacher's or employees' assigned duties.

(5) The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

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

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

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

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

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

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

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

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

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

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local

board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

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

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school

property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210.

11. Upon receipt of any reports of child abuse by the children's division pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

12. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

160.263. 1. As used in this section, the following terms mean:

(1) "Mechanical restraint", the use of any device or equipment to restrict a student's freedom of movement. Mechanical restraint shall not include devices implemented by trained personnel or used by a student with a prescription for such devices from an appropriate medical or related services professional and that are used for specific and approved purposes for which such devices were designed, such as the following:

(a) Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;

(b) Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;

(c) Restraints for medical immobilization; or

(d) Orthopedically prescribed devices that permit a student to participate in activities without risk;

(2) "Physical restraint", a personal restriction such as person-to-person physical contact that immobilizes, reduces, or restricts the ability of a student to move the student's torso, arms, legs, or head freely. Physical restraint shall not include:

(a) A physical escort, which is a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student to walk to a safe location;

(b) Comforting or calming a student;

(c) Holding a student's hand to transport the student for safety purposes;

(d) Intervening in a fight; or

(e) Using an assistive or protective device prescribed by an appropriately trained professional or professional team;

(3) "Prone restraint", using mechanical or physical restraint or both to restrict a student's movement while the student is lying with the student's front or face downward;

(4) "Restraint" includes, but is not limited to, mechanical restraint, physical restraint, and prone restraint;

(5) "Seclusion", the involuntary confinement of a student alone in a room or area that the student is physically prevented from leaving and that complies with the building code in effect in the school district. Seclusion shall not include the following:

(a) A timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a nonlocked setting, and is implemented for the purpose of calming;

(b) In-school suspension;

(c) Detention; or

(d) Other appropriate disciplinary measures.

2. The school discipline policy under section 160.261 shall reserve confining a student in seclusion for situations or conditions in which there is imminent danger of physical harm to self or others.

3. For all school years beginning on or after July 1, 2022, no school district, charter school, or publicly contracted private provider shall use any mechanical, physical, or prone restraint technique that:

(1) Obstructs views of the student's face;

(2) Obstructs the student's respiratory airway, impairs the student's breathing or respiratory capacity, or

restricts the movement required for normal breathing to cause positional or postural asphyxia;

(3) Places pressure or weight on or causes the compression of the student's chest, lungs, sternum, diaphragm, back, abdomen, or genitals;

(4) Obstructs the student's circulation of blood;

(5) Involves pushing on or into the student's mouth, nose, eyes, or any part of the face or involves covering the face or body with anything including, but not limited to, soft objects such as pillows, blankets, or washcloths;

(6) Endangers the student's life or significantly exacerbates the student's medical condition;

(7) Is purposely designed to inflict pain;

(8) Restricts the student from communicating. If an employee physically restrains a student who uses sign language or an augmentative mode of communication as the student's primary mode of communication, the student shall be permitted to have the student's hands free of restraint for brief periods unless an employee determines that such freedom appears likely to result in harm to self or others.

4. (1) By July 1, 2011, the local board of education of each school district shall adopt a written policy that comprehensively addresses the use of restrictive behavioral interventions as a form of discipline or behavior management technique. The policy shall be consistent with professionally accepted practices and standards of student discipline, behavior management, health and safety, including the safe schools act. The policy shall include but not be limited to:

(a) Definitions of restraint, seclusion, and time-out and any other terminology necessary to describe the continuum of restrictive behavioral interventions available

for use or prohibited in the district, consistent with the provisions of this section;

(b) Description of circumstances under which a restrictive behavioral intervention is allowed and prohibited, consistent with the provisions of this section, and any unique application requirements for specific groups of students such as differences based on age, disability, or environment in which the educational services are provided;

(c) Specific implementation requirements associated with a restrictive behavioral intervention such as time limits, facility specifications, training requirements or supervision requirements; and

(d) Documentation, notice and permission requirements associated with use of a restrictive behavioral intervention.

(2) Before July 1, 2022, each written policy adopted under this subsection shall be updated to prohibit the school district, charter school, or publicly contracted private provider from using any restraint that employs any technique listed in subsection 3 of this section.

(3) Before July 1, 2022, each written policy adopted under this subsection shall be updated to state that the school district, charter school, or publicly contracted private provider will reserve restraint or seclusion for situations or conditions in which there is imminent danger of physical harm to self or others.

5. Before July 1, 2022, each school district, charter school, and publicly contracted private provider shall ensure that the policy adopted under subsection 4 of this section requires the following:

(1) Any student placed in seclusion or restraint shall be removed from such seclusion or restraint as soon as the school district, charter school, or publicly contracted

private provider determines that the student is no longer an imminent danger of physical harm to self or others;

(2) All school district, charter school, and publicly contracted private provider personnel shall annually review the policy and procedures involving the use of seclusion and restraint. For school years prior to the 2027-28 school year, personnel who use seclusion or restraint shall annually complete mandatory training in the specific seclusion and restraint techniques the school district, charter school, or publicly contracted private provider uses under this section. Such training shall be provided as established in section 168.331 for the 2027-28 school year and all subsequent school years;

(3) (a) Each time seclusion or restraint is used for a student, the incident shall be monitored by a member of the school district, charter school, or publicly contracted private provider personnel, and a report shall be completed by the school district, charter school, or publicly contracted private provider that contains, at a minimum, the following:

- a. The date, time of day, location, duration, and description of the incident and interventions;
- b. Any event leading to the incident and the reason for using seclusion or restraint;
- c. A description of the methods of seclusion or restraint used;
- d. The nature and extent of any injury to the student;
- e. The names, roles, and certifications of each employee involved in the use of seclusion or restraint;
- f. The name, role, and signature of the person who prepared the report;

g. The name of an employee whom the parent or guardian can contact regarding the incident and use of seclusion or restraint;

h. The name of an employee to contact if the parent or guardian wishes to file a complaint; and

i. A statement directing parents and legal guardians to a sociological, emotional, or behavioral support organization and a hotline number to report child abuse and neglect.

(b) The school district, charter school, or publicly contracted private provider shall maintain the report as an education record of the student, provide a copy to the parent or legal guardian within five school days, and a copy of each incident report shall be given to the department of elementary and secondary education within thirty days of the incident;

(4) The school district, charter school, or publicly contracted private provider shall attempt to notify the parents or legal guardians as soon as possible but no later than one hour after the end of the school day on which the use of seclusion or restraint occurred. Notification shall be oral or electronic and shall include a statement indicating that the school district, charter school, or publicly contracted private provider will provide the parents or legal guardians a copy of the report described in subdivision (3) of this subsection within five school days;

(5) An officer, administrator, or employee of a public school district or charter school shall not retaliate against any person for having:

(a) Reported a violation of any policy established under this section or failure of a district or charter school to follow any provisions of this section in relation to incidents of seclusion and restraint; or

(b) Provided information regarding a violation of this section by a public school district or charter school or a member of the staff of the public school district or charter school.

6. The department of elementary and secondary education shall compile and maintain all incidents reported under this section in the department's core data system and make such data available on the Missouri comprehensive data system. No personally identifiable data shall be accessible on the database.

7. The department of elementary and secondary education shall, in cooperation with appropriate associations, organizations, agencies and individuals with specialized expertise in behavior management, develop a model policy that satisfies the requirements of subsection 2 of this section as it existed on August 28, 2009, by July 1, 2010, and shall update such model policy to include the requirements of subdivisions (2) and (3) of subsection 4 and subsection 5 of this section by July 1, 2022.

160.485. 1. This section shall be known and may be cited as the "Stop the Bleed Act".

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

(1) "Bleeding control kit", a first aid response kit that contains at least the following:

(a) Tourniquets that are:

a. Endorsed by the United States Department of Defense Committee on Tactical Combat Casualty Care or its successor entity; or

b. Approved for use in battlefield trauma care by the Armed Forces of the United States;

(b) Bleeding control bandages;

(c) Latex-free protective gloves;

(d) Permanent markers;

(e) Instructional documents developed by the United States Department of Homeland Security's Stop the Bleed national awareness campaign or the American College of Surgeons Committee on Trauma, or both; and

(f) Other medical materials and equipment similar to those described in paragraphs (a) and (b) of this subdivision;

(2) "Department", the department of elementary and secondary education;

(3) "Emergency medical services personnel", paid or volunteer firefighters, law enforcement officers, first responders, emergency medical technicians, or other emergency service personnel acting within the ordinary course and scope of those professions, but excluding physicians;

(4) "School personnel", any employee of a public school district or charter school, or any volunteer serving at a public school or charter school, who is designated to use a bleeding control kit under this section.

3. (1) Before January 1, 2026, the department shall develop a traumatic blood loss protocol for school personnel to follow in the event of an injury involving traumatic blood loss. The protocol shall meet the requirements of this section and shall be made available to each school district and charter school.

(2) The traumatic blood loss protocol shall:

(a) Require that a bleeding control kit be placed in areas where there is likely to be high traffic or congregation, such as auditoriums, cafeterias, or gymnasiums, and areas where risk of injury may be elevated, including vocational classes such as woodworking or automotive classes, in each school district's school buildings and each charter school in an easily accessible

location of such areas to be determined by local emergency medical services personnel;

(b) Include bleeding control kits in the emergency plans of each school district and charter school, including the presentation and use of the bleeding control kits in all drills and emergencies;

(c) Require each school district and charter school to designate in each school building a school nurse or school health care provider or, if no school nurse or school health care provider is available, a school personnel member, who shall obtain appropriate training annually in the use of a bleeding control kit for school years prior to the 2027-28 school year and as established in section 168.331 for the 2027-28 school year and all subsequent school years, including, but not limited to:

- a. The proper application of pressure to stop bleeding;
- b. The proper application of dressings or bandages;
- c. Additional pressure techniques to control bleeding;

and

- d. The correct application of tourniquets;

(d) Require each bleeding control kit in school inventories to be inspected annually to ensure that the materials, supplies, and equipment contained in the bleeding control kit have not expired and that any expired materials, supplies, and equipment are replaced as necessary; and

(e) Require a bleeding control kit to be restocked after each use and any materials, supplies, and equipment to be replaced as necessary to ensure that the bleeding control kit contains all necessary materials, supplies, and equipment.

4. (1) The department shall, in collaboration with the United States Department of Homeland Security and the state department of public safety, include requirements in

the traumatic blood loss protocol for school personnel to receive annual training in the use of bleeding control kits for school years prior to the 2027-28 school year and as established in section 168.331 for the 2027-28 school year and all subsequent school years.

(2) The training requirements shall be satisfied by successful completion and certification under the "STOP THE BLEED" course as promulgated by the American College of Surgeons Committee on Trauma or the American Red Cross.

(3) The training requirements may allow online instruction.

5. (1) A bleeding control kit may contain any additional items that:

(a) Are approved by emergency medical services personnel, as such term is defined in section 190.600;

(b) Can adequately treat an injury involving traumatic blood loss; and

(c) Can be stored in a readily available kit.

(2) Quantities of each item required to be in a bleeding control kit may be determined by each school district.

6. (1) The department and each school district and charter school shall maintain information regarding the traumatic blood loss protocol and the Stop the Bleed national awareness campaign on each entity's website.

(2) Upon request by a school district or a charter school, the department may, in collaboration with the department of public safety, direct the school district or charter school to resources that are available to provide bleeding control kits to the school district or charter school.

7. (1) Except as otherwise provided in this subsection, each school district and charter school shall

implement the traumatic blood loss protocol developed under this section before the end of the 2025-26 school year.

(2) The requirements that a bleeding control kit be placed as required in paragraph (a) of subdivision (2) of subsection 3 of this section, that each kit be restocked as necessary, and that school personnel receive training under this section shall be subject to an appropriation by the general assembly to cover all costs related to such requirements.

(3) Any school district or charter school may receive donations of funds for the purchase of bleeding control kits that meet the requirements of this section and may receive donations of bleeding control kits that meet the requirements of this section.

8. This section shall not be construed to create a cause of action against a school district, a charter school, or any school personnel. Any school personnel who in good faith use a bleeding control kit as provided by this section shall be immune from all civil liability for any act or omission in the use of a bleeding control kit unless the act or omission constitutes gross negligence or willful, wanton, or intentional misconduct.

160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2. "Bullying" means intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written

communication, and any threat of retaliation for reporting of such acts. Bullying of students is prohibited on school property, at any school function, or on a school bus.

"Cyberbullying" means bullying as defined in this subsection through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.

3. Each district's antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat all students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each district's antibullying policy shall be included in the student handbook and shall require, at a minimum, the following components:

(1) A statement prohibiting bullying, defined no less inclusively than in subsection 2 of this section;

(2) A statement requiring district employees to report any instance of bullying of which the employee has firsthand knowledge. The policy shall require a district employee who witnesses an incident of bullying to report the incident to the district's designated individual at the school within two school days of the employee witnessing the incident;

(3) A procedure for reporting an act of bullying. The policy shall also include a statement requiring that the district designate an individual at each school in the district to receive reports of incidents of bullying. Such

individual shall be a district employee who is teacher level staff or above;

(4) A procedure for prompt investigation of reports of violations and complaints, identifying one or more employees responsible for the investigation including, at a minimum, the following requirements:

(a) Within two school days of a report of an incident of bullying being received, the school principal, or his or her designee, shall initiate an investigation of the incident;

(b) The school principal may appoint other school staff to assist with the investigation; and

(c) The investigation shall be completed within ten school days from the date of the written report unless good cause exists to extend the investigation;

(5) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

(6) A statement of how the policy is to be publicized; and

(7) A process for discussing the district's antibullying policy with students and training school employees and volunteers who have significant contact with students in the requirements of the policy, including, at a minimum, the following statements:

(a) The school district shall provide information and appropriate training to the school district staff who have significant contact with students regarding the policy. Such training shall be provided in accordance with the school district's policy for school years prior to the 2027-28 school year and as established in section 168.331 for the 2027-28 school year and all subsequent school years;

(b) The school district shall give annual notice of the policy to students, parents or guardians, and staff;

(c) The school district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to address bullying, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying;

(d) The administration of the school district shall instruct its school counselors, school social workers, licensed social workers, mental health professionals, and school psychologists to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques shall include, but not be limited to, cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills; or encouraging the student to develop an internal locus of control. The provisions of this paragraph shall not be construed to contradict or limit any other provision of this section; and

(e) The administration of the school district shall implement programs and other initiatives to address bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.

5. Notwithstanding any other provision of law to the contrary, any school district shall have jurisdiction to prohibit cyberbullying that originates on a school's campus or at a district activity if the electronic communication

was made using the school's technological resources, if there is a sufficient nexus to the educational environment, or if the electronic communication was made on the school's campus or at a district activity using the student's own personal technological resources. The school district may discipline any student for such cyberbullying to the greatest extent allowed by law.

6. Each district shall review its antibullying policy and revise it as needed. The district's school board shall receive input from school personnel, students, and administrators when reviewing and revising the policy.

162.065. On an annual basis, each school district shall provide training in at least ~~eight~~ four hours of duration to each school bus driver employed by the school district or under contract with the school district, notwithstanding any provision of section 168.331 to the contrary. Such training shall provide special instruction in school bus driving.

162.069. 1. Every school district shall, by March 1, 2012, promulgate a written policy concerning employee-student communication. The governing body of each charter school shall adopt a written policy concerning employee-student communication by January 1, 2014. Such policy shall include, but not be limited to, the use of electronic media and other mechanisms to prevent improper communications between staff members and students.

2. The school board of each school district and the governing body of each charter school shall, by January 1, 2014, adopt and implement training guidelines and ~~an~~ annual a training program for all school employees who are mandatory reporters of child abuse or neglect under section 210.115. Such training shall be provided annually for school years prior to the 2027-28 school year and as

established in section 168.331 for the 2027-28 school year and all subsequent school years.

3. Every school district and the governing body of each charter school shall, by July 1, 2014, include in its teacher and employee training a component that provides up-to-date and reliable information on identifying signs of sexual abuse in children and danger signals of potentially abusive relationships between children and adults. The training shall emphasize the importance of mandatory reporting of abuse under section 210.115 including the obligation of mandated reporters to report suspected abuse by other mandated reporters, and how to establish an atmosphere of trust so that students feel their school has concerned adults with whom they feel comfortable discussing matters related to abuse. The training shall also emphasize that:

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

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

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

167.625. 1. This section shall be known and may be cited as "Will's Law".

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

(1) "Individualized emergency health care plan", a document developed by a school nurse, in consultation with a student's parent and other appropriate medical professionals, that is consistent with the recommendations of the student's health care providers, that describes procedural guidelines that provide specific directions about

what to do in a particular emergency situation, and that is signed by the parent and the school nurse or the school administrator or the administrator's designee in the absence of the school nurse;

(2) "Individualized health care plan", a document developed by a school nurse, in consultation with a student's parent and other appropriate medical professionals who may be providing epilepsy or seizure disorder care to the student, that is consistent with the recommendations of the student's health care providers, that describes the health services needed by the student at school, and that is signed by the parent and the school nurse or the school administrator or the administrator's designee in the absence of the school nurse;

(3) "Parent", a parent, guardian, or other person having charge, control, or custody of a student;

(4) "School", any public elementary or secondary school or charter school;

(5) "School employee", a person employed by a school;

(6) "Student", a student who has epilepsy or a seizure disorder and who attends a school.

3. (1) The parent of a student who seeks epilepsy or seizure disorder care while at school shall inform the school nurse or the school administrator or the administrator's designee in the absence of the school nurse. The school nurse shall develop an individualized health care plan and an individualized emergency health care plan for the student. The parent of the student shall annually provide to the school written authorization for the provision of epilepsy or seizure disorder care as described in the individualized plans.

(2) The individualized plans developed under subdivision (1) of this subsection shall be updated by the

school nurse before the beginning of each school year and as necessary if there is a change in the health status of the student.

(3) Each individualized health care plan shall, and each individualized emergency health care plan may, include but not be limited to the following information:

(a) A notice about the student's condition for all school employees who interact with the student;

(b) Written orders from the student's physician or advanced practice nurse describing the epilepsy or seizure disorder care;

(c) The symptoms of the epilepsy or seizure disorder for that particular student and recommended care;

(d) Whether the student may fully participate in exercise and sports, and any contraindications to exercise or accommodations that shall be made for that particular student;

(e) Accommodations for school trips, after-school activities, class parties, and other school-related activities;

(f) Information for such school employees about how to recognize and provide care for epilepsy and seizure disorders, epilepsy and seizure disorder first aid training, when to call for assistance, emergency contact information, and parent contact information;

(g) Medical and treatment issues that may affect the educational process of the student;

(h) The student's ability to manage, and the student's level of understanding of, the student's epilepsy or seizure disorder; and

(i) How to maintain communication with the student, the student's parent and health care team, the school nurse

or the school administrator or the administrator's designee in the absence of the school nurse, and the school employees.

4. (1) The school nurse assigned to a particular school or the school administrator or the administrator's designee in the absence of the school nurse shall coordinate the provision of epilepsy and seizure disorder care at that school and ensure that all school employees are trained [every two years] in the care of students with epilepsy and seizure disorders including, but not limited to, school employees working with school-sponsored programs outside of the regular school day, as provided in the student's individualized plans.

(2) The training required under subdivision (1) of this subsection shall include an online or in-person course of instruction approved by the department of health and senior services that is provided by a reputable, local, Missouri-based health care or nonprofit organization that supports the welfare of individuals with epilepsy and seizure disorders.

(3) Such training shall be provided every two years for school years prior to the 2027-28 school year and as established in section 168.331 for the 2027-28 school year and all subsequent school years.

5. The school nurse or the school administrator, or the administrator's designee in the absence of the school nurse, shall obtain a release from a student's parent to authorize the sharing of medical information between the student's physician or advanced practice nurse and other health care providers. The release shall also authorize the school nurse or the school administrator, or the administrator's designee in the absence of the school nurse, to share medical information with other school employees in the school district as necessary. No sharing of information

under this subsection shall be construed to be a violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub. L. 104-191), as amended, if a student's parent has provided a release under this subsection.

6. No school employee including, but not limited to, a school nurse, a school bus driver, a school bus aide, or any other officer or agent of a school shall be held liable for any good faith act or omission consistent with the provisions of this section, nor shall an action before the state board of nursing lie against a school nurse for any such action taken by a school employee trained in good faith by the school nurse under this section. "Good faith" shall not be construed to include willful misconduct, gross negligence, or recklessness.

167.950. 1. (1) By December 31, 2017, the department of elementary and secondary education shall develop guidelines for the appropriate screening of students for dyslexia and related disorders and the necessary classroom support for students with dyslexia and related disorders. Such guidelines shall be consistent with the findings and recommendations of the task force created under section 633.420.

(2) In the 2018-19 school year and subsequent years, each public school, including each charter school, shall conduct dyslexia screenings for students in the appropriate year consistent with the guidelines developed by the department of elementary and secondary education.

(3) In the 2018-19 school year and subsequent years, the school board of each district and the governing board of each charter school shall provide reasonable classroom support consistent with the guidelines developed by the department of elementary and secondary education.

2. In the 2018-19 school year [and subsequent years] through the 2026-27 school year, the practicing teacher assistance programs established under section 168.400 shall offer and include two hours of in-service training provided by each local school district for all practicing teachers in such district regarding dyslexia and related disorders. Each charter school shall also offer all of its teachers two hours of training on dyslexia and related disorders. Districts and charter schools may seek assistance from the department of elementary and secondary education in developing and providing such training. Completion of such training shall count as two contact hours of professional development under section 168.021. Such training shall be provided as established in section 168.331 for the 2027-28 school year and all subsequent school years.

3. For purposes of this section, the following terms mean:

(1) "Dyslexia", a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary;

(2) "Dyslexia screening", a short test conducted by a teacher or school counselor to determine whether a student likely has dyslexia or a related disorder in which a

positive result does not represent a medical diagnosis but indicates that the student could benefit from approved support;

(3) "Related disorders", disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability;

(4) "Support", low-cost and effective best practices, such as oral examinations and extended test-taking periods, used to support students who have dyslexia or any related disorder.

4. The state board of education shall promulgate rules and regulations for each public school to screen students for dyslexia and related disorders and to provide the necessary classroom support for students with dyslexia and related disorders. 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, 2016, shall be invalid and void.

5. Nothing in this section shall require the MO HealthNet program to expand the services that it provides.

168.331. 1. As used in this section, "school employee" means an individual who works in any paid capacity for a school district or a charter school, such as a

superintendent, assistant superintendent, principal, assistant principal, supervising principal, supervisor, teacher, teacher-secretary, substitute teacher, school nurse, social worker, school counselor, school psychologist, mental health professional, librarian, janitor, cafeteria worker, or any other individual employed by such school district or charter school.

2. Except as provided in subsection 4 of this section, in the 2027-28 school year and each subsequent school year, the training, instruction, or education provided to each school employee of a school district or a charter school under section 160.261, 160.263, 160.485, 160.775, 162.069, 167.625, 167.950, 170.047, 170.048, or 170.315, other provisions of state law, or the employing school district's or charter school's policies shall be provided as follows:

(1) For each newly hired school employee, the employing school district or charter school shall provide such training, instruction, or education annually in each of the first three school years after the hiring of such school employee;

(2) For all other school employees, the employing school district or charter school shall provide such training, instruction, or education on a schedule as determined by such school district or charter school based on the needs of the school district or charter school, each school employee, or both; and

(3) Each school district and charter school shall provide each school employee sufficient time during work hours to complete such training, instruction, or education.

3. This section shall not be construed to exempt a school employee from attending or completing any training, instruction, or education that is required for such school

employee's position or job duties or that is required for such school employee by federal law.

4. In the 2027-28 school year and each subsequent school year, all new training, instruction, or education required under state law or rules promulgated by the department of elementary and secondary education for school employees shall be mandatory for and provided to each school employee for at least three consecutive school years before the provisions of subsection 2 of this section apply.

170.047. 1. This section shall be known and may be cited as the "Jason Flatt/Avery Reine Cantor Act".

2. (1) Beginning in the 2017-18 school year and continuing until the end of the 2022-23 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.

(2) Beginning in the 2023-24 school year and continuing in subsequent school years, the practicing teacher assistance programs established under section 168.400 may offer and include at least two hours of in-service training provided by each local school district for all practicing teachers in such district regarding suicide prevention. Each school year, all teachers, principals, and licensed educators in each district **[may]** shall attend such training or complete training on suicide prevention through self-review of suicide prevention materials as established under section 168.331 for the 2027-28 school year and all subsequent school years. Attendance at the training shall count as two contact hours of professional development under section 168.021 and shall count as two hours of any other such training required under this section.

3. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department may develop materials that may be used for the training described under subsection 2 of this section or may offer districts materials developed by a third party that districts may use for the training. Such training shall be provided as established in section 168.331 for the 2027-28 school year and all subsequent school years.

4. For purposes of this section, the term "licensed educator" shall refer to any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

5. The department of elementary and secondary education may promulgate rules and regulations to implement this section.

6. 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, 2016, shall be invalid and void.

170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness and prevention, including plans for how the district will provide for the training and education of its district employees. Such

training shall be provided in accordance with the school district's policy for school years prior to the 2027-28 school year and as established in section 168.331 for the 2027-28 school year and all subsequent school years.

2. Each district's policy shall address and include, but not be limited to, the following:

(1) Strategies that can help identify students who are at possible risk of suicide;

(2) Strategies and protocols for helping students at possible risk of suicide; and

(3) Protocols for responding to a suicide death.

3. By July 1, 2017, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The department shall review this information and may use it to adapt the department's model policy. The department shall post any information on its website that it has received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee.

4. (1) Beginning July 1, 2025, a public school or charter school that serves any pupils in grades seven to twelve and that issues pupil identification cards shall have printed on either side of the cards:

(a) The three-digit dialing code that directs calls and routes text messages to the Suicide and Crisis Lifeline, 988; and

(b) The nonemergency telephone number of the local police department; and

(c) May have printed on either side of the cards:

a. The six-digit dialing code that routes text messages to the Crisis Text Line, 741741; and

b. The telephone number of a local suicide prevention hotline, if such hotline is available.

(2) If, on July 1, 2025, a public school or charter school subject to the requirements of this subsection has a supply of unissued pupil identification cards that do not comply with the requirements of subdivision (1) of this subsection, the school shall issue those cards until that supply is depleted.

(3) Subdivision (1) of this subsection shall apply to a pupil identification card issued for the first time to a pupil and to a card issued to replace a damaged or lost card.

170.315. 1. (1) There is hereby established the "Active Shooter and Intruder Response Training for Schools Program (ASIRT)".

(2) For each school year ending before July 1, 2026, each school district and charter school may include in its teacher and school employee training a component on how to properly respond to students who provide them with information about a threatening situation and how to address situations in which there is a potentially dangerous or armed intruder in the school. Training may also include information and techniques on how to address situations where an active shooter is present in the school or on school property.

(3) For the 2026-27 school year and all subsequent school years, each school district and charter school shall include in its teacher and school employee training components on:

(a) How to properly respond to students who provide a teacher or school employee with information about a threatening situation;

(b) How to address situations in which there is a potentially dangerous or armed intruder in the school;

(c) Information and techniques on how to address situations where an active shooter is present in the school or on school property;

(d) How to identify potential threats or safety hazards; and

(e) Protocols for emergencies in the school including, but not limited to:

- a. Evacuations;
- b. Severe weather;
- c. Earthquakes;
- d. Fire; and
- e. Medical.

2. For the 2026-27 school year [and all subsequent school years], each school district and charter school [that elects to provide such training] shall conduct the training on an annual basis. The length of training shall be determined by the school district or charter school [electing to provide such training]. For the 2027-28 school year and all subsequent school years, each school district and charter school shall conduct the training as established in section 168.331, and the length of the training shall be determined by the school district or charter school.

3. All school personnel may participate in a simulated active shooter and intruder response drill conducted and led

by law enforcement professionals or school safety professionals. Each drill shall include an explanation of its purpose and a safety briefing.

4. All instructors for the program shall be certified by the department of public safety's peace officers standards training commission.

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

6. Public schools shall actively foster an environment in which students feel comfortable sharing information they have regarding a potentially threatening or dangerous situation with a responsible adult. As part of each public school's efforts to actively foster such environment, each public school shall annually provide age-appropriate information and training on the Missouri state highway patrol's Courage2ReportMO (C2R) reporting mechanism or its successor reporting mechanism.

7. For the 2026-27 school year and all subsequent school years, each school district and charter school shall hold an age-appropriate active shooter exercise in which students, teachers, and other school employees participate in and practice the procedures for safety and protection to be implemented under such conditions.

Section B. Because immediate action is necessary to protect private schools from liability and allow preparation for the 2026-27 school year, the enactment of section 160.231 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of

section 160.231 of this act shall be in full force and effect upon its passage and approval.