

FIRST EXTRAORDINARY SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1
96TH GENERAL ASSEMBLY

Reported from the Committee on Education, September 8, 2011, with recommendation that the Senate Committee Substitute do pass.

0029S.05C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 162.069, RSMo, and to enact in lieu thereof one new section relating to communications between school district employees and students.

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

Section A. Section 162.069, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.069, to read as follows:

162.069. 1. Every school district shall, by ~~[January]~~ **March** 1, 2012, promulgate a written policy concerning ~~[teacher-student communication and] employee-student communication~~. Such policy shall ~~[contain at least the following elements:~~

(1) Appropriate oral and nonverbal personal communication, which may be combined with or included in any policy on sexual harassment; and

(2) Appropriate use of electronic media such as text messaging and internet sites for both instructional and personal purposes, with an element concerning use of social networking sites no less stringent than the provisions of subsections 2, 3, and 4 of this section] **include, but not be limited to, the use of electronic media and other mechanisms to prevent improper communications between staff members and students.**

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

(1) "Exclusive access", the information on the website is available only to the owner (teacher) and user (student) by mutual explicit consent and where third parties have no access to the information on the website absent an explicit consent agreement with the owner (teacher);

(2) "Former student", any person who was at one time a student at the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 school at which the teacher is employed and who is eighteen years of age or less
20 and who has not graduated;

21 (3) "Nonwork-related internet site", any internet website or web page used
22 by a teacher primarily for personal purposes and not for educational purposes;

23 (4) "Work-related internet site", any internet website or web pages used
24 by a teacher for educational purposes.

25 3. No teacher shall establish, maintain, or use a work-related internet site
26 unless such site is available to school administrators and the child's legal
27 custodian, physical custodian, or legal guardian.

28 4. No teacher shall establish, maintain, or use a nonwork-related internet
29 site which allows exclusive access with a current or former student. Nothing in
30 this subsection shall be construed as prohibiting a teacher from establishing a
31 nonwork-related internet site, provided the site is used in accordance with this
32 section.

33 5.] Every school district shall, by July 1, 2012, include in its teacher and
34 employee training a component that provides up-to-date and reliable information
35 on identifying signs of sexual abuse in children and danger signals of potentially
36 abusive relationships between children and adults. The training shall emphasize
37 the importance of mandatory reporting of abuse under section 210.115 including
38 the obligation of mandated reporters to report suspected abuse by other mandated
39 reporters, and how to establish an atmosphere of trust so that students feel their
40 school has concerned adults with whom they feel comfortable discussing matters
41 related to abuse.

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