

HB 1314 -- Protections for School Children from Sexual Offenders

Sponsor: Cunningham (86)

This bill establishes the Amy Hestir Davis Student Protection Act. Currently, when a school employee is reported as a possible child abuser, the school board receives a report from the juvenile officer and a report from its own investigator on which it bases its findings of unsubstantiated, substantiated, or unresolved, which are then forwarded to the Division of Family Services within the Department of Social Services. The bill requires the school superintendent to also report a substantiated finding to the Department of Elementary and Secondary Education.

School districts are required to adopt written policies on information that may be provided about former employees. Current district employees who report on or discuss job performance when making employment decisions that affect student safety are exempt from civil liability if they act in good faith and in accordance with district policy.

Sexual misconduct in the second and third degree and sexual contact with a student on school property are added to the list of offenses for which a teacher's license may be denied or revoked. The bill clarifies that a criminal background check includes a check of the sexual offender registry and the child abuse central registry. The departments involved in the checking process are required to develop procedures to allow an annual record check of holders of active teacher certificates, and the Department of Elementary and Secondary Education is required to facilitate development of procedures for school districts to undergo annual rechecks of their noncertificated employees who are required under Section 168.133, RSMo, to undergo a background check before hiring.

Third-party reporters of child abuse who report an alleged incident to school administrators are immune from liability under certain circumstances. The current 20-year statute of limitation for the prosecution of unlawful sexual offenses involving a person 18 years of age or younger is repealed.