



Missouri Compilation of School Discipline Laws and Regulations

Prepared: January 31, 2020

Introduction

This compilation presents school discipline-related laws and regulations for U.S. states, U.S. territories, and the District of Columbia, and, where available, links to education agency websites or resources related to school discipline and student conduct. The discipline laws and regulations presented in this compilation have been categorized by type of specific discipline issue covered, according to an organizational framework developed by the National Center for Safe and Supportive Learning Environments (NCSSE). For example, one major category encompasses all laws or regulations governing states or territories that mandate specific disciplinary sanctions (such as suspension) for specific offenses (such as drug possession on school grounds). The school discipline laws and regulations were compiled through exhaustive searches of legislative websites that identified all laws and regulations relevant to each specific category. Compiled materials were subsequently reviewed by state education agency (SEA) representatives in the 50 states, Washington D.C., and the U.S. territories.

Discipline categories were not mutually exclusive. Laws and regulations often appeared across multiple categories. For jurisdictions with more extensive laws covering a breadth of topical areas, relevant sections were excerpted from the larger legislative text for inclusion in the appropriate discipline category. Laws, ordered by chapter and section number, appear first within each category followed by regulations. All laws and regulations listed within categories in the compilation also appear in the sources cited section of the document, which lists laws by chapter and section number and title, and where available, includes active hyperlinks to source websites supported or maintained by state legislatures. Additional links to government websites or resources are provided at the end of this document.

Notes & Disclaimers

To the best of the preparer's knowledge, this Compilation of School Discipline Laws and Regulations is complete and current as of January 2020. Readers should also note that the information in this document was compiled from individual sources that are created by each jurisdiction and which are maintained and updated with varying frequencies. Readers should consult the source information provided directly in order to check for updates to laws and regulations reported in this document or to conduct further research.

For further information, including definitions of the different policy categories, please refer to the [Discipline Laws and Regulations Compendium](#) posted on the Center's website.

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5 CSR 20-100.210. Persistently dangerous schools

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General Provisions

Authority to develop and establish rules of conduct

LAWS

§ 160.069. R.S.Mo. Policy on consequences of possession or drinking alcohol at school or during extracurricular activities.

Every school district shall develop a policy by June 30, 2006, detailing the consequences that will result for a student at school if the student is found to be in possession or drinking alcohol either on school property or while representing the school at extracurricular activities.

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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. 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.

2. [...] 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.

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.

§ 160.263. R.S.Mo. Confinement of a student prohibited, when-policy on restrictive behavioral interventions required-model policy to be developed.

2. 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:

- (1) 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;
- (2) Description of circumstances under which a restrictive behavioral intervention is allowed and prohibited 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;
- (3) Specific implementation requirements associated with a restrictive behavioral intervention such as time limits, facility specifications, training requirements or supervision requirements; and
- (4) Documentation, notice and permission requirements associated with use of a restrictive behavioral intervention.

§ 160.660. R.S.Mo. School safety provisions-rules.

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:

- (1) Each school district's designated safety coordinator to have 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
- (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.

§ 160.775. R.S.Mo. Antibullying policy required-definition- content, requirements.

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

§ 161.209. R.S.Mo. Rules and policies, department has affirmative duty to seek comment on-review of existing rules and policies, procedure-no penalty for failure to meet resource standards, when.

1. The department of elementary and secondary education has an affirmative duty to seek comment on its rules, regulations, and policies after their final approval or implementation. The department shall undertake such review on existing rules, regulations, and policies on an ad hoc, periodic basis with a priority given to such rules, regulations, and policies that could successfully be revised without affecting student achievement to accommodate periods when there is no increase in the appropriation for basic state aid funding pursuant to section 163.031 from one fiscal year to the next or when withholdings of appropriated funds result in a situation equivalent to no increase in such appropriation.

§ 161.210. R.S.Mo. State board may modify or waive rules, when.

State board may modify or waive rules, when

1. Notwithstanding any provision of law to the contrary, the state board of education is hereby granted authority to waive or modify any administrative rule adopted by the state board or policy implemented by the department of elementary and secondary education. School districts may submit applications for a waiver or modification authorized pursuant to this section. Each application shall include a written request by the school district or school districts and shall demonstrate that the intent of the rule or policy can be addressed in a more effective, efficient or economical manner or that the waiver or modification is necessary to implement a specific plan for improved student performance and school improvement. Prior to an application for waiver, the school district shall hold a public hearing regarding such waiver.
2. The state board of education may grant waivers or modifications for a school district or school districts that successfully demonstrate the ability to address the intent of the rule or policy in a more effective, efficient or economical manner or when the waivers or modifications are demonstrated to be necessary to stimulate innovation or improve student performance, provided that the waiver or

modification is based upon sound educational practices, does not endanger the health and safety of students or staff, and does not compromise equal opportunity for learning. Approved waivers or modifications shall remain in effect for a period not to exceed three school years and may be renewed by the state board of education upon application by the school district or school districts.

§ 171.011. R.S.Mo. School board may adopt rules and regulations.

The school board of each school district in the state may make all needful rules and regulations for the organization, grading and government in the school district. The rules shall take effect when a copy of the rules, duly signed by order of the board, is deposited with the district clerk. The district clerk shall transmit forthwith a copy of the rules to the teachers employed in the schools. The rules may be amended or repealed in like manner.

REGULATIONS

No relevant regulations found.

Scope

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

2. [...] 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 subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities.

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.

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. [...]

REGULATIONS

5 CSR 20-100.210. Persistently dangerous schools.

(3) A student shall be allowed to attend a safe public school within the district, if that student is enrolled in a persistently dangerous school as defined above or becomes a victim of a violent criminal offense while on school property which includes but is not limited to school buses or school activities.

Communication of policy

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

1. [...] 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. 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.

§ 160.775. R.S.Mo. Antibullying policy required-definition-content, requirements.

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;
- (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;
 - (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;

§ 162.208. R.S.Mo. nternet websites, required postings.

If any public school district hosts a district-sponsored internet website, that district shall post the following on such site:

- (1) A current version of that district's policy manual and all related documents; and
- (2) A current version of that district's handbook, or, if the district has more than one handbook, a current version of all of that district's handbooks.

REGULATIONS

No relevant regulations found.

In-School Discipline

Use of multi-tiered discipline approaches

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Teacher authority to remove students from classrooms

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Alternatives to suspension

LAWS

§ 167.164. R.S.Mo. Suspension or expulsion not to relieve duty to educate-district to pay costs of alternative education-voucher-district may contract for alternative education services.

1. Any suspension issued pursuant to section 167.161, or this section, or expulsion pursuant to section 167.161, shall not relieve the state or the suspended student's parents or guardians of their responsibilities to educate the student. School districts are encouraged to provide an in-school suspension system and to search for other acceptable discipline alternatives prior to using suspensions of more than ten days or expelling a student from the school.

REGULATIONS

No relevant regulations found.

Use of corporal punishment

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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. 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.

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. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall report the allegation to the children's division as set forth in section 210.115. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, 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.

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

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

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

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

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

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

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

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

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

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

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

§ 563.061. R.S.Mo. Use of force by persons with responsibility for care, discipline or safety of others.

The use of physical force by an actor upon another person is justifiable when the actor is a parent, guardian or other person entrusted with the care and supervision of a minor or an incompetent person or when the actor is a teacher or other person entrusted with the care and supervision of a minor for a special purpose; and

- (1) The actor reasonably believes that the force used is necessary to promote the welfare of a minor or incompetent person, or, if the actor's responsibility for the minor is for special purposes, to further that special purpose or to maintain reasonable discipline in a school, class or other group; and
- (2) The force used is not designed to cause or believed to create a substantial risk of causing death, serious physical injury, disfigurement, extreme pain or extreme emotional distress.

REGULATIONS

No relevant regulations found.

Use of student and locker searches

LAWS

§ 167.166. R.S.Mo. Prohibition on strip searches, exceptions-strip search defined-violation, penalty-prohibition on removal of certain items not deemed disruptive.

1. Except as provided in subsections 2 and 3 of this section, no employee of or volunteer at any public school or charter school within this state shall perform a strip search, as that term is defined in section 544.193, of any student of any such school. However, strip searches may be conducted by, or under the authority of, a commissioned law enforcement officer.
2. A student may be strip searched by a school employee only if a commissioned law enforcement officer is not immediately available and if the school employee reasonably believes that a student possesses a weapon, explosive, or substance that poses an imminent threat of physical harm to himself or herself or another person.
3. For the purposes of this section, the term "strip search" shall not include the removal of clothing in order to investigate the potential abuse or neglect of a student; give medical attention to a student; provide health services to a student; or screen a student for medical conditions.
4. If a student is strip searched by an employee of a school or a commissioned law enforcement officer, the district will attempt to notify the student's parent or guardian as soon as possible.

REGULATIONS

No relevant regulations found.

Other in-school disciplinary approaches

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Out-of-School and Exclusionary Discipline: Suspensions, Expulsion, Restraint and Seclusion, and Alternative Placements

Grounds for possible suspension or expulsion

LAWS

§ 167.161. R.S.Mo. Suspension or expulsion of pupil-notice-hearing-felony violation, grounds for suspension.

1. The school board of any district, after notice to parents or others having custodial care and a hearing upon charges preferred, may suspend or expel a pupil for conduct which is prejudicial to good order and discipline in the schools or which tends to impair the morale or good conduct of the pupils. In addition to the authority granted in section 167.171, a school board may authorize, by general rule, the immediate removal of a pupil upon a finding by the principal, superintendent, or school board that the pupil poses a threat of harm to such pupil or others, as evidenced by the prior conduct of such pupil. [...]
2. The school board of any district, after notice to parents or others having custodial care and a hearing upon the matter, may suspend a pupil upon a finding that the pupil has been charged, convicted or pled guilty in a court of general jurisdiction for the commission of a felony criminal violation of state or federal law. At a hearing required by this subsection, the board shall consider statements that the parties present. The board may provide for the procedure and conduct of such hearings.

§ 171.141. R.S.Mo. Fraternities and sororities may be barred-enforcement.

3. Upon the adoption of the rule authorized by subsection 2, the school board may suspend, discipline and expel from the schools under its control, any pupil who remains a member of, who joins or promises to join, or who becomes pledged to become a member, or who solicits any other person to join, promise to join or be pledged or to become a member of a school fraternity or sorority. Upon direction of the board, by rule or otherwise, the superintendent of schools may suspend and discipline any person who violates the rule authorized by subsection 2 until the time that the matter is considered by the board.
For definitions see § 171.141 R.S.Mo. (2013) (1).

REGULATIONS

No relevant regulations found.

Grounds for mandatory suspension or expulsion

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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.

REGULATIONS

No relevant regulations found.

Limitations, conditions or exclusions for use of suspension and expulsion

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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.

§ 167.161. R.S.Mo. Suspension or expulsion of pupil-notice-hearing-felony violation, grounds for suspension.

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

§ 167.171. R.S.Mo. Summary suspension of pupil-appeal-grounds for suspension-procedure-conference required, when-statewide suspension, when.

The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school

days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. [...]

REGULATIONS

No relevant regulations found.

Administrative procedures related to suspension and expulsion

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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.

22. 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.

§ 167.023. R.S.Mo. Affidavit of expulsion for certain offenses required for student admission-false statements, penalty.

Prior to admission to any public school, a school board may require the parent, guardian, or other person having control or charge of a child of school age to provide, upon enrollment, a sworn statement or affirmation indicating whether the student has been expelled from school attendance at any school, public or private, in this state or in any other state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. Any person making a materially false statement or affirmation shall be guilty upon conviction of a class B misdemeanor. The registration document shall be maintained as a part of the student's scholastic record.

§ 167.161. R.S.Mo. Suspension or expulsion of pupil-notice-hearing-felony violation, grounds for suspension.

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

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

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a

special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.

§ 167.171. R.S.Mo. Summary suspension of pupil-appeal-grounds for suspension-procedure-conference required, when-statewide suspension, when.

1. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts relating to the suspension, the action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

- (1) The pupil shall be given oral or written notice of the charges against such pupil;
- (2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;
- (3) The pupil shall be given an opportunity to present such pupil's version of the incident; and
- (4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

REGULATIONS

No relevant regulations found.

In-school suspension

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Return to school following removal

LAWS

§ 167.171. Summary suspension of pupil-appeal-grounds for suspension-procedure-conference required, when-statewide suspension, when.

1. The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts relating to the suspension, the action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

- (1) The pupil shall be given oral or written notice of the charges against such pupil;
- (2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;
- (3) The pupil shall be given an opportunity to present such pupil's version of the incident; and
- (4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

3. No school board shall readmit or enroll a pupil properly suspended for more than ten consecutive school days for an act of school violence as defined in subsection 2 of section 160.261 regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school, or otherwise permit such pupil to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference shall include the appropriate school officials including any teacher employed in that school or district directly involved with the conduct that resulted in the suspension or expulsion, the pupil, the parent or guardian of the pupil or any agency having legal jurisdiction, care, custody or control of the pupil. The school board shall notify in writing the parents or guardians and all other parties of the time, place, and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. Notwithstanding any provision of this subsection to the contrary, no pupil shall be readmitted or enrolled to a regular program of instruction if:

- (1) Such pupil has been convicted of; or
- (2) An indictment or information has been filed alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or

(3) A petition has been filed pursuant to section 211.091 alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or

(4) The pupil has been adjudicated to have committed an act which if committed by an adult would be one of the following:

(a) First degree murder under section 565.020;

(b) Second degree murder under section 565.021;

(c) First degree assault under section 565.050;

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

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

(f) Statutory rape under section 566.032;

(g) Statutory sodomy under section 566.062;

(h) 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;

(i) 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;

(j) Arson in the first degree under section 569.040;

(k) Kidnapping or kidnapping in the first degree, when classified as a class A felony under section 565.110.

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

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.

REGULATIONS

No relevant regulations found.

Use of restraint and seclusion

LAWS

§ 160.263. R.S.Mo. Confinement of a student prohibited, when-policy on restrictive behavioral interventions required-model policy to be developed.

1. The school discipline policy under section 160.261 shall prohibit confining a student in an unattended, locked space except for an emergency situation while awaiting the arrival of law enforcement personnel.

2. 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:

- (1) 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;
- (2) Description of circumstances under which a restrictive behavioral intervention is allowed and prohibited 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;
- (3) Specific implementation requirements associated with a restrictive behavioral intervention such as time limits, facility specifications, training requirements or supervision requirements; and
- (4) Documentation, notice and permission requirements associated with use of a restrictive behavioral intervention.

3. 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 by July 1, 2010.

REGULATIONS

No relevant regulations found.

Alternative placements

LAWS

§ 167.164. R.S.Mo. Suspension or expulsion not to relieve duty to educate-district to pay costs of alternative education-voucher-district may contract for alternative education services.

1. Each school district or special school district constituting the domicile of any child for whom alternative education programs are provided or procured under this section shall pay toward the per pupil costs for alternative education programs for such child. A school district which is not a special school district shall pay an amount equal to the average sum produced per child by the local tax effort of the district of domicile. A special school district shall pay an amount not to exceed the average sum produced per child by the local tax efforts of the domiciliary districts. When educational services have been provided by the school district or special school district in which a child actually resides, other than the district of domicile, the amounts as provided in subsection 2 of this section* for which the domiciliary school district or special school district is responsible shall be paid by such district directly to the serving district. The school district, or special school district, as the case may be, shall send a written voucher for payment to the regular or special district constituting the domicile of the child served and the domiciliary school district or special school district receiving such voucher shall pay the district providing or procuring the services an

amount not to exceed the average sum produced per child by the local tax efforts of the domiciliary districts. In the event the responsible district fails to pay the appropriate amount to the district within ninety days after a voucher is submitted, the state department of elementary and secondary education shall deduct the appropriate amount due from the next payments of any state financial aid due that district and shall pay the same to the appropriate district.

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

§ 167.091. R.S.Mo. Truant or parental schools, establishment-attendance may be compelled-neglected children, attendance-support payments.

1. The school board of any district which has ten thousand inhabitants or more, may establish and maintain from the public school funds one or more special truant or parental day schools in the city or district for children who are either habitual truants from any school in which they are enrolled as pupils, or who, while in attendance at any school are incorrigible, vicious or immoral, or who habitually wander or loiter about the streets or roads or other public places without lawful employment, or who, in the opinion of the board or of its superintendent of instruction, require special attention and instruction. The school board, through its officers, may assign, require and compel all such children to attend the special truant or parental school or any department of the graded schools that the board directs.

2. The board may also establish and maintain from the public school funds, either within or without its district, a parental school for the care and education of any child resident of the school district and committed to it by a juvenile court under the provisions of section 211.181. For every child committed to the school there shall be paid to the board of education out of the treasury of the city or county the sum of ten dollars per month for the support, maintenance, clothing and other expenses of the child from the time of its entrance into the school until its discharge therefrom.

REGULATIONS

5 CSR 20-100.210. Persistently dangerous schools.

(1) The following definition(s) apply to this rule:

(A) Expulsions are defined as removal from school by local board action for an indefinite period of time unless the student is reinstated by the local board of education.

(B) A victim is a student who suffered a personal injury or injury to his or her property as a direct result of a violent criminal offense. The definition of victim does not include bystanders or witnesses to the act or friends or classmates of the victim unless they, too, suffered personal or property injury as a direct result of a violent criminal offense.

(2) A Missouri public elementary or secondary school is persistently dangerous if the following conditions exist:

(A) In each of three (3) consecutive years:

1. The school has a federal and/or state gun-free schools violation; or
2. A violent criminal offense as set forth below is committed on school property which includes but is not limited to school buses or school activities; and

(B) In any two (2) years within the three (3)-year period listed above, the school experienced expulsions by local board action, for drug, alcohol, weapons or violence that exceed one (1) of the following rates:

1. More than five (5) expulsions per year for a school of less than two hundred fifty (250) students;
2. More than ten (10) expulsions per year for a school of more than two hundred fifty (250) students but less than one thousand (1,000) students; or
3. More than fifteen (15) expulsions per year for a school of more than one thousand (1,000) students.

(3) A student shall be allowed to attend a safe public school within the district, if that student is enrolled in a persistently dangerous school as defined above or becomes a victim of a violent criminal offense while on school property which includes but is not limited to school buses or school activities.

(4) For the purpose of determining a persistently dangerous school, a “violent criminal offense” shall be any offense that would require school administrators to, as soon as reasonably practical, notify the appropriate law enforcement agency pursuant to section 160.261, RSMo. Violent criminal offenses shall be reported by the school district to the Department of Elementary and Secondary Education (DESE) through Core Data. Violent criminal offenses are as follows:

- (A) Murder 1st Degree under section 565.020, RSMo;
- (B) Murder 2nd Degree under section 565.021, RSMo;
- (C) Kidnapping under section 565.110, RSMo;
- (D) Assault 1st Degree under section 565.050, RSMo;
- (E) Forcible Rape under section 566.030, RSMo;
- (F) Forcible Sodomy under section 566.060, RSMo;
- (G) Burglary 1st Degree under section 569.160, RSMo;
- (H) Burglary 2nd Degree under section 569.170, RSMo;
- (I) Robbery 1st Degree under section 569.020, RSMo;
- (J) Distribution of Drugs under section 195.211, RSMo;
- (K) Distribution of Drugs to a Minor under section 195.212, RSMo;
- (L) Arson 1st Degree under section 569.040, RSMo;
- (M) Voluntary Manslaughter under section 565.023, RSMo;
- (N) Involuntary Manslaughter under section 565.024, RSMo;
- (O) Assault 2nd Degree under section 565.060, RSMo;
- (P) Sexual Assault under section 566.040, RSMo;
- (Q) Felonious Restraint under section 565.120, RSMo;
- (R) Property Damage 1st Degree under section 569.100, RSMo;
- (S) Possession of a Weapon under Chapter 571, RSMo;
- (T) Child Molestation 1st Degree under section 566.067, RSMo;
- (U) Deviate Sexual Assault under section 566.070, RSMo;
- (V) Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or
- (W) Sexual Abuse under section 566.100, RSMo.

(5) For the purpose of determining when a student has been a victim of a violent criminal offense eligible to transfer to a safe school in the district, a violent criminal offense includes:

- (A) Kidnapping under section 565.110, RSMo;
- (B) Assault 1st Degree under section 565.050, RSMo;
- (C) Forcible Rape under section 566.030, RSMo;

- (D) Forcible Sodomy under section 566.060, RSMo;
 - (E) Burglary 1st Degree under section 569.160, RSMo.
 - (F) Robbery 1st Degree under section 569.020, RSMo;
 - (G) Arson 1st Degree under section 569.040, RSMo;
 - (H) Assault 2nd Degree under section 565.060, RSMo;
 - (I) Sexual Assault under section 566.040, RSMo;
 - (J) Felonious Restraint under section 565.120, RSMo;
 - (K) Property Damage 1st Degree under section 569.100, RSMo;
 - (L) Child Molestation 1st Degree under section 566.067, RSMo;
 - (M) Deviate Sexual Assault under section 566.070, RSMo;
 - (N) Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or
 - (O) Sexual Abuse under section 566.100, RSMo.
- (6) A Missouri public elementary or secondary school shall receive technical assistance from DESE staff which includes but may not be limited to a site visit to work with building and district staff to prepare and implement a plan to prevent the building from meeting the criteria for a second year if it has:
- (A) In any one (1) year:
 - 1. A federal or state gun-free schools violation; or
 - 2. A violent criminal offense, as set forth above, on school property; or
 - (B) In any one (1) year, expulsions by local board action for drugs, alcohol, weapons or violence that exceed one (1) of the following rates:
 - 1. More than five (5) expulsions for schools of less than two hundred fifty (250) students;
 - 2. More than ten (10) expulsions for schools of more than two hundred fifty (250) students, but less than one thousand (1,000) students; or
 - 3. More than fifteen (15) expulsions per year for a school of more than one thousand (1,000) students.

Disciplinary Approaches Addressing Specific Infractions and Conditions

Firearms (as required by the Gun-Free Schools Act)

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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. 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.

22. 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.

§ 171.410. R.S.Mo. Program may be taught to first graders, purpose.

1. Each school district and charter school may annually teach the Eddie Eagle Gunsafe Program to first grade students. School districts and charter schools may also teach any substantially similar program of the same qualifications or any successor program in lieu of the Eddie Eagle Gunsafe Program.
2. The purpose of the educational program shall be to promote the safety and protection of children. The educational program shall emphasize how students should respond if they encounter a firearm. School personnel and program instructors shall not make value judgments about firearms.
3. No school district or charter school shall include or use a firearm or demonstrate the use of a firearm when teaching the program.
4. Students with disabilities shall participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.
5. School districts and charter schools may seek grant funding for the program from public, private, and nonprofit entities.

571.010. Definitions.

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

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

571.030. R.S.Mo. Unlawful use of weapons-exceptions-penalties.

1. A person commits the crime of unlawful use of weapons if he or she knowingly:

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

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

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person nineteen** years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

7. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

REGULATIONS

No relevant regulations found.

Other weapons

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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. 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.

22. 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.

REGULATIONS

No relevant regulations found.

Students with chronic disciplinary issues

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Attendance and truancy

LAWS

§ 167.034. R.S.Mo. Absences in St. Louis City reported to division of family services, children's division, when, notification requirements-duties of children's division.

1. In any city not within a county where a child under the age of seventeen required to attend school under section 167.031 accumulates fifteen or more absences during any one school year, the child's school district shall report such absences to the division of family services, children's division, within ten business days of the fifteenth day of absence. Such notification, which shall be in written form and retained in the student's school records, shall include:

- (1) The student's full name and parents' or guardians' full names;
- (2) The addresses and phone numbers of the student and parents or guardians;
- (3) The student's date of birth and age;
- (4) The student's current school and grade level;
- (5) The student's current grades for all classes in which the student is enrolled; and
- (6) The total number of days missed and specific days missed from school.

2. Upon receipt of a report of the absences of a child under this section, the children's division shall notify the child's parent or guardian that the child has accumulated fifteen or more absences and such report may be subject to the educational neglect provisions under section 210.145. The notification required

under this section is required regardless of whether a student's parent or guardian contacted the school and approved of the absences.

§ 167.061. R.S.Mo. Penalty for violating compulsory attendance law.

Any parent, guardian or other person having charge, control or custody of a child, who violates the provisions of section 167.031 is guilty of a class C misdemeanor. Upon conviction and pending any judicial appeal, the defendant shall be required to enroll the child in a public, private, parochial, parish or home school within three public school days, after which each successive school day shall constitute a separate violation of section 167.031. The fine or imprisonment, or both, may be suspended and finally remitted by the court, with or without the payment of costs, at the discretion of the court, if the child is immediately placed and kept in regular attendance at a public, private, parochial, parish or home school and if the fact of regular attendance is proved subsequently to the satisfaction of the court. A certificate stating that the child is regularly attending a public, private, parochial or parish school and properly attested by the superintendent, principal or person in charge of the school is prima facie evidence of regular attendance by the child.

§ 167.071. R.S.Mo. School attendance officers in seven-director districts, powers and duties-powers of police officers in certain areas.

1. In school districts having seven or more directors the school board may appoint and remove at pleasure one or more school attendance officers and shall pay them from the public school funds.
2. Each attendance officer has the powers of a deputy sheriff in the performance of his duties. He shall investigate the claims of children for exemptions under section 167.031, and report his findings to the person authorized by that section to grant the exemption sought. He shall refer all cases involving an alleged violation of section 167.031 involving a public school to the superintendent of the public school of the district where the child legally resides and all cases involving an alleged violation of section 167.031 involving a private, parochial, parish or home school to the prosecuting attorney of the county wherein the child legally resides. When reasonable doubt exists as to the age of any such child he may require a properly attested birth certificate or an affidavit stating the child's age, date of birth, physical characteristics and bearing the signature of the child. He may visit and enter any mine, office, factory, workshop, business house, place of amusement, or other place in which children are employed or engaged in any kind of service, or any place or building in which children loiter or idle during school hours; may require a properly attested certificate of the attendance of any child at school; may arrest, without warrant, any truant, or nonattendants or other juvenile disorderly persons, and place them in some school or take them to their homes, or take them to any place of detention provided for neglected children in the county or school district. He shall serve in the cases which he prosecutes without additional fee or compensation. Each attendance officer appointed by a school board shall carry into effect the regulations lawfully prescribed by the board by which he was appointed.

§ 167.091. R.S.Mo. Truant or parental schools, establishment-attendance may be compelled-neglected children, attendance-support payments.

1. The school board of any district which has ten thousand inhabitants or more, may establish and maintain from the public school funds one or more special truant or parental day schools in the city or district for children who are either habitual truants from any school in which they are enrolled as pupils, or who, while in attendance at any school are incorrigible, vicious or immoral, or who habitually wander or loiter about the streets or roads or other public places without lawful employment, or who, in the opinion of the board or of its superintendent of instruction, require special attention and instruction. The school board, through its officers, may assign, require and compel all such children to attend the special truant or parental school or any department of the graded schools that the board directs.

2. The board may also establish and maintain from the public school funds, either within or without its district, a parental school for the care and education of any child resident of the school district and committed to it by a juvenile court under the provisions of section 211.181. For every child committed to the school there shall be paid to the board of education out of the treasury of the city or county the sum of ten dollars per month for the support, maintenance, clothing and other expenses of the child from the time of its entrance into the school until its discharge therefrom.

§ 167.111. R.S.Mo. Officials to enforce compulsory attendance law.

The state commissioner of education, superintendents of schools, school boards, county superintendents of public welfare, and every school attendance and probation officer shall enforce all laws relating to compulsory school attendance.

REGULATIONS

No relevant regulations found.

Substance use

LAWS

§ 160.069. R.S.Mo. Policy on consequences of possession or drinking alcohol at school or during extracurricular activities.

Every school district shall develop a policy by June 30, 2006, detailing the consequences that will result for a student at school if the student is found to be in possession or drinking alcohol either on school property or while representing the school at extracurricular activities.

§ 579.150. R.S.Mo. Distribution of prescription medication on school property-exceptions-penalty.

1. A person commits the offense of distribution of prescription medication on school property if he or she is less than twenty-one years of age and knowingly distributes upon the real property comprising a public or private elementary or secondary school or school bus a prescription medication to any individual who does not have a valid prescription for such medication. For purposes of this section, prescription medication shall not include medication containing a controlled substance, as defined in section 195.010.
2. The provisions of this section shall not apply to any person authorized to distribute a prescription medication by any school personnel who are responsible for storing, maintaining, or dispensing any prescription medication under chapter 338. This section shall not limit the use of any prescription medication by emergency personnel during an emergency situation.
3. The offense of distribution of prescription medication on school property is a class B misdemeanor for a first offense and a class A misdemeanor for any second or subsequent offense.

§ 579.155. R.S.Mo. Possession of prescription medication on school property - exceptions - penalty.

1. A person commits the offense of possession of prescription medication on school property if he or she is less than twenty-one years of age and knowingly possesses upon the real property comprising a public or private elementary or secondary school or school bus prescription medication without a valid prescription for such medication. For purposes of this section, prescription medication shall not include medication containing a controlled substance, as defined in section 195.010.
2. The provisions of this section shall not apply to any person authorized to possess a prescription medication by any school personnel who are responsible for storing, maintaining, or dispensing any

prescription medication under chapter 338. This section shall not limit the use of any prescription medication by emergency personnel during an emergency situation.

3. The offense of possession of prescription medication on school property is a class C misdemeanor for a first offense and a class B misdemeanor for any second or subsequent offense.

REGULATIONS

No relevant regulations found.

Bullying, harassment, or hazing

LAWS

§ 160.775. R.S.Mo. Antibullying policy required-definition- content, requirements.

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;

(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.

REGULATIONS

No relevant regulations found.

Other special infractions or conditions

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Prevention and Behavioral Interventions (Non-Punitive)

Prevention

LAWS

§ 160.775. R.S.Mo. Antibullying policy required-definition-content, requirements.

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

(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;

(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.

§ 161.203. R.S.Mo. Videotape to be produced on prison conditions and the young offender-rules for distribution to all districts-viewing required for all students and status offenders, exceptions.

1. The department of corrections, in cooperation with the department of elementary and secondary education, shall prepare a film or videotape which relates to Missouri prisons and which specifically addresses prison conditions, young offenders and the liberties that are lost as a result of imprisonment. Funding for the film may be made from appropriations requested by the department of elementary and secondary education and approved by the Missouri general assembly from funding received from federal or private grants or donations received from private individuals or groups. No funding shall come from general revenue.

2. The department of elementary and secondary education shall promulgate rules and regulations to provide for the viewing of the film, prepared pursuant to subsection 1 of this section. Such rules and regulations shall attempt to make available such video or film to all districts requesting it, and require viewing by all status offenders or students convicted of misdemeanors, excluding traffic violations.

§ 161.506. R.S.Mo. Concentration of program-elements-enhanced efforts-use of funds-advisory committee.

1. Law enforcement agencies and school districts receiving funds under sections 161.500 to 161.508 shall concentrate enhanced apprehension, prevention and education efforts and resources on drug and alcohol use and drug trafficking in and around schools, parks and playgrounds. Such enhanced apprehension, prevention, and education efforts shall include, but not be limited to:

- (1) Drug and alcohol traffic intervention programs;
- (2) School- and classroom-oriented programs, using tested drug and alcohol education curriculum that provides in-depth and accurate information on drugs and alcohol, which may include the participation of local law enforcement agencies and qualified drug and alcohol use prevention specialists and which are designed to increase teachers' and students' awareness of drugs and alcohol and their effects;
- (3) Family-oriented programs aimed at preventing drug and alcohol use, which may include the participation of community-based organizations experienced in the successful operation of such programs;
- (4) The establishment of a local drug-free school advisory committee. The committee shall be established and appointed by the school board of each school district. The committee may be a newly created committee or an existing local drug and alcohol use committee as designated by the appointing authority. The committee shall be composed of, at a minimum, the following:
 - (a) Local and law enforcement executives;
 - (b) School district administrators;
 - (c) School-site staff, which includes administrators, teachers and certified personnel;
 - (d) Parents;
 - (e) Students;
 - (f) School peace officers;
 - (g) State, county, or local drug and alcohol program administrators designated pursuant to chapter 195; and
 - (h) Drug and alcohol prevention program executives;
- (5) Development and distribution of appropriate written and audiovisual aids for training of school and law enforcement staff for handling drug- and alcohol-related problems and offenses. Appropriate existing aids may be used in lieu of the development of new materials;
- (6) Development of prevention and intervention programs for elementary school teachers and students, including utilization of existing prevention and intervention programs;
- (7) Development of a coordinated intervention system that identifies students with chronic drug and alcohol abuse treatment programs.

2. Enhanced apprehension, prevention, and education efforts commenced under this section shall be a joint effort between law enforcement agencies and local school districts. These efforts shall include, but are not limited to, the concentration of apprehension efforts in problem areas cooperatively identified by local school and law enforcement authorities.

§ 161.650. R.S.Mo. Department to identify and adopt violence prevention program, district to administer-state board to adopt violence prevention program-duties-administered how-funding.

1. The department of elementary and secondary education shall identify and adopt an existing program or programs of educational instruction regarding violence prevention to be administered by public school districts pursuant to subsection 2 of this section, and which shall include, but shall not be limited to, instructing students of the negative consequences, both to the individual and to society at large, of

membership in or association with criminal street gangs or participation in criminal street gang activity, as those phrases are defined in section 578.421, and shall include related training for school district employees directly responsible for the education of students concerning violence prevention and early identification of and intervention in violent behavior. The state board of education shall adopt such program or programs by rule as approved for use in Missouri public schools. The program or programs of instruction shall encourage nonviolent conflict resolution of problems facing youth; present alternative constructive activities for the students; encourage community participation in program instruction, including but not limited to parents and law enforcement officials; and shall be administered as appropriate for different grade levels and shall not be offered for academic credit.

§ 161.1050. R.S.Mo. Initiative established, department duties-definitions.

1. There is hereby established within the department of elementary and secondary education the "Trauma-Informed Schools Initiative".
2. The department of elementary and secondary education shall consult the department of mental health and the department of social services for assistance in fulfilling the requirements of this section.
3. The department of elementary and secondary education shall:
 - (1) Provide information regarding the trauma-informed approach to all school districts;
 - (2) Offer training on the trauma-informed approach to all school districts, which shall include information on how schools can become trauma-informed schools; and
 - (3) Develop a website about the trauma-informed schools initiative that includes information for schools and parents regarding the trauma-informed approach and a guide for schools on how to become trauma-informed schools.
4. Each school district shall provide the address of the website described under subdivision (3) of subsection 3 of this section to all parents of the students in its district before October first of each school year.
5. For purposes of this section, the following terms mean:
 - (1) "Trauma-informed approach", an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan;
 - (2) "Trauma-informed school", a school that:
 - (a) Realizes the widespread impact of trauma and understands potential paths for recovery;
 - (b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;
 - (c) Responds by fully integrating knowledge about trauma into its policies, procedures, and practices; and
 - (d) Seeks to actively resist retraumatization.

§ 161.1055. R.S.Mo. Pilot program established, selection of schools-fund created-definitions.

1. Subject to appropriations, the department of elementary and secondary education shall establish the "Trauma-Informed Schools Pilot Program".
2. Under the trauma-informed schools pilot program, the department of elementary and secondary education shall choose five schools to receive intensive training on the trauma-informed approach.
3. The five schools chosen for the pilot program shall be located in the following areas:
 - (1) One public school located in a metropolitan school district;
 - (2) One public school located in a home rule city with more than four hundred thousand inhabitants and located in more than one county;

(3) One public school located in a school district that has most or all of its land area located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(4) One public school located in a school district that has most or all of its land area located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants; and

(5) One public school located in any one of the following counties:

(a) A county of the third classification without a township form of government and with more than forty-one thousand but fewer than forty-five thousand inhabitants;

(b) A county of the third classification without a township form of government and with more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat;

(c) A county of the third classification with a township form of government and with more than thirty-one thousand but fewer than thirty-five thousand inhabitants;

(d) A county of the third classification without a township form of government and with more than fourteen thousand but fewer than sixteen thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat;

(e) A county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat;

(f) A county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

(g) A county of the third classification without a township form of government and with more than fourteen thousand but fewer than sixteen thousand inhabitants and with a city of the fourth classification with more than one thousand nine hundred but fewer than two thousand one hundred inhabitants as the county seat;

(h) A county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat;

(i) A county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants; or

(j) A county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than five hundred but fewer than five hundred fifty inhabitants as the county seat.

4. The department of elementary and secondary education shall:

(1) Train the teachers and administrators of the five schools chosen for the pilot program regarding the trauma-informed approach and how to become trauma-informed schools;

(2) Provide the five schools with funds to implement the trauma-informed approach; and

(3) Closely monitor the progress of the five schools in becoming trauma-informed schools and provide further assistance if necessary.

5. The department of elementary and secondary education shall terminate the trauma-informed schools pilot program on August 28, 2019. Before December 31, 2019, the department of elementary and secondary education shall submit a report to the general assembly that contains the results of the pilot program, including any benefits experienced by the five schools chosen for the program.

6.(1) There is hereby created in the state treasury the "Trauma-Informed Schools Pilot Program Fund". The fund shall consist of any appropriations to such fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

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

(1) "Trauma-informed approach", an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan;

(2) "Trauma-informed school", a school that:

(a) Realizes the widespread impact of trauma and understands potential paths for recovery;

(b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;

(c) Responds by fully integrating knowledge about trauma into its policies, procedures, and practices; and

(d) Seeks to actively resist retraumatization.

8. The provisions of this section shall expire December 31, 2019.

§ 162.946. R.S.Mo. Disability history and awareness instruction, school board may require- October designated disability history and awareness month-content and goals of instruction.

1. Each district school board may require schools within the district to provide disability history and awareness instruction in all K-12 public schools during the month of October of each year. The month of October shall be designated "Disability History and Awareness Month".

2. During disability history and awareness month, students may be provided instruction to expand their knowledge, understanding, and awareness of individuals with disabilities, the history of disability, and the disability rights movement.

3. Disability history may include the events and time lines of the development and evolution of services to, and the civil rights of, individuals with disabilities. Disability history may also include the contributions of specific individuals with disabilities, including the contributions of acknowledged national leaders. The instruction may be integrated into the existing school curriculum in ways including, but not limited to, supplementing lesson plans, inviting classroom and assembly speakers with experience or expertise on disabilities, or providing other school-related activities. The instruction may be delivered by qualified school personnel or by knowledgeable guest speakers.

4. The goals of the disability history and awareness instruction include:

(1) Instilling in students sensitivity for fellow students with disabilities and encouraging educational cultures that nurture safe and inclusive environments for students with disabilities in which bullying is discouraged and respect and appreciation for students with disabilities is encouraged;

(2) An understanding that disability is a natural part of the human experience; we are all more alike than different; and regardless of disability, every citizen is afforded the same rights and responsibilities as that of any other;

(3) The creation of a more inclusive school community, where students with disabilities are included in every aspect of society, and every student is acknowledged for their unique gifts, talents, and contributions; and

(4) Reaffirmation of the local, state, and federal commitment to the full inclusion in society of, and the equal opportunity for, all individuals with disabilities. The department of elementary and secondary education may identify and adopt preliminary guidelines for each district school board to use to develop its curriculum that incorporates these goals for the disability history and awareness instruction. In respect of local control, school districts are encouraged to exercise innovation that accomplishes the above-stated goals.

5. Institutions of higher education within the state are encouraged to conduct and promote activities on individual campuses that provide education, understanding, and awareness of individuals with disabilities.

§ 170.048. R.S.Mo. Youth suicide awareness and prevention policy, requirements-model policy, feedback.

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.

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.

§ 171.410. R.S.Mo. Program may be taught to first graders, purpose.

1. Each school district and charter school may annually teach the Eddie Eagle Gunsafe Program to first grade students. School districts and charter schools may also teach any substantially similar program of the same qualifications or any successor program in lieu of the Eddie Eagle Gunsafe Program.

2. The purpose of the educational program shall be to promote the safety and protection of children. The educational program shall emphasize how students should respond if they encounter a firearm. School personnel and program instructors shall not make value judgments about firearms.

3. No school district or charter school shall include or use a firearm or demonstrate the use of a firearm when teaching the program.

4. Students with disabilities shall participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.

5. School districts and charter schools may seek grant funding for the program from public, private, and nonprofit entities.

REGULATIONS

No relevant regulations found.

Behavioral interventions and student support services

LAWS

§ 160.775. R.S.Mo. Antibullying policy required-definition-content, requirements.

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

(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;

(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.

§ 161.506. R.S.Mo. Concentration of program-elements-enhanced efforts-use of funds-advisory committee.

1. Law enforcement agencies and school districts receiving funds under sections 161.500 to 161.508 shall concentrate enhanced apprehension, prevention and education efforts and resources on drug and alcohol use and drug trafficking in and around schools, parks and playgrounds. Such enhanced apprehension, prevention, and education efforts shall include, but not be limited to:

(6) Development of prevention and intervention programs for elementary school teachers and students, including utilization of existing prevention and intervention programs;

(7) Development of a coordinated intervention system that identifies students with chronic drug and alcohol abuse treatment programs.

§ 170.046. R.S.Mo. School-based nonviolent conflict resolution program materials - development, content, availability.

1. The department of health and senior services shall, in consultation with the department of elementary and secondary education, develop program materials for use by school districts in this state, to be known as "School-Based Nonviolent Conflict Resolution", which shall emphasize:

- (1) Nonviolence in conflict resolution; and
- (2) Moral and ethical decision making.

2. The program material developed pursuant to this section may be presented by school districts at least once each school year in grades kindergarten through grade twelve. Such program material shall be made available to all schools including private and parochial schools and the general public. Students shall receive no academic credit for the program developed pursuant to this section.

REGULATIONS

No relevant regulations found.

Professional development

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

1. 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. [...]

§ 160.775. R.S.Mo. Antibullying policy required-definition-content, requirements.

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

(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;

(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.

§ 161.1050. R.S.Mo. Initiative established, department duties-definitions.

1. There is hereby established within the department of elementary and secondary education the "Trauma-Informed Schools Initiative".
2. The department of elementary and secondary education shall consult the department of mental health and the department of social services for assistance in fulfilling the requirements of this section.
3. The department of elementary and secondary education shall:
 - (1) Provide information regarding the trauma-informed approach to all school districts;
 - (2) Offer training on the trauma-informed approach to all school districts, which shall include information on how schools can become trauma-informed schools; and
 - (3) Develop a website about the trauma-informed schools initiative that includes information for schools and parents regarding the trauma-informed approach and a guide for schools on how to become trauma-informed schools.
4. Each school district shall provide the address of the website described under subdivision (3) of subsection 3 of this section to all parents of the students in its district before October first of each school year.
5. For purposes of this section, the following terms mean:
 - (1) "Trauma-informed approach", an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan;
 - (2) "Trauma-informed school", a school that:
 - (a) Realizes the widespread impact of trauma and understands potential paths for recovery;
 - (b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;
 - (c) Responds by fully integrating knowledge about trauma into its policies, procedures, and practices; and
 - (d) Seeks to actively resist retraumatization.

§ 161.1055. R.S.Mo. Pilot program established, selection of schools-fund created-definitions.

4. The department of elementary and secondary education shall:
 - (1) Train the teachers and administrators of the five schools chosen for the pilot program regarding the trauma-informed approach and how to become trauma-informed schools;

§ 170.047. R.S.Mo. Youth suicide awareness and prevention, training for educators-guidelines-rulemaking authority.

1. Beginning in the 2017-18 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. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.
3. 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.
4. The department of elementary and secondary education may promulgate rules and regulations to implement this section.
5. 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.

REGULATIONS

No relevant regulations found.

Monitoring and Accountability

Formal incident reporting of conduct violations

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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. 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.

2. 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. 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. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, 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:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Rape in the first degree under section 566.030;
- (6) Sodomy in the first degree under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) 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) 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) 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) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) 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) Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052;
- (16) Rape in the second degree under section 566.031;
- (17) 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) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) 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) Sodomy in the second degree pursuant to section 566.061;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse in the first degree pursuant to section 566.100;
- (24) 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) 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. 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 assigned duties. 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.

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.

22. 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.

§ 160.775. R.S.Mo. Antibullying policy required-definition-content, requirements.

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;

§ 167.026. R.S.Mo. Expungement of disciplinary records, exception.

1. The state board of education shall adopt a policy relating to the expungement of disciplinary records of pupils who have graduated or reached the age of twenty-one years.
2. Any school district may adopt a policy consistent with the policy adopted pursuant to subsection 1 of this section.
3. No such policy shall allow the expungement of any act listed in subsection 1 of section 167.115 unless the petition regarding the act was dismissed or the pupil has been acquitted or adjudicated not to have committed the act.

REGULATIONS

No relevant regulations found.

Parental notification

LAWS

§ 167.034. R.S.Mo. Absences in St. Louis City reported to division of family services, children's division, when, notification requirements-duties of children's division.

1. In any city not within a county where a child under the age of seventeen required to attend school under section 167.031 accumulates fifteen or more absences during any one school year, the child's school district shall report such absences to the division of family services, children's division, within ten business days of the fifteenth day of absence. Such notification, which shall be in written form and retained in the student's school records, shall include:
 - (1) The student's full name and parents' or guardians' full names;

- (2) The addresses and phone numbers of the student and parents or guardians;
- (3) The student's date of birth and age;
- (4) The student's current school and grade level;
- (5) The student's current grades for all classes in which the student is enrolled; and
- (6) The total number of days missed and specific days missed from school.

2. Upon receipt of a report of the absences of a child under this section, the children's division shall notify the child's parent or guardian that the child has accumulated fifteen or more absences and such report may be subject to the educational neglect provisions under section 210.145. The notification required under this section is required regardless of whether a student's parent or guardian contacted the school and approved of the absences.

REGULATIONS

No relevant regulations found.

Reporting and referrals between schools and law enforcement

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

2. 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. 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 subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, 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:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030;
- (6) Forcible sodomy under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) 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) 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) 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) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) 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) Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052;
- (16) Sexual assault under section 566.040;
- (17) 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) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) 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) Deviate sexual assault pursuant to section 566.070;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse pursuant to section 566.100;
- (24) 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) 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. 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 assigned duties. 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.

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

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

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

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

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

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

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

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

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

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

§ 167.061. R.S.Mo. Penalty for violating compulsory attendance law.

Any parent, guardian or other person having charge, control or custody of a child, who violates the provisions of section 167.031 is guilty of a class C misdemeanor. Upon conviction and pending any judicial appeal, the defendant shall be required to enroll the child in a public, private, parochial, parish or home school within three public school days, after which each successive school day shall constitute a separate violation of section 167.031. The fine or imprisonment, or both, may be suspended and finally remitted by the court, with or without the payment of costs, at the discretion of the court, if the child is

immediately placed and kept in regular attendance at a public, private, parochial, parish or home school and if the fact of regular attendance is proved subsequently to the satisfaction of the court. A certificate stating that the child is regularly attending a public, private, parochial or parish school and properly attested by the superintendent, principal or person in charge of the school is prima facie evidence of regular attendance by the child.

§ 167.115. R.S.Mo. Juvenile officer or other law enforcement authority to report to superintendent, when, how-superintendent to report certain acts, to whom-notice of suspension or expulsion to court-superintendent to consult.

1. Notwithstanding any provision of chapter 211 or chapter 610 to the contrary, the juvenile officer, sheriff, chief of police or other appropriate law enforcement authority shall, as soon as reasonably practical, notify the superintendent, or the superintendent's designee, of the school district in which the pupil is enrolled when a petition is filed pursuant to subsection 1 of section 211.031 alleging that the pupil has committed one of the following acts:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030 as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;
- (6) Forcible sodomy under section 566.060 as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) 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;
- (9) 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;
- (10) 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;
- (11) Arson in the first degree under section 569.040;
- (12) Voluntary manslaughter under section 565.023;
- (13) 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;
- (14) Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052;
- (15) Sexual assault under section 566.040** as it existed prior to August 28, 2013, or rape in the second degree under section 566.031;
- (16) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or kidnapping in the second degree under section 565.120;
- (17) Property damage in the first degree under section 569.100;
- (18) The possession of a weapon under chapter 571;

- (19) Child molestation in the first degree pursuant to section 566.067 as it existed prior to January 1, 2017;
- (20) Child molestation in the first, second, or third degree pursuant to sections 566.067, 566.068, or 566.069
- (21) Deviate sexual assault pursuant to section 566.070*** as it existed prior to August 28, 2013, or sodomy in the second degree under section 566.061;
- (22) Sexual misconduct involving a child pursuant to section 566.083; or
- (23) Sexual abuse pursuant to section 566.100 as it existed prior to August 28, 2013, or sexual abuse in the first degree under section 566.100.

2. The notification shall be made orally or in writing, in a timely manner, no later than five days following the filing of the petition. If the report is made orally, written notice shall follow in a timely manner. The notification shall include a complete description of the conduct the pupil is alleged to have committed and the dates the conduct occurred but shall not include the name of any victim. Upon the disposition of any such case, the juvenile office or prosecuting attorney or their designee shall send a second notification to the superintendent providing the disposition of the case, including a brief summary of the relevant finding of facts, no later than five days following the disposition of the case.

3. The superintendent or the designee of the superintendent shall report such information to teachers and other school district employees with a need to know while acting within the scope of their assigned duties. Any information received by school district officials pursuant to this section shall be received in confidence and used for the limited purpose of assuring that good order and discipline is maintained in the school. This information shall not be used as the sole basis for not providing educational services to a public school pupil.

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

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

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

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

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

§ 167.117. R.S.Mo. Principal, teachers, school employees to report certain acts, to whom, exceptions-limit on liability-penalty.

1. In any instance when any person is believed to have committed an act which if committed by an adult would be assault in the first, second or third degree, sexual assault, or deviate sexual assault against a pupil or school employee, while on school property, including a school bus in service on behalf of the district, or while involved in school activities, the principal shall immediately report such incident to the

appropriate local law enforcement agency and to the superintendent, except in any instance when any person is believed to have committed an act which if committed by an adult would be assault in the third degree and a written agreement as to the procedure for the reporting of such incidents of third degree assault has been executed between the superintendent of the school district and the appropriate local law enforcement agency, the principal shall report such incident to the appropriate local law enforcement agency in accordance with such agreement.

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

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

§ 167.122. R.S.Mo. Placed pupils, notification of district, distribution of information.

1. Notwithstanding any provisions of chapter 211 or chapter 610 to the contrary the juvenile officer or an employee of the division of family services shall notify the school district that a child under judicial custody pursuant to subsection 3 of section 211.031 is being enrolled in that district or that a child already enrolled has been taken into judicial custody.

2. The notification shall be given to the superintendent of schools or a designee, either orally or in writing, at the time of enrollment or no later than five days following the court taking custody of the child under subsection 3 of section 211.031. If the report is made orally, written notice shall follow in a timely manner. The notification shall describe any conduct that involved physical force with the intent to do serious bodily harm to another person but shall not include the name of any victim other than the child.

3. The superintendent or a designee is authorized to share this information with teachers and other school district employees with a need to know while acting within the scope of their assigned duties pursuant to subsection 2 of section 160.261. Any information received by school district officials pursuant to this section shall be received in confidence and used for the limited purposes of assuring that good order and discipline is maintained in the school, or for intervention and counseling purposes for the benefit of the child. The information shall not be part of the child's permanent record. The information shall not be used as the sole basis for denying educational services to a pupil.

§ 571.030. R.S.Mo. Unlawful use of weapons-exceptions-penalties.

1. A person commits the crime of unlawful use of weapons if he or she knowingly:

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

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

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person nineteen** years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so

long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

7. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

§ 565.050. Assault, first degree, penalty.

1. A person commits the offense of assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to another person.
2. The offense of assault in the first degree is a class B felony unless in the course thereof the person inflicts serious physical injury on the victim, or if the victim of such assault is a special victim, as the term "special victim" is defined under section 565.002, in which case it is a class A felony.

§ 565.052. Assault, second degree, penalty.

1. A person commits the offense of assault in the second degree if he or she:
 - (1) Attempts to kill or knowingly causes or attempts to cause serious physical injury to another person under the influence of sudden passion arising out of adequate cause; or
 - (2) Attempts to cause or knowingly causes physical injury to another person by means of a deadly weapon or dangerous instrument; or
 - (3) Recklessly causes serious physical injury to another person; or
 - (4) Recklessly causes physical injury to another person by means of discharge of a firearm.
2. The defendant shall have the burden of injecting the issue of influence of sudden passion arising from adequate cause under subdivision (1) of subsection 1 of this section.
3. The offense of assault in the second degree is a class D felony, unless the victim of such assault is a special victim, as the term "special victim" is defined under section 565.002, in which case it is a class B felony.

§ 565.054. R.S.Mo. Assault in the third degree.

1. A person commits the offense of assault in the third degree if he or she knowingly causes physical injury to another person.
2. The offense of assault in the third degree is a class E felony, unless the victim of such assault is a special victim, as the term "special victim" is defined under section 565.002, in which case it is a class D felony.

§ 565.056. R.S.Mo. Assault in the fourth degree.

1. A person commits the offense of assault in the fourth degree if:
 - (1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to another person;
 - (2) With criminal negligence the person causes physical injury to another person by means of a firearm;

- (3) The person purposely places another person in apprehension of immediate physical injury;
- (4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person;
- (5) The person knowingly causes or attempts to cause physical contact with a person with a disability, which a reasonable person, who does not have a disability, would consider offensive or provocative; or
- (6) The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative.

2. Except as provided in subsection 3 of this section, assault in the fourth degree is a class A misdemeanor.

3. Violation of the provisions of subdivision (3) or (6) of subsection 1 of this section is a class C misdemeanor unless the victim is a special victim, as the term "special victim" is defined under section 565.002, in which case a violation of such provisions is a class A misdemeanor.

§ 579.150. R.S.Mo. Distribution of prescription medication on school property-exceptions-penalty.

1. A person commits the offense of distribution of prescription medication on school property if he or she is less than twenty-one years of age and knowingly distributes upon the real property comprising a public or private elementary or secondary school or school bus a prescription medication to any individual who does not have a valid prescription for such medication. For purposes of this section, prescription medication shall not include medication containing a controlled substance, as defined in section 195.010.

2. The provisions of this section shall not apply to any person authorized to distribute a prescription medication by any school personnel who are responsible for storing, maintaining, or dispensing any prescription medication under chapter 338. This section shall not limit the use of any prescription medication by emergency personnel during an emergency situation.

3. The offense of distribution of prescription medication on school property is a class B misdemeanor for a first offense and a class A misdemeanor for any second or subsequent offense.

§ 579.155. R.S.Mo. Possession of prescription medication on school property - exceptions - penalty.

1. A person commits the offense of possession of prescription medication on school property if he or she is less than twenty-one years of age and knowingly possesses upon the real property comprising a public or private elementary or secondary school or school bus prescription medication without a valid prescription for such medication. For purposes of this section, prescription medication shall not include medication containing a controlled substance, as defined in section 195.010.

2. The provisions of this section shall not apply to any person authorized to possess a prescription medication by any school personnel who are responsible for storing, maintaining, or dispensing any prescription medication under chapter 338. This section shall not limit the use of any prescription medication by emergency personnel during an emergency situation.

3. The offense of possession of prescription medication on school property is a class C misdemeanor for a first offense and a class B misdemeanor for any second or subsequent offense.

REGULATIONS

5 CSR 20-100.210. Persistently dangerous schools.

(4) For the purpose of determining a persistently dangerous school, a "violent criminal offense" shall be any offense that would require school administrators to, as soon as reasonably practical, notify the appropriate law enforcement agency pursuant to section 160.261, RSMo. Violent criminal offenses shall

be reported by the school district to the Department of Elementary and Secondary Education (DESE) through Core Data. Violent criminal offenses are as follows:

- (A) Murder 1st Degree under section 565.020, RSMo;
- (B) Murder 2nd Degree under section 565.021, RSMo;
- (C) Kidnapping under section 565.110, RSMo;
- (D) Assault 1st Degree under section 565.050, RSMo;
- (E) Forcible Rape under section 566.030, RSMo;
- (F) Forcible Sodomy under section 566.060, RSMo;
- (G) Burglary 1st Degree under section 569.160, RSMo;
- (H) Burglary 2nd Degree under section 569.170, RSMo;
- (I) Robbery 1st Degree under section 569.020, RSMo;
- (J) Distribution of Drugs under section 195.211, RSMo;
- (K) Distribution of Drugs to a Minor under section 195.212, RSMo;
- (L) Arson 1st Degree under section 569.040, RSMo;
- (M) Voluntary Manslaughter under section 565.023, RSMo;
- (N) Involuntary Manslaughter under section 565.024, RSMo;
- (O) Assault 2nd Degree under section 565.060, RSMo;
- (P) Sexual Assault under section 566.040, RSMo;
- (Q) Felonious Restraint under section 565.120, RSMo;
- (R) Property Damage 1st Degree under section 569.100, RSMo;
- (S) Possession of a Weapon under Chapter 571, RSMo;
- (T) Child Molestation 1st Degree under section 566.067, RSMo;
- (U) Deviate Sexual Assault under section 566.070, RSMo;
- (V) Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or
- (W) Sexual Abuse under section 566.100, RSMo.

(5) For the purpose of determining when a student has been a victim of a violent criminal offense eligible to transfer to a safe school in the district, a violent criminal offense includes:

- (A) Kidnapping under section 565.110, RSMo;
- (B) Assault 1st Degree under section 565.050, RSMo;
- (C) Forcible Rape under section 566.030, RSMo;
- (D) Forcible Sodomy under section 566.060, RSMo;
- (E) Burglary 1st Degree under section 569.160, RSMo.
- (F) Robbery 1st Degree under section 569.020, RSMo;
- (G) Arson 1st Degree under section 569.040, RSMo;
- (H) Assault 2nd Degree under section 565.060, RSMo;
- (I) Sexual Assault under section 566.040, RSMo;
- (J) Felonious Restraint under section 565.120, RSMo;
- (K) Property Damage 1st Degree under section 569.100, RSMo;
- (L) Child Molestation 1st Degree under section 566.067, RSMo;
- (M) Deviate Sexual Assault under section 566.070, RSMo;

- (N) Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or
- (O) Sexual Abuse under section 566.100, RSMo.

Disclosure of school records

LAWS

§ 167.022. R.S.Mo. Request for records, placed pupils.

Consistent with the provisions of section 167.020, within forty-eight hours of enrolling a nonresident pupil placed pursuant to sections 210.481 to 210.536, the school official enrolling a pupil, including any special education pupil, shall request those records required by district policy for student transfer and those discipline records required by subsection 7 of section 160.261 from all schools and other facilities previously attended by the pupil and from other state agencies as enumerated in section 210.518 and any entities involved with the placement of the student within the last twenty-four months. Any request for records under this section shall include, if applicable to the student, any records relating to an act of violence as defined under subsection 7 of section 160.262.

REGULATIONS

No relevant regulations found.

Data collection, review, and reporting of disciplinary policies and actions

LAWS

§ 161.502. R.S.Mo. Definitions.

As used in sections 161.500 to 161.508, the following terms mean:

- (1) "Department", the department of elementary and secondary education;
- (2) "Drugs" includes, but is not limited to:
 - (a) All controlled substances defined in chapter 195; and
 - (b) Alcoholic beverages.

§ 161.504. R.S.Mo. Drug-free schools program created-department may apply for funding-disbursement of funds-application for funding of prevention and suppression programs-interagency agreements-administrative guidelines-annual report, contents.

6. After a full year of program operation, the department shall prepare and submit an annual evaluation report to the general assembly describing in detail the operation of the program and the results obtained from the drug-free school program receiving funds under sections 161.500 to 161.508. The report also shall list the full costs applicable both to the department for processing the reviewing application, and to the state and local agencies for obtaining grants, from any source, to support the program. The purpose of the program evaluation shall be to identify successful methods of preventing drug and alcohol trafficking and use in schools. Ongoing evaluation findings shall be used to replicate proven successful methods, identify, implement, and refine new methods.

REGULATIONS

5 CSR 20-100.210. Persistently dangerous schools.

(1) The following definition(s) apply to this rule:

(A) Expulsions are defined as removal from school by local board action for an indefinite period of time unless the student is reinstated by the local board of education.

(B) A victim is a student who suffered a personal injury or injury to his or her property as a direct result of a violent criminal offense. The definition of victim does not include bystanders or witnesses to the act or friends or classmates of the victim unless they, too, suffered personal or property injury as a direct result of a violent criminal offense.

(2) A Missouri public elementary or secondary school is persistently dangerous if the following conditions exist:

(A) In each of three (3) consecutive years:

1. The school has a federal and/or state gun-free schools violation; or
2. A violent criminal offense as set forth below is committed on school property which includes but is not limited to school buses or school activities; and

(B) In any two (2) years within the three (3)-year period listed above, the school experienced expulsions by local board action, for drug, alcohol, weapons or violence that exceed one (1) of the following rates:

1. More than five (5) expulsions per year for a school of less than two hundred fifty (250) students;
2. More than ten (10) expulsions per year for a school of more than two hundred fifty (250) students but less than one thousand (1,000) students; or
3. More than fifteen (15) expulsions per year for a school of more than one thousand (1,000) students.

(3) A student shall be allowed to attend a safe public school within the district, if that student is enrolled in a persistently dangerous school as defined above or becomes a victim of a violent criminal offense while on school property which includes but is not limited to school buses or school activities.

(4) For the purpose of determining a persistently dangerous school, a "violent criminal offense" shall be any offense that would require school administrators to, as soon as reasonably practical, notify the appropriate law enforcement agency pursuant to section 160.261, RSMo. Violent criminal offenses shall be reported by the school district to the Department of Elementary and Secondary Education (DESE) through Core Data. Violent criminal offenses are as follows:

- (A) Murder 1st Degree under section 565.020, RSMo;
- (B) Murder 2nd Degree under section 565.021, RSMo;
- (C) Kidnapping under section 565.110, RSMo;
- (D) Assault 1st Degree under section 565.050, RSMo;
- (E) Forcible Rape under section 566.030, RSMo;
- (F) Forcible Sodomy under section 566.060, RSMo;
- (G) Burglary 1st Degree under section 569.160, RSMo;
- (H) Burglary 2nd Degree under section 569.170, RSMo;
- (I) Robbery 1st Degree under section 569.020, RSMo;
- (J) Distribution of Drugs under section 195.211, RSMo;
- (K) Distribution of Drugs to a Minor under section 195.212, RSMo;
- (L) Arson 1st Degree under section 569.040, RSMo;

- (M) Voluntary Manslaughter under section 565.023, RSMo;
 - (N) Involuntary Manslaughter under section 565.024, RSMo;
 - (O) Assault 2nd Degree under section 565.060, RSMo;
 - (P) Sexual Assault under section 566.040, RSMo;
 - (Q) Felonious Restraint under section 565.120, RSMo;
 - (R) Property Damage 1st Degree under section 569.100, RSMo;
 - (S) Possession of a Weapon under Chapter 571, RSMo;
 - (T) Child Molestation 1st Degree under section 566.067, RSMo;
 - (U) Deviate Sexual Assault under section 566.070, RSMo;
 - (V) Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or
 - (W) Sexual Abuse under section 566.100, RSMo.
- (5) For the purpose of determining when a student has been a victim of a violent criminal offense eligible to transfer to a safe school in the district, a violent criminal offense includes:
- (A) Kidnapping under section 565.110, RSMo;
 - (B) Assault 1st Degree under section 565.050, RSMo;
 - (C) Forcible Rape under section 566.030, RSMo;
 - (D) Forcible Sodomy under section 566.060, RSMo;
 - (E) Burglary 1st Degree under section 569.160, RSMo.
 - (F) Robbery 1st Degree under section 569.020, RSMo;
 - (G) Arson 1st Degree under section 569.040, RSMo;
 - (H) Assault 2nd Degree under section 565.060, RSMo;
 - (I) Sexual Assault under section 566.040, RSMo;
 - (J) Felonious Restraint under section 565.120, RSMo;
 - (K) Property Damage 1st Degree under section 569.100, RSMo;
 - (L) Child Molestation 1st Degree under section 566.067, RSMo;
 - (M) Deviate Sexual Assault under section 566.070, RSMo;
 - (N) Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or
 - (O) Sexual Abuse under section 566.100, RSMo.
- (6) A Missouri public elementary or secondary school shall receive technical assistance from DESE staff which includes but may not be limited to a site visit to work with building and district staff to prepare and implement a plan to prevent the building from meeting the criteria for a second year if it has:
- (A) In any one (1) year:
 1. A federal or state gun-free schools violation; or
 2. A violent criminal offense, as set forth above, on school property; or
 - (B) In any one (1) year, expulsions by local board action for drugs, alcohol, weapons or violence that exceed one (1) of the following rates:
 1. More than five (5) expulsions for schools of less than two hundred fifty (250) students;
 2. More than ten (10) expulsions for schools of more than two hundred fifty (250) students, but less than one thousand (1,000) students; or
 3. More than fifteen (15) expulsions per year for a school of more than one thousand (1,000) students.

School Resource and Safety Officers (SROs/SSOs) and Truant/Attendance Officers

Authority and power to implement school arrest

LAWS

§ 160.665. R.S.Mo. School protection officers, teachers or administrators may be designated as- authorized to carry concealed firearms-requirements-public hearing to be held, when.

3. A school protection officer has the same authority to detain or use force against any person on school property as provided to any other person under chapter 563.

4. Upon detention of a person under subsection 3 of this section, the school protection officer shall immediately notify a school administrator and a school resource officer, if such officer is present at the school. If the person detained is a student then the parents or guardians of the student shall also be immediately notified by a school administrator.

5. Any person detained by a school protection officer shall be turned over to a school administrator or law enforcement officer as soon as practically possible and shall not be detained by a school protection officer for more than one hour.

§ 162.215. School officers may be commissioned to enforce certain criminal laws.

1. The school board of a any school district may authorize and commission school officers to enforce laws relating to crimes committed on school premises, at school activities, and on school buses operating within the school district only upon the execution of a memorandum of understanding with each municipal law enforcement agency and county sheriff's office which has law enforcement jurisdiction over the school district's premises and location of school activities, provided that the memorandum shall not grant statewide arrest authority. School officers shall be licensed peace officers, as defined in section 590.010, and shall comply with the provisions of chapter 590. The powers and duties of a peace officer shall continue throughout the employee's tenure as a school officer.

2. School officers shall abide by district school board policies, all terms and conditions defined within the executed memorandum of understanding with each municipal law enforcement agency and county sheriff's office which has law enforcement jurisdiction over the school district's premises and location of school activities, and shall consult with and coordinate activities through the school superintendent or the superintendent's designee. School officers' authority shall be limited to crimes committed on school premises, at school activities, and on school buses operating within the jurisdiction of the executed memorandum of understanding. All crimes involving any sexual offense or any felony involving the threat or use of force shall remain under the authority of the local jurisdiction where the crime occurred. School officers may conduct any justified stop on school property and enforce any local violation that occurs on school grounds. School officers shall have the authority to stop, detain, and arrest for crimes committed on school property, at school activities, and on school buses.

REGULATIONS

No relevant regulations found.

Certification or training

LAWS

§ 160.665. R.S.Mo. School protection officers, teachers or administrators may be designated as-authorized to carry concealed firearms-requirements-public hearing to be held, when.

7. No school district may designate a teacher or administrator as a school protection officer unless such person has successfully completed a school protection officer training program, which has been approved by the director of the department of public safety. No school district shall allow a school protection officer to carry a concealed firearm on school property unless the school protection officer has a valid concealed carry endorsement or permit.

§ 162.215. School officers may be commissioned to enforce certain criminal laws.

1. [...] School officers shall be licensed peace officers, as defined in section 590.010, and shall comply with the provisions of chapter 590. The powers and duties of a peace officer shall continue throughout the employee's tenure as a school officer.

§ 168.450. Officer training, Missouri state training center to develop curriculum and certification requirements.

The Missouri state training center for the D.A.R.E. program shall develop the curriculum and certification requirements for school resource officers. At a minimum, school resource officers must complete forty hours of basic school resource officer training to include legal operations within an educational environment, intruder training and planning, juvenile law, and any other relevant topics relating to the job and functions of a school resource officer.

§ 590.200. School protection officers, POST commission duties-minimum training requirements.

1. The POST commission shall:

- (1) Establish minimum standards for the training of school protection officers;
- (2) Set the minimum number of hours of training required for a school protection officer; and
- (3) Set the curriculum for school protection officer training programs.

2. At a minimum this training shall include:

- (1) Instruction specific to the prevention of incidents of violence in schools;
- (2) The handling of emergency or violent crisis situations in school settings;
- (3) A review of state criminal law;
- (4) Training involving the use of defensive force;
- (5) Training involving the use of deadly force; and
- (6) Instruction in the proper use of self-defense spray devices.

§ 590.205. School protection officer training, POST commission to establish minimum standards-list of approved instructors, centers, and programs-background checks-certification.

1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make

this approved list available to every school district in the state. The required training to become a school protection officer shall be provided by those firearm instructors, private and public, who have successfully completed a department of public safety POST certified law enforcement firearms instructor school.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the elementary school teacher or administrator is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement or permit.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and indicate whether the individual has a valid concealed carry endorsement or permit. The instructor shall also provide a copy of such certificate to the director of the department of public safety.

REGULATIONS

11 CSR 75-17.010. Minimum training standards for school protection officer training centers.

(1) Only those basic training centers licensed pursuant to 11 CSR 75-14.010-14.080, and those Continuing Law Enforcement Education providers licensed pursuant to 11 CSR 75- 15.030, shall be approved to deliver the School Protection Officer Training Program.

11 CSR 75-17.020. Minimum training standards for school protection officer training instructors.

(1) Only those instructors licensed as basic training instructors pursuant to 11 CSR 75- 14.050(3), 11 CSR 75-14.070, and 11 CSR 75-14.080, shall be approved to deliver the School Protection Officer Training Program.

11 CSR 75-17.030. Minimum training standards for school protection officers.

(1) Applicants seeking to be designated a School Protection Officer, pursuant to section 590.205, RSMo, must.

(A) Successfully complete a one hundred twelve (112) hour School Protection Officer Training Program; or

(B) Successfully graduate from a Missouri basic training center licensed pursuant to 11 CSR 75-14.010, having completed a minimum of six hundred (600) hours of basic law enforcement training certified pursuant to 11 CSR 75-14.040; or

(C) Have been issued a Class A peace officer license under the Veteran Peace Officer Police Scale pursuant to 11 CSR 75-13.060.

(2) Applicants who have had their peace officer license revoked are not eligible to be designated a School Protection Officer.

(3) The one hundred twelve (112) hours of instruction for School Protection Officers is derived, in part, from the mandatory learning objectives for the six hundred (600) hour basic training curriculum outlined in 11 CSR 75-14.030, and shall cover the following subject areas:

- (A) 303 - Justification - Use of Force - 8 hours
 - (B) 809 - Emergency Response/Building Searches - 9 hours
 - (C) 812 - Survival Mentality - 4 hours
 - (D) 1502 - Handcuffing and Restraint Devices - 4 hours
 - (E) 1506 - Weapons Retention and Disarming - 8 hours
 - (F) 1507 - Ground Fighting Techniques - 8 hours
 - (G) 1601 - Fundamentals of Marksmanship - 2 hours
 - (H) 1602 - Shooting Stance/Loading/Dry Fire - 4 hours
 - (I) 1603 - Skill Development - Handgun - 22 hours
 - (J) 1604 - Handgun Qualification - 4 hours
 - (K) 1608 - Stress Combat Courses - 8 hours
 - (L) 1610 - Shooting Decisions - 6 hours
 - (M) Basic First Aid/CPR - 8 hours
 - (N) Combat First Aid - 4 hours
 - (O) Practical Application Scenarios - 13 hours
- (4) To be eligible for graduation from the School Protection Officer Training Program, trainees shall.
- (A) Be tested for mastery of each subject area. A written or practical examination may test more than one (1) subject area simultaneously.
 1. A trainee who achieves less than seventy percent (70%) on any written examination may, at the discretion of the training center director or Continuing Law Enforcement Education provider, retake the examination one (1) time.
 2. Mastery of firearms shall be tested by practical examination and scored on a numerical scale from zero (0) to one hundred (100). Supplemental written examinations are permitted, but the overall firearms score required for graduation pursuant to paragraph (4)(C)4. of this rule shall be based solely upon the practical examinations. The final grade of the firearms practical examination may, at the discretion of the training center director or Continuing Law Enforcement Education provider, be recorded as a pass or fail.
 3. Mastery of any training subject areas requiring a trainee to perform a demonstrative skill, including Practical Application Scenarios, shall be tested by practical examination and may be graded on a numerical scale from zero (0) to one hundred (100) or on a pass/fail basis.
 - A. A trainee who achieves a failing score on an objective graded pass/fail basis may, at the discretion of the training center director or Continuing Law Enforcement Education provider, reattempt the objective one (1) time.
 - B. A trainee who achieves less than seventy percent (70%) on the firearms practical examination may, at the discretion of the training center director or Continuing Law Enforcement Education provider, retake the practical examination one (1) time. The highest score that may be awarded on a retake examination is seventy percent (70%).
 - C. The determination to grade an objective pass/fail shall be made before the start of the training course.
 - (B) Attend at least ninety-five percent (95%) of the total contact hours of the mandatory basic training curriculum and make up any missed hours in a manner that ensures that the trainee develops a thorough understanding of the mandatory learning objectives that were missed.
 - (C) Achieve.

1. A score of no less than seventy percent (70%) on each written exam;
2. A final, overall score of no less than seventy percent (70%) for all written exams;
3. A passing score on each objective graded pass or fail; and
4. An overall firearms score of no less than seventy percent (70%).

11 CSR 75-17.040. Minimum continuing education training standards for school protection officers.

(1) To maintain their designation, School Protection Officers shall.

(A) Successfully complete a minimum of twelve (12) hours of annual training. Eight (8) hours of this training shall have a primary focus of responding to active school shootings and shall be delivered by a local, county, or state law enforcement officer qualified to offer a response to active shooter course and who is in possession of a valid peace officer license. The remaining four (4) hours of training shall have a primary focus of weapon retention, firearms skill development, defensive tactics, ground fighting, and handcuffing and restraint devices. The four (4) hours of training shall be delivered by a local, county, or state law enforcement officer qualified to offer this type of training and who is in possession of a valid peace officer license.

(B) On a quarterly basis, successfully complete a firearm qualification course using the same firearm used in the performance of their duties as a School Protection Officer. This course can be delivered by any local, county, or state law enforcement officer qualified to offer a firearm qualification course and who is in possession of a valid peace officer license.

(C) Maintain a secondary/third-party First Aid/CPR certification.

(2) Written documentation of the completion of the twelve (12) hours of annual training, successful quarterly firearm qualification, and a current copy of his/her secondary/thirdparty First Aid/CPR certification must be maintained by the school where the School Protection Officer is employed for a period of three (3) years from the date the training, qualifications, and certifications were successfully completed.

MOUs, authorization, and/or funding

LAWS

§ 160.665. R.S.Mo. School protection officers, teachers or administrators may be designated as-authorized to carry concealed firearms-requirements-public hearing to be held, when.

1. Any school district within the state may designate one or more elementary or secondary school teachers or administrators as a school protection officer. The responsibilities and duties of a school protection officer are voluntary and shall be in addition to the normal responsibilities and duties of the teacher or administrator. Any compensation for additional duties relating to service as a school protection officer shall be funded by the local school district, with no state funds used for such purpose.
2. Any person designated by a school district as a school protection officer shall be authorized to carry concealed firearms or a self-defense spray device in any school in the district. A self-defense spray device shall mean any device that is capable of carrying, and that ejects, releases, or emits, a nonlethal solution capable of incapacitating a violent threat. The school protection officer shall not be permitted to allow any firearm or device out of his or her personal control while that firearm or device is on school property. Any school protection officer who violates this subsection may be removed immediately from the classroom and subject to employment termination proceedings.

3. A school protection officer has the same authority to detain or use force against any person on school property as provided to any other person under chapter 563.
 4. Upon detention of a person under subsection 3 of this section, the school protection officer shall immediately notify a school administrator and a school resource officer, if such officer is present at the school. If the person detained is a student then the parents or guardians of the student shall also be immediately notified by a school administrator.
 5. Any person detained by a school protection officer shall be turned over to a school administrator or law enforcement officer as soon as practically possible and shall not be detained by a school protection officer for more than one hour.
 6. Any teacher or administrator of an elementary or secondary school who seeks to be designated as a school protection officer shall request such designation in writing, and submit it to the superintendent of the school district which employs him or her as a teacher or administrator. Along with this request, any teacher or administrator seeking to carry a concealed firearm on school property shall also submit proof that he or she has a valid concealed carry endorsement or permit, and all teachers and administrators seeking the designation of school protection officer shall submit a certificate of school protection officer training program completion from a training program approved by the director of the department of public safety which demonstrates that such person has successfully completed the training requirements established by the POST commission under chapter 590 for school protection officers.
 7. No school district may designate a teacher or administrator as a school protection officer unless such person has successfully completed a school protection officer training program, which has been approved by the director of the department of public safety. No school district shall allow a school protection officer to carry a concealed firearm on school property unless the school protection officer has a valid concealed carry endorsement or permit.
 8. Any school district that designates a teacher or administrator as a school protection officer shall, within thirty days, notify, in writing, the director of the department of public safety of the designation, which shall include the following:
 - (1) The full name, date of birth, and address of the officer;
 - (2) The name of the school district; and
 - (3) The date such person was designated as a school protection officer.
- Notwithstanding any other provisions of law to the contrary, any identifying information collected under the authority of this subsection shall not be considered public information and shall not be subject to a request for public records made under chapter 610.
9. A school district may revoke the designation of a person as a school protection officer for any reason and shall immediately notify the designated school protection officer in writing of the revocation. The school district shall also within thirty days of the revocation notify the director of the department of public safety in writing of the revocation of the designation of such person as a school protection officer. A person who has had the designation of school protection officer revoked has no right to appeal the revocation decision.
 10. The director of the department of public safety shall maintain a listing of all persons designated by school districts as school protection officers and shall make this list available to all law enforcement agencies.
 11. Before a school district may designate a teacher or administrator as a school protection officer, the school board shall hold a public hearing on whether to allow such designation. Notice of the hearing shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation within the city or county in which the school district is located. The board may determine at a closed

meeting, as "closed meeting" is defined under section 610.010, whether to authorize the designated school protection officer to carry a concealed firearm or a self-defense spray device.

§ 162.215. School officers may be commissioned to enforce certain criminal laws.

1. The school board of a any school district may authorize and commission school officers to enforce laws relating to crimes committed on school premises, at school activities, and on school buses operating within the school district only upon the execution of a memorandum of understanding with each municipal law enforcement agency and county sheriff's office which has law enforcement jurisdiction over the school district's premises and location of school activities, provided that the memorandum shall not grant statewide arrest authority. School officers shall be licensed peace officers, as defined in section 590.010, and shall comply with the provisions of chapter 590. The powers and duties of a peace officer shall continue throughout the employee's tenure as a school officer.

2. School officers shall abide by district school board policies, all terms and conditions defined within the executed memorandum of understanding with each municipal law enforcement agency and county sheriff's office which has law enforcement jurisdiction over the school district's premises and location of school activities, and shall consult with and coordinate activities through the school superintendent or the superintendent's designee. School officers' authority shall be limited to crimes committed on school premises, at school activities, and on school buses operating within the jurisdiction of the executed memorandum of understanding. All crimes involving any sexual offense or any felony involving the threat or use of force shall remain under the authority of the local jurisdiction where the crime occurred. School officers may conduct any justified stop on school property and enforce any local violation that occurs on school grounds. School officers shall have the authority to stop, detain, and arrest for crimes committed on school property, at school activities, and on school buses.

REGULATIONS

No relevant regulations found.

State Education Agency Support

State model policies and implementation support

LAWS

§ 160.263. R.S.Mo. Confinement of a student prohibited, when-policy on restrictive behavioral interventions required-model policy to be developed.

3. 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 by July 1, 2010.

REGULATIONS

5 CSR 20-100.210. Persistently dangerous schools.

(6) A Missouri public elementary or secondary school shall receive technical assistance from DESE staff which includes but may not be limited to a site visit to work with building and district staff to prepare and implement a plan to prevent the building from meeting the criteria for a second year if it has:

(A) In any one (1) year:

1. A federal or state gun-free schools violation; or
2. A violent criminal offense, as set forth above, on school property; or

(B) In any one (1) year, expulsions by local board action for drugs, alcohol, weapons or violence that exceed one (1) of the following rates:

1. More than five (5) expulsions for schools of less than two hundred fifty (250) students;
2. More than ten (10) expulsions for schools of more than two hundred fifty (250) students, but less than one thousand (1,000) students; or
3. More than fifteen (15) expulsions per year for a school of more than one thousand (1,000) students.

Funding appropriations

LAWS

§ 161.1055. R.S.Mo. Pilot program established, selection of schools-fund created-definitions.

1. Subject to appropriations, the department of elementary and secondary education shall establish the "Trauma-Informed Schools Pilot Program".

2. Under the trauma-informed schools pilot program, the department of elementary and secondary education shall choose five schools to receive intensive training on the trauma-informed approach.

3. The five schools chosen for the pilot program shall be located in the following areas:

- (1) One public school located in a metropolitan school district;
- (2) One public school located in a home rule city with more than four hundred thousand inhabitants and located in more than one county;
- (3) One public school located in a school district that has most or all of its land area located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(4) One public school located in a school district that has most or all of its land area located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants; and

(5) One public school located in any one of the following counties:

(a) A county of the third classification without a township form of government and with more than forty-one thousand but fewer than forty-five thousand inhabitants;

(b) A county of the third classification without a township form of government and with more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat;

(c) A county of the third classification with a township form of government and with more than thirty-one thousand but fewer than thirty-five thousand inhabitants;

(d) A county of the third classification without a township form of government and with more than fourteen thousand but fewer than sixteen thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat;

(e) A county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat;

(f) A county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

(g) A county of the third classification without a township form of government and with more than fourteen thousand but fewer than sixteen thousand inhabitants and with a city of the fourth classification with more than one thousand nine hundred but fewer than two thousand one hundred inhabitants as the county seat;

(h) A county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat;

(i) A county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants; or

(j) A county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than five hundred but fewer than five hundred fifty inhabitants as the county seat.

4. The department of elementary and secondary education shall:

(1) Train the teachers and administrators of the five schools chosen for the pilot program regarding the trauma-informed approach and how to become trauma-informed schools;

(2) Provide the five schools with funds to implement the trauma-informed approach; and

(3) Closely monitor the progress of the five schools in becoming trauma-informed schools and provide further assistance if necessary.

5. The department of elementary and secondary education shall terminate the trauma-informed schools pilot program on August 28, 2019. Before December 31, 2019, the department of elementary and

secondary education shall submit a report to the general assembly that contains the results of the pilot program, including any benefits experienced by the five schools chosen for the program.

6.(1) There is hereby created in the state treasury the "Trauma-Informed Schools Pilot Program Fund". The fund shall consist of any appropriations to such fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

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

("Trauma-informed approach", an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan;

("Trauma-informed school", a school that:

(a) Realizes the widespread impact of trauma and understands potential paths for recovery;

(b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;

(c) Responds by fully integrating knowledge about trauma into its policies, procedures, and practices; and

(d) Seeks to actively resist retraumatization.

8. The provisions of this section shall expire December 31, 2019.

§ 161.502. R.S.Mo. Definitions.

As used in sections 161.500 to 161.508, the following terms mean:

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

(2) "Drugs" includes, but is not limited to:

(a) All controlled substances defined in chapter 195; and

(b) Alcoholic beverages.

§ 161.504. R.S.Mo. Drug-free schools program created-department may apply for funding-disbursement of funds-application for funding of prevention and suppression programs-interagency agreements-administrative guidelines-annual report, contents.

1. There is hereby created in the department of elementary and secondary education the "Drug-Free Schools Program". The department of elementary and secondary education may apply for federal grants or other federal assistance as additional funding to appropriated state moneys in order to implement the provisions of sections 161.500 to 161.508 and the activities of the state drug-free school advisory committee. All funds made available to the department for the purposes of sections 161.500 to 161.508 shall be administered and disbursed by the department in consultation with the state drug-free school advisory committee established in section 161.508.

2. The department, in consultation with the drug-free school advisory committee, is authorized to allocate and award funds to local law enforcement agencies and public schools working jointly to develop drug and alcohol use prevention and drug and alcohol trafficking suppression programs in substantial compliance with the policies and criteria set forth in sections 161.500 to 161.508.

3. The allocation and award of funds shall be made upon the joint application by the chief law enforcement agency's legislative body and the superintendent and board of the school district coapplicant. The joint application of the law enforcement agency and the school district shall be submitted for review to the local drug-free school advisory committee established in section 161.506. After review, the application shall be submitted to the department. Funds disbursed under sections 161.500 to 161.508 may enhance, but shall not supplant, local funds that would, in the absence of the drug-free school program, be made available to suppress and prevent drug and alcohol use among school-age children and to curtail drug and alcohol trafficking in and around schools, parks and playgrounds.

4. The coapplicant local law enforcement agency and coapplicant school district shall enter into interagency agreements between themselves which will allow the management and fiscal tasks created pursuant to sections 161.500 to 161.508 and assigned to both the law enforcement agency and the school district to be performed by only one of them.

5. Within one hundred twenty days of August 28, 1990, the department in consultation with the state drug-free school advisory committee shall prepare and issue administrative guidelines and procedures for the drug-free school program consistent with the provisions of sections 161.500 to 161.508. In addition to all other formal requirements that may apply to the enactment of such guidelines and procedures, a complete and final draft shall be submitted within ninety days of the effective date of August 28, 1990, to the chairmen of the judiciary committees of the house of representatives and the senate.

6. After a full year of program operation, the department shall prepare and submit an annual evaluation report to the general assembly describing in detail the operation of the program and the results obtained from the drug-free school program receiving funds under sections 161.500 to 161.508. The report also shall list the full costs applicable both to the department for processing the reviewing application, and to the state and local agencies for obtaining grants, from any source, to support the program. The purpose of the program evaluation shall be to identify successful methods of preventing drug and alcohol trafficking and use in schools. Ongoing evaluation findings shall be used to replicate proven successful methods, identify, implement, and refine new methods.

§ 161.506. R.S.Mo. Concentration of program-elements-enhanced efforts-use of funds-advisory committee.

1. Law enforcement agencies and school districts receiving funds under sections 161.500 to 161.508 shall concentrate enhanced apprehension, prevention and education efforts and resources on drug and alcohol use and drug trafficking in and around schools, parks and playgrounds. Such enhanced apprehension, prevention, and education efforts shall include, but not be limited to:

(1) Drug and alcohol traffic intervention programs;

(2) School- and classroom-oriented programs, using tested drug and alcohol education curriculum that provides in-depth and accurate information on drugs and alcohol, which may include the participation of local law enforcement agencies and qualified drug and alcohol use prevention specialists and which are designed to increase teachers' and students' awareness of drugs and alcohol and their effects;

(3) Family-oriented programs aimed at preventing drug and alcohol use, which may include the participation of community-based organizations experienced in the successful operation of such programs;

(4) The establishment of a local drug-free school advisory committee. The committee shall be established and appointed by the school board of each school district. The committee may be a newly created committee or an existing local drug and alcohol use committee as designated by the appointing authority. The committee shall be composed of, at a minimum, the following:

(a) Local and law enforcement executives;

(b) School district administrators;

- (c) School-site staff, which includes administrators, teachers and certified personnel;
- (d) Parents;
- (e) Students;
- (f) School peace officers;
- (g) State, county, or local drug and alcohol program administrators designated pursuant to chapter 195; and
- (h) Drug and alcohol prevention program executives;

(5) Development and distribution of appropriate written and audiovisual aids for training of school and law enforcement staff for handling drug- and alcohol-related problems and offenses. Appropriate existing aids may be used in lieu of the development of new materials;

(6) Development of prevention and intervention programs for elementary school teachers and students, including utilization of existing prevention and intervention programs;

(7) Development of a coordinated intervention system that identifies students with chronic drug and alcohol abuse treatment programs.

2. Enhanced apprehension, prevention, and education efforts commenced under this section shall be a joint effort between law enforcement agencies and local school districts. These efforts shall include, but are not limited to, the concentration of apprehension efforts in problem areas cooperatively identified by local school and law enforcement authorities.

3. Funds appropriated pursuant to sections 161.500 to 161.508 may be used in part to support state-level development and statewide distribution of appropriate written and audiovisual aids for public awareness and training of school and law enforcement staff for handling drug- and alcohol-related problems and offenses. When existing aids can be identified, these aids may be used in lieu of the development of new aids.

§ 161.508. R.S.Mo. Criteria for rating grant applications to be developed by committee-membership of committee-staff services-compensation-duties-guidelines and procedures to be developed-department to administer and monitor-personnel costs-administrative costs.

1. Criteria for rating the grant applications of cooperating pairs of clusters of law enforcement agencies and school districts to receive drug-free school program funding shall be developed by the state drug-free school advisory committee.

2. The state drug-free school advisory committee shall be composed of one police chief, one sheriff, one district attorney, one attorney primarily engaged in criminal defense, one representative of parent groups, one representative of the state department of public safety, a school peace officer, a representative of community-based prevention of drug and alcohol use programs, one member from the attorney general's office, four members from the department of elementary and secondary education, one drug and alcohol prevention specialist representing the department of elementary and secondary education, and three school-site personnel, all of whom are appointed by the governor with the advice and consent of the senate. Staff services to the committee shall be provided by the department of elementary and secondary education. Committee members shall receive no compensation but shall be reimbursed for actual expenses involved in the conduct of committee business. The committee shall review applications for grant awards and shall recommend approval for those applications which are deemed appropriate and are consistent with the guidelines and administrative procedures established pursuant to this section and sections 161.500 to 161.508.

3. Each state drug-free school advisory committee member shall be personally present to cast a vote or be counted toward a quorum. An appointed member of the committee unable to attend any meeting may designate a representative to attend such meetings on his behalf. Such a representative shall be

accorded full privilege to address the committee on any matter under consideration but shall not have the right to vote on any motions entertained by the committee.

4. The state drug-free school advisory committee shall develop specific guidelines and administrative procedures for the drug-free school program. The program developed by the state drug-free school advisory committee may be utilized by the local school districts or such districts may develop programs based on the unique needs and resources of such districts.
5. Administration of the overall program and the evaluation or* monitoring of all grants made under sections 161.500 to 161.508 shall be performed by the department.
6. The department shall, to the extent possible, coordinate the administration of the drug-free school program with those of other state and federal agencies.
7. Funds disbursed under sections 161.500 to 161.508 shall not be used for the acquisition of equipment.
8. Funds disbursed under sections 161.500 to 161.508 shall not be used to purchase information on drugs or alcohol.
9. In the interest of maximizing the use of funds for program support and implementation, local law enforcement agencies and school districts receiving funds under sections 161.500 to 161.508 are expressly discouraged from using drug-free school program funds for personnel costs. Where it can be demonstrated that personnel costs are essential to the success of the program and that sufficient law enforcement and school personnel are not available to carry out the program, exceptions to this section may be requested through the department.
10. No more than ten percent of the total amount of funds disbursed under this section shall be used for administrative costs.

§ 161.650 R.S.Mo. Department to identify and adopt violence prevention program, district to administer-state board to adopt violence prevention program-duties-administered how-funding.

3. Any district adopting and providing a program of instruction pursuant to this section [about violence prevention] shall be entitled to receive state aid pursuant to section 163.031. If such aid is determined by the department to be insufficient to implement any program or programs adopted by a district pursuant to this section:

- (1) The department may fund the program or programs adopted pursuant to this section or pursuant to subsection 2 of section 160.530, or both, after securing any funding available from alternative sources; and
- (2) School districts may fund the program or programs from funds received pursuant to subsection 1 of section 160.530.

§ 167.280 R.S.Mo. Support services for students at high risk-application, elements-priority applications, elements-use of funds-allowable costs.

1. Within the amounts appropriated therefor, the state board of education shall award funds for the purpose of providing support services to pupils enrolled in public and nonpublic schools who are identified as having a high risk of dropping out of school. Such awards shall be made on a competitive basis to public institutions of higher education or consortia of public institutions in cooperation with school districts and not-for-profit community-based organizations. In areas of the state where public institutions of higher education are unable to provide appropriate services to high school pupils, the state board may award funds to not-for-profit community-based organizations in cooperation with school districts.

§ 167.335. R.S.Mo. Alternative education grants-qualifications-joint applications.

1. The state board of education shall establish a program to award grants to school districts that apply for assistance in providing alternative educational opportunities for students whose demonstrated disruptive

behavior indicates that they cannot be adequately served in the traditional classroom setting. The board shall solicit applications from school districts and shall make grants from funds appropriated for that purpose in such amounts and on such terms as it determines best encourages the development of alternative education programs throughout the state. The board shall give preference to applications that demonstrate a need for alternative education services and stress:

- (1) A comprehensive, kindergarten through grade twelve approach to preventing problems that result in the need for alternative education services;
- (2) Rigorous instruction in core academic disciplines;
- (3) Activities designed to enable the student to better perform in the regular classroom and to transition students back to the regular classroom when merited by their performance;
- (4) A student-centered approach whereby activities are designed to meet the particular needs of individual students; and
- (5) Collaboration with existing community-based service providers, such as cooperative education programs, school to work programs, parents-as-teachers programs, programs developed by the department of economic development and programs developed by local service delivery agencies, and other governmental and private agencies to address student needs beyond those traditionally addressed by schools.

REGULATIONS

No relevant regulations found.

Other or Uncategorized

Professional immunity or liability

LAWS

§ 160.261. R.S.Mo. Discipline, written policy established by local boards of education-contents-reporting requirements-additional restrictions for certain suspensions-weapons offense, mandatory suspension or expulsion-no civil liability for authorized personnel-spanking not child abuse, when-investigation procedure-officials falsifying reports, penalty.

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.

§ 167.115. R.S.Mo. Juvenile officer or other law enforcement authority to report to superintendent, when, how-superintendent to report certain acts, to whom-notice of suspension or expulsion to court-superintendent to consult.

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

§ 167.117. R.S.Mo. Principal, teachers, school employees to report certain acts, to whom, exceptions-limit on liability-penalty.

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

REGULATIONS

No relevant regulations found.

Community input or involvement

LAWS

§ 161.506. R.S.Mo. Concentration of program-elements-enhanced efforts-use of funds-advisory committee.

1. Law enforcement agencies and school districts receiving funds under sections 161.500 to 161.508 shall concentrate enhanced apprehension, prevention and education efforts and resources on drug and alcohol use and drug trafficking in and around schools, parks and playgrounds. Such enhanced apprehension, prevention, and education efforts shall include, but not be limited to:

- (4) The establishment of a local drug-free school advisory committee. The committee shall be established and appointed by the school board of each school district. The committee may be a newly

created committee or an existing local drug and alcohol use committee as designated by the appointing authority. The committee shall be composed of, at a minimum, the following:

- (a) Local and law enforcement executives;
- (b) School district administrators;
- (c) School-site staff, which includes administrators, teachers and certified personnel;
- (d) Parents;
- (e) Students;
- (f) School peace officers;
- (g) State, county, or local drug and alcohol program administrators designated pursuant to chapter 195; and
- (h) Drug and alcohol prevention program executives;

REGULATIONS

No relevant regulations found.

Other or Uncategorized

LAWS

§ 167.168.1. Radio frequency identification technology, students not required to use identification device to monitor or track student location-definition.

1. No school district shall require a student to use an identification device that uses radio frequency identification technology, or similar technology, to identify the student, transmit information regarding the student, or monitor or track the location of the student.
2. For purposes of this section, "radio frequency identification technology" shall mean a wireless identification system that uses an electromagnetic radio frequency signal to transmit data without physical contact between a card, badge, or tag and another device.

REGULATIONS

No relevant regulations found.

State-Sponsored, Publicly Available Websites or Other Resources on School Discipline

Safe, supportive learning environments use disciplinary policies and practices that help students stay out of the justice system, while ensuring academic engagement and success for all students. The following resources provided by Missouri provide additional context to state policy and regulations and, in some cases, may support the readers' efforts to provide a positive disciplinary school climate.

Title	Description	Website address (if applicable)
<i>Website</i>		
Anti-Bullying Laws and Resources, Missouri Department of Elementary and Secondary Education (MO DESE)	Provides links to state and federal resources on bullying behavior and approaches for educators.	https://dese.mo.gov/governmental-affairs/public-school-laws-missouri/bullying
Missouri Center for Education Safety, Missouri School Board's Association (MSBA)	Provides an overview of MSBA's Center for Education Safety and lists available and accessible events and trainings, services, and resources addressing school safety.	https://www.mosba.org/ces/
School-Wide Positive Behavior Supports, Missouri School-Wide Positive Behavior Support	Provides an overview of Missouri's school-wide positive behavior support framework and presents school-wide data on PBS including accessible data collection tools for educators.	https://pbissmissouri.org/
Student Discipline, MO DESE	Provides an overview on state discipline policies and procedures including student discipline records, suspension/expulsion, corporal punishment/spanking, and special education discipline issues.	https://dese.mo.gov/financial-admin-services/school-governance/student-discipline
The Trauma-Informed Schools Initiative, MO DESE	Provides information and training to school districts regarding the trauma-informed approach, how schools can become trauma-informed schools, and developed a website about the trauma-informed schools initiative that includes information for schools and parents.	https://dese.mo.gov/traumainformed
<i>Documents</i>		
Model Policy on Seclusion and Restraint, MO DESE	State model policy addressing the use of seclusion and restraint and other responses to emergency or crisis situations, in which student and/or educator safety is at risk.	This policy is currently under review.

Title	Description	Website address (if applicable)
The Missouri Model for Trauma-Informed Schools, MO DESE	Guidance document providing resources and information on how to become trauma informed and translates the Missouri Model guidance into language and processes to support schools interested to become trauma informed.	https://dese.mo.gov/sites/default/files/cnsl_Missouri_Model%20school_guidance_doc.pdf
The Trauma-Informed Schools Initiative Developmental Framework, MO DESE	Provides information and training to school districts regarding the trauma-informed approach, how schools can become trauma-informed schools, and developed a website about the trauma-informed schools initiative that includes information for schools and parents.	https://dese.mo.gov/sites/default/files/dese-the-trauma-informed-schools-initiative_0.pdf
<i>Other Resources</i>		
Bullying Website Tool, MO DESE	Website tool offering resources on bullying, depending upon the issue a child is having.	https://www.surveymonkey.com/r/BullyingIssues
Missouri School Violence Hotline	Hotline provides information on how to report online incidents of school violence in Missouri schools, and includes links to resources for parents, students, school personnel, and law enforcement.	https://krcqtv.com/news/stop-bullying-mid-mo/hotline-provides-opportunity-to-report-bullying https://www.mshp.dps.missouri.gov/MSHPWeb/Courage2ReportMO/index.html