

FIRST REGULAR SESSION

HOUSE BILL NO. 228

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES THOMSON (Sponsor) AND ONDER (Co-sponsor).

Read 1st time January 3, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1048L.02I

AN ACT

To repeal sections 160.261, 160.660, 161.650, 167.023, 167.115, 167.335, and 210.102, RSMo, and to enact in lieu thereof seven new sections relating to school safety, with penalty provisions.

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

Section A. Sections 160.261, 160.660, 161.650, 167.023, 167.115, 167.335, and
2 210.102, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as
3 sections 160.261, 160.660, 161.650, 167.023, 167.115, 167.335, and 210.102, to read as follows:
160.261. 1. The local board of education of each school district shall clearly establish
2 a written policy of discipline, including the district's determination on the use of corporal
3 punishment and the procedures in which punishment will be applied. A written copy of the
4 district's discipline policy and corporal punishment procedures, if applicable, shall be provided
5 to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning
6 of each school year and also made available in the office of the superintendent of such district,
7 during normal business hours, for public inspection. All employees of the district shall annually
8 receive instruction related to the specific contents of the policy of discipline and any
9 interpretations necessary to implement the provisions of the policy in the course of their duties,
10 including but not limited to approved methods of dealing with acts of school violence,
11 disciplining students with disabilities and instruction in the necessity and requirements for
12 confidentiality.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 2. The policy shall require school administrators to report acts of school violence to **all**
14 teachers **at the attendance center** and **in addition, to** other school district employees with a
15 need to know. For the purposes of this chapter or chapter 167, RSMo, "need to know" is defined
16 as school personnel who are directly responsible for the student's education or who otherwise
17 interact with the student on a professional basis while acting within the scope of their assigned
18 duties. As used in this section, the phrase "act of school violence" or "violent behavior" means
19 the exertion of physical force by a student with the intent to do serious physical injury as defined
20 in subdivision (6) of section 565.002, RSMo, to another person while on school property,
21 including a school bus in service on behalf of the district, or while involved in school activities.
22 The policy shall at a minimum require school administrators to report, as soon as reasonably
23 practical, to the appropriate law enforcement agency any of the following felonies, or any act
24 which if committed by an adult would be one of the following felonies:

- 25 (1) First degree murder under section 565.020, RSMo;
- 26 (2) Second degree murder under section 565.021, RSMo;
- 27 (3) Kidnapping under section 565.110, RSMo;
- 28 (4) First degree assault under section 565.050, RSMo;
- 29 (5) Forcible rape under section 566.030, RSMo;
- 30 (6) Forcible sodomy under section 566.060, RSMo;
- 31 (7) Burglary in the first degree under section 569.160, RSMo;
- 32 (8) Burglary in the second degree under section 569.170, RSMo;
- 33 (9) Robbery in the first degree under section 569.020, RSMo;
- 34 (10) Distribution of drugs under section 195.211, RSMo;
- 35 (11) Distribution of drugs to a minor under section 195.212, RSMo;
- 36 (12) Arson in the first degree under section 569.040, RSMo;
- 37 (13) Voluntary manslaughter under section 565.023, RSMo;
- 38 (14) Involuntary manslaughter under section 565.024, RSMo;
- 39 (15) Second degree assault under section 565.060, RSMo;
- 40 (16) Sexual assault under section 566.040, RSMo;
- 41 (17) Felonious restraint under section 565.120, RSMo;
- 42 (18) Property damage in the first degree under section 569.100, RSMo;
- 43 (19) The possession of a weapon under chapter 571, RSMo;
- 44 (20) Child molestation in the first degree pursuant to section 566.067, RSMo;
- 45 (21) Deviate sexual assault pursuant to section 566.070, RSMo;
- 46 (22) Sexual misconduct involving a child pursuant to section 566.083, RSMo; or
- 47 (23) Sexual abuse pursuant to section 566.100, RSMo;

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49 committed on school property, including but not limited to actions on any school bus in service
50 on behalf of the district or while involved in school activities. The policy shall require that any
51 portion of a student's individualized education program that is related to demonstrated or
52 potentially violent behavior shall be provided to any teacher and other school district employees
53 who are directly responsible for the student's education or who otherwise interact with the
54 student on an educational basis while acting within the scope of their assigned duties. The policy
55 shall also contain the consequences of failure to obey standards of conduct set by the local board
56 of education, and the importance of the standards to the maintenance of an atmosphere where
57 orderly learning is possible and encouraged.

58 3. The policy shall provide that any student who is on suspension for any of the offenses
59 listed in subsection 2 of this section or any act of violence or drug-related activity defined by
60 school district policy as a serious violation of school discipline pursuant to subsection 9 of this
61 section shall have as a condition of his or her suspension the requirement that such student is not
62 allowed, while on such suspension, to be within one thousand feet of any public school in the
63 school district where such student attended school unless:

64 (1) Such student is under the direct supervision of the student's parent, legal guardian,
65 or custodian;

66 (2) Such student is under the direct supervision of another adult designated by the
67 student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school
68 which suspended the student;

69 (3) Such student is in an alternative school that is located within one thousand feet of a
70 public school in the school district where such student attended school; or

71 (4) Such student resides within one thousand feet of any public school in the school
72 district where such student attended school in which case such student may be on the property
73 of his or her residence without direct adult supervision.

74 4. Any student who violates the condition of suspension required pursuant to subsection
75 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of
76 sections 167.161, 167.164, and 167.171, RSMo. In making this determination consideration
77 shall be given to whether the student poses a threat to the safety of any child or school employee
78 and whether such student's unsupervised presence within one thousand feet of the school is
79 disruptive to the educational process or undermines the effectiveness of the school's disciplinary
80 policy. Removal of any pupil who is a student with a disability is subject to state and federal
81 procedural rights.

82 5. The policy shall provide for a suspension for a period of not less than one year, or
83 expulsion, for a student who is determined to have brought a weapon to school, including but
84 not limited to the school playground or the school parking lot, brought a weapon on a school bus

85 or brought a weapon to a school activity whether on or off of the school property in violation of
86 district policy, except that:

87 (1) The superintendent or, in a school district with no high school, the principal of the
88 school which such child attends may modify such suspension on a case-by-case basis; and

89 (2) This section shall not prevent the school district from providing educational services
90 in an alternative setting to a student suspended under the provisions of this section.

91 6. For the purpose of this section, the term "weapon" shall mean a firearm as defined
92 under 18 U.S.C. 921 and the following items, as defined in section 571.010, RSMo: a blackjack,
93 a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife,
94 knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade
95 knife; except that this section shall not be construed to prohibit a school board from adopting a
96 policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for
97 educational purposes so long as the firearm is unloaded. The local board of education shall
98 define weapon in the discipline policy. Such definition shall include the weapons defined in this
99 subsection but may also include other weapons.

100 7. All school district personnel responsible for the care and supervision of students are
101 authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any
102 property of the school, on any school bus going to or returning from school, during
103 school-sponsored activities, or during intermission or recess periods.

104 8. Teachers and other authorized district personnel in public schools responsible for the
105 care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable
106 care by the school district, shall not be civilly liable when acting in conformity with the
107 established policy of discipline developed by each board under this section, or when reporting
108 to his or her supervisor or other person as mandated by state law acts of school violence or
109 threatened acts of school violence, within the course and scope of the duties of the teacher,
110 authorized district personnel or volunteer, when such individual is acting in conformity with the
111 established policies developed by the board. Nothing in this section shall be construed to create
112 a new cause of action against such school district, or to relieve the school district from liability
113 for the negligent acts of such persons.

114 9. Each school board shall define in its discipline policy acts of violence and any other
115 acts that constitute a serious violation of that policy. Acts of violence as defined by school
116 boards shall include but not be limited to exertion of physical force by a student with the intent
117 to do serious bodily harm to another person while on school property, including a school bus in
118 service on behalf of the district, or while involved in school activities. School districts shall for
119 each student enrolled in the school district compile and maintain records of any serious violation
120 of the district's discipline policy. Such records shall be made available to teachers and other

121 school district employees with a need to know while acting within the scope of their assigned
122 duties, and shall be provided as required in section 167.020, RSMo, to any school district in
123 which the student subsequently attempts to enroll.

124 10. Spanking, when administered by certificated personnel of a school district in a
125 reasonable manner in accordance with the local board of education's written policy of discipline,
126 is not abuse within the meaning of chapter 210, RSMo. The provisions of sections 210.110 to
127 210.165, RSMo, notwithstanding, the division of family services shall not have jurisdiction over
128 or investigate any report of alleged child abuse arising out of or related to any spanking
129 administered in a reasonable manner by any certificated school personnel pursuant to a written
130 policy of discipline established by the board of education of the school district. Upon receipt of
131 any reports of child abuse by the division of family services pursuant to sections 210.110 to
132 210.165, RSMo, which allegedly involves personnel of a school district, the division of family
133 services shall notify the superintendent of schools of the district or, if the person named in the
134 alleged incident is the superintendent of schools, the president of the school board of the school
135 district where the alleged incident occurred. If, after an initial investigation, the superintendent
136 of schools or the president of the school board finds that the report involves an alleged incident
137 of child abuse other than the administration of a spanking by certificated school personnel
138 pursuant to a written policy of discipline or a report made for the sole purpose of harassing a
139 public school employee, the superintendent of schools or the president of the school board shall
140 immediately refer the matter back to the division of family services and take no further action.
141 In all matters referred back to the division of family services, the division of family services shall
142 treat the report in the same manner as other reports of alleged child abuse received by the
143 division. If the report pertains to an alleged incident which arose out of or is related to a
144 spanking administered by certificated personnel of a school district pursuant to a written policy
145 of discipline or a report made for the sole purpose of harassing a public school employee, a
146 notification of the reported child abuse shall be sent by the superintendent of schools or the
147 president of the school board to the juvenile officer of the county in which the alleged incident
148 occurred. The report shall be jointly investigated by the juvenile officer or a law enforcement
149 officer designated by the juvenile officer and the superintendent of schools or, if the subject of
150 the report is the superintendent of schools, by the juvenile officer or a law enforcement officer
151 designated by the juvenile officer and the president of the school board or such president's
152 designee. The investigation shall begin no later than forty-eight hours after notification from the
153 division of family services is received, and shall consist of, but need not be limited to,
154 interviewing and recording statements of the child and the child's parents or guardian within two
155 working days after the start of the investigation, of the school district personnel allegedly
156 involved in the report, and of any witnesses to the alleged incident. The juvenile officer or a law

157 enforcement officer designated by the juvenile officer and the investigating school district
158 personnel shall issue separate reports of their findings and recommendations after the conclusion
159 of the investigation to the school board of the school district within seven days after receiving
160 notice from the division of family services. The reports shall contain a statement of conclusion
161 as to whether the report of alleged child abuse is substantiated or is unsubstantiated. The school
162 board shall consider the separate reports and shall issue its findings and conclusions and the
163 action to be taken, if any, within seven days after receiving the last of the two reports. The
164 findings and conclusions shall be made in substantially the following form:

165 (1) The report of the alleged child abuse is unsubstantiated. The juvenile officer or a law
166 enforcement officer designated by the juvenile officer and the investigating school board
167 personnel agree that the evidence shows that no abuse occurred;

168 (2) The report of the alleged child abuse is substantiated. The juvenile officer or a law
169 enforcement officer designated by the juvenile officer and the investigating school district
170 personnel agree that the evidence is sufficient to support a finding that the alleged incident of
171 child abuse did occur;

172 (3) The issue involved in the alleged incident of child abuse is unresolved. The juvenile
173 officer or a law enforcement officer designated by the juvenile officer and the investigating
174 school personnel are unable to agree on their findings and conclusions on the alleged incident.

175 11. The findings and conclusions of the school board shall be sent to the division of
176 family services. If the findings and conclusions of the school board are that the report of the
177 alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and
178 no record shall be entered in the division of family services' central registry. If the findings and
179 conclusions of the school board are that the report of the alleged child abuse is substantiated, the
180 division of family services shall report the incident to the prosecuting attorney of the appropriate
181 county along with the findings and conclusions of the school district and shall include the
182 information in the division's central registry. If the findings and conclusions of the school board
183 are that the issue involved in the alleged incident of child abuse is unresolved, the division of
184 family services shall report the incident to the prosecuting attorney of the appropriate county
185 along with the findings and conclusions of the school board, however, the incident and the names
186 of the parties allegedly involved shall not be entered into the central registry of the division of
187 family services unless and until the alleged child abuse is substantiated by a court of competent
188 jurisdiction.

189 12. Any superintendent of schools, president of a school board or such person's designee
190 or juvenile officer who knowingly falsifies any report of any matter pursuant to this section or
191 who knowingly withholds any information relative to any investigation or report pursuant to this
192 section is guilty of a class A misdemeanor.

193 13. In order to ensure the safety of all students, should a student be expelled for bringing
194 a weapon to school, violent behavior, or for an act of school violence, that student shall not, for
195 the purposes of the accreditation process of the Missouri school improvement plan, be
196 considered a dropout or be included in the calculation of that district's educational persistence
197 ratio.

 160.660. 1. On or before July 1, 2001, the state board of education shall add to any
2 school facilities and safety criteria developed for the Missouri school improvement program
3 provisions that require:

4 (1) Each school district's designated safety coordinator to have a thorough knowledge
5 of all federal, state and local school violence prevention programs and resources available to
6 students, teachers or staff in the district; and

7 (2) Each school district to fully utilize all such programs and resources that the local
8 school board or its designee determines are necessary and cost-effective for the school district.

9 **2. On or before July 1, 2009, the state board of education shall add to any school**
10 **facilities and safety criteria developed for the Missouri school improvement program**
11 **provisions that require that the drills required pursuant to the standard for safe facilities**
12 **occur at least annually and that all staff receive sufficient training on the security and crisis**
13 **management plan to ensure familiarity with the plan details is maintained throughout the**
14 **school year.**

15 **3.** Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
16 is created under the authority delegated in this section shall become effective only if it complies
17 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section
18 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers
19 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the
20 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the
21 grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be
22 invalid and void.

 161.650. 1. The department of elementary and secondary education shall identify and
2 adopt an existing program or programs of educational instruction regarding violence prevention
3 to be administered by public school districts pursuant to subsection 2 of this section, and which
4 shall include, but shall not be limited to, instructing students of the negative consequences, both
5 to the individual and to society at large, of membership in or association with criminal street
6 gangs or participation in criminal street gang activity, as those phrases are defined in section
7 578.421, RSMo, and shall include related training for school district employees directly
8 responsible for the education of students concerning violence prevention and early identification
9 of and intervention in violent behavior. The state board of education shall adopt such program

10 or programs by rule as approved for use in Missouri public schools. The program or programs
11 of instruction shall encourage nonviolent conflict resolution of problems facing youth; present
12 alternative constructive activities for the students; encourage community participation in program
13 instruction, including but not limited to parents and law enforcement officials; and shall be
14 administered as appropriate for different grade levels and shall not be offered for academic
15 credit.

16 2. All public school districts within this state with the approval of the district's board of
17 education may administer the program or programs of student instruction adopted pursuant to
18 subsection 1 of this section to students within the district starting at the kindergarten level and
19 every year thereafter through the twelfth-grade level.

20 3. Any district adopting and providing a program of instruction pursuant to this section
21 shall be entitled to receive state aid pursuant to section 163.031, RSMo. If such aid is
22 determined by the department to be insufficient to implement any program or programs adopted
23 by a district pursuant to this section:

24 (1) The department may fund the program or programs adopted pursuant to this section
25 or pursuant to subsection 2 of section 160.530, RSMo, or both, after securing any funding
26 available from alternative sources; and

27 (2) School districts may fund the program or programs from funds received pursuant to
28 subsection 1 of section 160.530, RSMo[, and section 166.260, RSMo].

29 4. No rule or portion of a rule promulgated pursuant to this section shall become
30 effective unless it has been promulgated pursuant to chapter 536, RSMo.

167.023. **1. When a student is found to have committed a reportable offense under
2 subdivisions (1) to (23) of subsection 1 of section 160.251, RSMo, the school district shall
3 attach notice of the commission of the reportable offense to the student's permanent record
4 and place a notice on the student's academic transcript.**

5 **2.** Prior to admission to any public school, a school board may require the parent,
6 guardian, or other person having control or charge of a child of school age to provide, upon
7 enrollment, a sworn statement or affirmation indicating whether the student has been expelled
8 from school attendance at any school, public or private, in this state or in any other state for an
9 offense in violation of school board policies relating to weapons, alcohol or drugs, or for the
10 willful infliction of injury to another person. Any person making a materially false statement or
11 affirmation shall be guilty upon conviction of a class B misdemeanor. The registration document
12 shall be maintained as a part of the student's scholastic record.

167.115. 1. Notwithstanding any provision of chapter 211, RSMo, or chapter 610,
2 RSMo, to the contrary, the juvenile officer, sheriff, chief of police or other appropriate law
3 enforcement authority shall, as soon as reasonably practical, notify the superintendent, or the

4 superintendent's designee, of the school district in which the pupil is enrolled when a petition is
5 filed pursuant to subsection 1 of section 211.031, RSMo, alleging that the pupil has committed
6 one of the following acts:

- 7 (1) First degree murder under section 565.020, RSMo;
- 8 (2) Second degree murder under section 565.021, RSMo;
- 9 (3) Kidnapping under section 565.110, RSMo;
- 10 (4) First degree assault under section 565.050, RSMo;
- 11 (5) Forcible rape under section 566.030, RSMo;
- 12 (6) Forcible sodomy under section 566.060, RSMo;
- 13 (7) Burglary in the first degree under section 569.160, RSMo;
- 14 (8) **Burglary in the second degree under section 569.170, RSMo;**
- 15 (9) Robbery in the first degree under section 569.020, RSMo;
- 16 [(9)] (10) Distribution of drugs under section 195.211, RSMo;
- 17 [(10)] (11) Distribution of drugs to a minor under section 195.212, RSMo;
- 18 [(11)] (12) Arson in the first degree under section 569.040, RSMo;
- 19 [(12)] (13) Voluntary manslaughter under section 565.023, RSMo;
- 20 [(13)] (14) Involuntary manslaughter under section 565.024, RSMo;
- 21 [(14)] (15) Second degree assault under section 565.060, RSMo;
- 22 [(15)] (16) Sexual assault under section 566.040, RSMo;
- 23 [(16)] (17) Felonious restraint under section 565.120, RSMo;
- 24 [(17)] (18) Property damage in the first degree under section 569.100, RSMo;
- 25 [(18)] (19) The possession of a weapon under chapter 571, RSMo;
- 26 [(19)] (20) Child molestation in the first degree pursuant to section 566.067, RSMo;
- 27 [(20)] (21) Deviate sexual assault pursuant to section 566.070, RSMo;
- 28 [(21)] (22) Sexual misconduct involving a child pursuant to section 566.083, RSMo; or
- 29 [(22)] (23) Sexual abuse pursuant to section 566.100, RSMo.

30 2. The notification shall be made orally or in writing, in a timely manner, no later than
31 five days following the filing of the petition. If the report is made orally, written notice shall
32 follow in a timely manner. The notification shall include a complete description of the conduct
33 the pupil is alleged to have committed and the dates the conduct occurred but shall not include
34 the name of any victim. Upon the disposition of any such case, the juvenile office or prosecuting
35 attorney or their designee shall send a second notification to the superintendent providing the
36 disposition of the case, including a brief summary of the relevant finding of facts, no later than
37 five days following the disposition of the case.

38 3. The superintendent or the designee of the superintendent shall report such information
39 to **all** teachers **at the student's attendance center** and to **any** other school district employees

40 with a need to know while acting within the scope of their assigned duties. Any information
41 received by school district officials pursuant to this section shall be received in confidence and
42 used for the limited purpose of assuring that good order and discipline is maintained in the
43 school. This information shall not be used as the sole basis for not providing educational
44 services to a public school pupil.

45 4. The superintendent shall notify the appropriate division of the juvenile or family court
46 upon any pupil's suspension for more than ten days or expulsion of any pupil that the school
47 district is aware is under the jurisdiction of the court.

48 5. The superintendent or the superintendent's designee may be called to serve in a
49 consultant capacity at any dispositional proceedings pursuant to section 211.031, RSMo, which
50 may involve reference to a pupil's academic treatment plan.

51 6. Upon the transfer of any pupil described in this section to any other school district in
52 this state, the superintendent or the superintendent's designee shall forward the written
53 notification given to the superintendent pursuant to subsection 2 of this section to the
54 superintendent of the new school district in which the pupil has enrolled. Such written
55 notification shall be required again in the event of any subsequent transfer by the pupil.

56 7. As used in this section, the terms "school" and "school district" shall include any
57 charter, private or parochial school or school district, and the term "superintendent" shall include
58 the principal or equivalent chief school officer in the cases of charter, private or parochial
59 schools.

60 8. The superintendent or the designee of the superintendent or other school employee
61 who, in good faith, reports information in accordance with the terms of this section and section
62 160.261, RSMo, shall not be civilly liable for providing such information.

167.335. 1. The state board of education shall establish a program to award grants to
2 school districts that apply for assistance in providing alternative educational opportunities for
3 students whose demonstrated disruptive behavior indicates that they cannot be adequately served
4 in the traditional classroom setting. The board shall solicit applications from school districts and
5 shall make grants from funds appropriated for that purpose in such amounts and on such terms
6 as it determines best encourages the development of alternative education programs throughout
7 the state. The board shall give preference to applications that demonstrate a need for alternative
8 education services and stress:

9 (1) A comprehensive, kindergarten through grade twelve approach to preventing
10 problems that result in the need for alternative education services;

11 (2) Rigorous instruction in core academic disciplines;

12 (3) Activities designed to enable the student to better perform in the regular classroom
13 and to transition students back to the regular classroom when merited by their performance;

14 (4) A student-centered approach whereby activities are designed to meet the particular
15 needs of individual students; and

16 (5) Collaboration with existing community-based service providers, such as cooperative
17 education programs, school to work programs, parents-as-teachers programs, programs
18 developed by the department of economic development and programs developed by local service
19 delivery agencies, and other governmental and private agencies to address student needs beyond
20 those traditionally addressed by schools.

21 2. School districts may submit joint applications and are encouraged to pursue regional
22 approaches to alternative education where warranted. Area vocational learning centers shall be
23 eligible to submit applications and are encouraged to pursue grants to expand and enhance
24 existing alternative education programs established pursuant to sections 167.320 to 167.332,
25 provided that any additional activities are compatible with subdivisions (1) to (5) of subsection
26 1 of this section.

27 **3. In selecting school districts for grant awards, the state board of education shall**
28 **promulgate selection priority criteria that give preference to districts that meet any of the**
29 **follow criteria:**

30 **(1) Joint applications and regional approaches to school safety;**

31 **(2) Regular and timely meetings of education and social service and law**
32 **enforcement personnel; or**

33 **(3) Use of techniques developed or promulgated by the Missouri Center for Safe**
34 **Schools at the University of Missouri-Kansas City.**

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36 **The state board of education shall develop a method to evaluate applications for**
37 **preventative approaches and ensure that a portion of grant funds are awarded to districts**
38 **that are not in crisis mode.**

39 4. The state board of education shall adopt rules necessary to implement the grant
40 program established pursuant to this section, provided that no rule or portion of a rule
41 promulgated pursuant to this section shall become effective unless it has been promulgated
42 pursuant to the provisions of section 536.024, RSMo.

210.102. 1. It shall be the duty of the Missouri children's services commission to:

2 (1) Make recommendations which will encourage greater interagency coordination,
3 cooperation, more effective utilization of existing resources and less duplication of effort in
4 activities of state agencies which affect the legal rights and well-being of children in Missouri;

5 (2) Develop an integrated state plan for the care provided to children in this state through
6 state programs;

7 (3) Develop a plan to improve the quality of children's programs statewide. Such plan
8 shall include, but not be limited to:

9 (a) Methods for promoting geographic availability and financial accessibility for all
10 children and families in need of such services;

11 (b) Program recommendations for children's services which include child development,
12 education, supervision, health and social services;

13 (4) Design and implement evaluation of the activities of the commission in fulfilling the
14 duties as set out in this section;

15 (5) Report annually to the governor with five copies each to the house of representatives
16 and senate about its activities including, but not limited to the following:

17 (a) A general description of the activities pertaining to children of each state agency
18 having a member on the commission;

19 (b) A general description of the plans and goals, as they affect children, of each state
20 agency having a member on the commission;

21 (c) Recommendations for statutory and appropriation initiatives to implement the
22 integrated state plan;

23 (d) A report from the commission regarding the state of children in Missouri;

24 **(6) On or before July 1, 2008, develop recommendations for best practices in**
25 **sharing relevant agency information relating to school-aged children receiving state**
26 **services in order to permit the best degree of coordination in the delivery of such services**
27 **while protecting the privacy of the involved student and family.**

28 2. There is hereby established within the children's services commission the
29 "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic,
30 and shall include but not be limited to the following members:

31 (1) A representative from the governor's office;

32 (2) A representative from each of the following departments: health and senior services,
33 mental health, social services, and elementary and secondary education;

34 (3) A representative of the judiciary;

35 (4) A representative of the family and community trust board (FACT);

36 (5) A representative from the head start program;

37 (6) Nine members appointed by the governor with the advice and consent of the senate
38 who are representatives of the groups, such as business, philanthropy, civic groups, faith-based
39 organizations, parent groups, advocacy organizations, early childhood service providers, and
40 other stakeholders.

41

42 The coordinating board may make all rules it deems necessary to enable it to conduct its
43 meetings, elect its officers, and set the terms and duties of its officers. The coordinating board
44 shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and
45 such other officers as it deems necessary. Members of the board shall serve without
46 compensation but may be reimbursed for actual expenses necessary to the performance of their
47 official duties for the board.

48 3. The coordinating board for early childhood shall have the power to:

49 (1) Develop a comprehensive statewide long-range strategic plan for a cohesive early
50 childhood system;

51 (2) Confer with public and private entities for the purpose of promoting and improving
52 the development of children from birth through age five of this state;

53 (3) Identify legislative recommendations to improve services for children from birth
54 through age five;

55 (4) Promote coordination of existing services and programs across public and private
56 entities;

57 (5) Promote research-based approaches to services and ongoing program evaluation;

58 (6) Identify service gaps and advise public and private entities on methods to close such
59 gaps;

60 (7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the
61 coordinating board for early childhood fund from any source, public or private, and enter into
62 contracts or other transactions with any federal or state agency, any private organizations, or any
63 other source in furtherance of the purpose of subsections 2 and 3 of this section, and take any and
64 all actions necessary to avail itself of such aid and cooperation;

65 (8) Direct disbursements from the coordinating board for early childhood fund as
66 provided in this section;

67 (9) Administer the coordinating board for early childhood fund and invest any portion
68 of the moneys not required for immediate disbursement in obligations of the United States or any
69 agency or instrumentality of the United States, in obligations of the state of Missouri and its
70 political subdivisions, in certificates of deposit and time deposits, or other obligations of banks
71 and savings and loan associations, or in such other obligations as may be prescribed by the board;

72 (10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or
73 otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal
74 property or any interests therein, wherever situated;

75 (11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its
76 property or any interest therein, wherever situated;

77 (12) Employ and fix the compensation of an executive director and such other agents or
78 employees as it considers necessary;

79 (13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the
80 manner in which its business may be transacted;

81 (14) Adopt and use an official seal;

82 (15) Assess or charge fees as the board determines to be reasonable to carry out its
83 purposes;

84 (16) Make all expenditures which are incident and necessary to carry out its purposes;

85 (17) Sue and be sued in its official name;

86 (18) Take such action, enter into such agreements, and exercise all functions necessary
87 or appropriate to carry out the duties and purposes set forth in this section.

88 4. There is hereby created the "Coordinating Board for Early Childhood Fund" which
89 shall consist of the following:

90 (1) Any moneys appropriated by the general assembly for use by the board in carrying
91 out the powers set out in subsections 2 and 3 of this section;

92 (2) Any moneys received from grants or which are given, donated, or contributed to the
93 fund from any source;

94 (3) Any moneys received as fees authorized under subsections 2 and 3 of this section;

95 (4) Any moneys received as interest on deposits or as income on approved investments
96 of the fund;

97 (5) Any moneys obtained from any other available source.

98

99 Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining
100 in the coordinating board for early childhood fund at the end of the biennium shall not revert to
101 the credit of the general revenue fund.

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