

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 68

AN ACT

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

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

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

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

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

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

2. The department shall establish procedures by which each local educational agency shall regularly report to the department all school safety incidents and credible school safety threats that occur at each attendance center of such local educational agency, including, but not limited to, all incidents of school shootings or other incidents involving a firearm, explosive, knife, or other weapon defined in section 571.010; all credible threats of school shootings or other incidents involving a firearm, explosive, knife, or other weapon defined in section 571.010; and any other school safety incidents or credible school safety threats as determined by the department. The department may require local educational agencies to report acts of school violence or violent behavior, as such terms are defined in section

160.261, or any crimes required to be reported to law enforcement pursuant to section 160.261.

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

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

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

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

4. The department shall maintain and regularly update a database of all school safety incidents and credible school safety threats that are reported pursuant to the provisions of this section.

5. The department may promulgate rules to implement the provisions of this section. 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, 2025, shall be invalid and void.

162.207. 1. For the 2026-27 school year and all subsequent school years, each school district and charter school governing board shall adopt a written policy governing a student's possession or use of an electronic personal communications device. Such school district or governing board shall develop and design such policy to promote the educational interests of students and to provide a safe and effective working environment for school employees and volunteers.

2. Such policy shall, at a minimum:

(1) Prohibit a student from displaying or using an electronic personal communications device during regularly scheduled instructional activities;

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

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

(a) In the case of an emergency;

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

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

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

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

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

3. Each school district and charter school governing board shall publish the policy on such district's or charter school's website.

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