

HCS HB 1722 -- SCHOOL SAFETY AND LIABILITY (Wallace)

COMMITTEE OF ORIGIN: Committee on Elementary and Secondary Education

This substitute changes the laws regarding school employee liability, safety practices, and reporting acts of violence. In its main provisions, the substitute:

- (1) Broadens employee immunity from correctly following discipline policies to following all policies;
- (2) Adds the use of force to protect persons or property to the provisions regarding spanking and adds the requirement that another employee witness a spanking;
- (3) Specifies that a suspended student who is not allowed on school property without specific permission is also prohibited from attending school events occurring off school property;
- (4) Adds safety practice and training to the facility safety accreditation standards;
- (5) Exempts unqualified employees who refuse to administer medication or medical services from disciplinary action for the refusal;
- (6) Exempts qualified employees from liability for administering medication or medical services, including cardiopulmonary resuscitation, in good faith and according to standard medical practices;
- (7) Adds chronic health conditions to the list for which a student may self-administer medication;
- (8) Adds employees trained and supervised by the school nurse to the list of individuals who are authorized to use an epinephrine auto-syringe on a student;
- (9) Allows school boards to commission certified law officers under specified conditions;
- (10) Changes the requirement of the St. Louis City School District to consider school uniforms and dress codes to allow all districts to impose dress codes;
- (11) Expands the reporting of acts of violence to all teachers at the student's school building and other employees who need to know;

(12) Revises, in the residency provisions, the definition of "homeless children" to be consistent with the federal definition and clarifies which educational records are needed;

(13) Changes the current requirement for forwarding educational records from 48 hours to two business days and adds individual education plans and health records to the requirement;

(14) Makes the background check for a teacher and certain school personnel valid for one year and transferrable from one school district to another, even if there is a change in the type of certification the teacher holds; and

(15) Requires the Children's Services Commission to recommend best practices on interagency communications regarding students receiving state services by July 1, 2009.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.