

HB 96 -- School Protection Measures

Sponsor: Wallace

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

- (1) Expands 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, which is not to be regarded as abuse as long as the spanking or use of force does not give rise to an allegation of sexual misconduct, and adds the requirement that another employee witness a spanking. The provisions are also broadened to include all employees, rather than certificated employees;
- (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) Requires schools to add safety practice and training to the facility safety accreditation standards by July 1, 2011, which include annual training on the school's security and crisis management plan;
- (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 meaning of "homeless children and youths" to be consistent with the federal definition and specifies 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) Requires a notice of reportable offenses to be attached to an offending student's record and transcript;

(15) Consolidates provisions relating to expulsion and suspension;

(16) Allows the criminal background check and fingerprint collection required of student-contact educational employees to be transferrable from one district to another for a period of one year; and

(17) Requires the Children's Services Commission to recommend best practices on interagency communications regarding students receiving state services by July 1, 2010.