

Safe Schools Act Lists Every School Resource Officer Should Know

1. Crimes Committed Off Campus For Which You Can Remove Student From School (167.161, 167.171)

A. Students cannot be readmitted or enrolled into the regular education program (they may be enrolled in an alternative school at the district's discretion) if they have been charged, convicted or a petition has been filed in juvenile court for the following offenses:

- a. First degree murder (§565.020, RSMo.)
- b. Second degree murder (§565.021, RSMo.)
- c. First degree assault (§565.050, RSMo.)
- d. Forcible rape (§566.030, RSMo.)
- e. Forcible sodomy (§566.060, RSMo.)
- f. Statutory rape (§566.032, RSMo.)
- g. Statutory sodomy (§566.062, RSMo.)
- h. Robbery in the first degree (§569.020, RSMo.)
- i. Distribution of drugs to a minor (§195.212, RSMo.)
- j. Arson in the first degree (§569.040, RSMo.)
- k. Kidnapping, when class A felony (§565.110, RSMo.)

Exception: Students with disabilities are still entitled to educational services and cannot be excluded from the regular education program if crime was related to the disability.

B. If a student is charged, convicted, or pleads guilty to a felony in a court of general jurisdiction (not a juvenile court), the school board may suspend the student after notice to the parents or others having custodial care and a hearing.

2. Notification of School by Law Enforcement of Crimes Committed Off of School Property (167.115)

The juvenile officer, sheriff, chief of police or other appropriate law enforcement authority shall, as soon as reasonably practical, notify the superintendent or designee when a petition has been filed alleging that a student has committed:

- First or second degree murder (§§565.020, .021, RSMo.)
- Kidnapping (§565.110, RSMo.)
- First or second degree assault (§§565.050, .060, RSMo.)
- Forcible rape (§566.030, RSMo.)
- Forcible sodomy (§566.060, RSMo.)
- First degree burglary (§§569.160, .170, RSMo.)
- Robbery in the first degree (§569.020, RSMo.)
- Distribution of drugs (§195.211, RSMo.)
- Distribution of drugs to a minor (§195.212, RSMo.)
- Arson in the first degree (§569.040, RSMo.)
- Voluntary and involuntary manslaughter (§§565.012, .024 RSMo.)
- Sexual assault (§566.040, RSMo.)

Felonious restraint §565.120, RSMo.)
First degree property damage (569.100, RSMo)
Possession of a weapon (Chapter 571, RSMo., 18 U.S.C. §921)
First degree child molestation (§566.067, RSMo.)
Deviate sexual assault (§566.070, RSMo.)
Sexual misconduct involving a child (§566.083, RSMo.)
Sexual abuse (§566.100, RSMo.)

3. Notification of Law Enforcement By School of Crimes Committed on School Property or At School Events (167.115, 160.261)

- A. Should report all crimes to law enforcement.
- B. Must report the following crimes immediately:
- a) first, second or third degree assault* (§§565.050, .060, .070, RSMo.)
 - b) sexual assault (§566.040, RSMo.)
 - c) deviate sexual assault (§566.070, RSMo.)
 - d) possession of a controlled substance (§195.010, RSMo.)
 - e) possession of a weapon (defined later in Weapons Definitions)
- C. Must report the following crimes as soon as reasonably practical:
- First or second degree murder (§§565.020, .021, RSMo.)
 - Kidnapping (§565.110, RSMo.)
 - First or second degree assault (§§565.050, .060 RSMo.)
 - Forcible rape (§566.030, RSMo.)
 - Forcible sodomy (§566.060, RSMo.)
 - First or second degree burglary (§§569.160, .170, RSMo.)
 - Robbery in the first degree (§569.020, RSMo.)
 - Distribution of drugs (§195.211, RSMo.)
 - Distribution of drugs to a minor (§195.212, RSMo.)
 - Arson in the first degree (§569.040, RSMo.)
 - Voluntary and involuntary manslaughter (§§565.012, .024 RSMo.)
 - Sexual assault (§566.040, RSMo.)
 - Felonious restraint §565.120, RSMo.)
 - First degree property damage (569.100, RSMo)
 - Possession of a weapon (Chapter 571, RSMo., 18 U.S.C. §921)
 - First degree child molestation (§566.067, RSMo.)
 - Deviate sexual assault (§566.070, RSMo.)
 - Sexual misconduct involving a child (§566.083, RSMo.)
 - Sexual abuse (§566.100, RSMo.)

*Note: District may have written agreement with law enforcement on the procedure for reporting third degree assaults.

2004 Revisions to the Safe Schools Act

by HB 1453 and SB 968

New language is in **bold**. Full text of the Safe Schools Act may be accessed at http://dese.mo.gov/schoollaw/publawbook/Index_S.htm#Safe

160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

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

- (1) First degree murder under section 565.020, RSMo;
- (2) Second degree murder under section 565.021, RSMo;
- (3) Kidnapping under section 565.110, RSMo;
- (4) First degree assault under section 565.050, RSMo;
- (5) Forcible rape under section 566.030, RSMo;
- (6) Forcible sodomy under section 566.060, RSMo;

- (7) Burglary in the first degree under section 569.160, RSMo;
- (8) Burglary in the second degree under section 569.170, RSMo;
- (9) Robbery in the first degree under section 569.020, RSMo;
- (10) Distribution of drugs under section 195.211, RSMo;
- (11) Distribution of drugs to a minor under section 195.212, RSMo;
- (12) Arson in the first degree under section 569.040, RSMo;
- (13) Voluntary manslaughter under section 565.023, RSMo;
- (14) Involuntary manslaughter under section 565.024, RSMo;
- (15) Second degree assault under section 565.060, RSMo;
- (16) Sexual assault under section 566.040, RSMo;
- (17) Felonious restraint under section 565.120, RSMo;
- (18) Property damage in the first degree under section 569.100, RSMo;
- (19) The possession of a weapon under chapter 571, RSMo;
- (20) Child molestation in the first degree pursuant to section 566.067, RSMo;
- (21) Deviate sexual assault pursuant to section 566.070, RSMo;
- (22) Sexual misconduct involving a child pursuant to section 566.083, RSMo; or
- (23) Sexual abuse pursuant to section 566.100, RSMo;

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

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

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

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

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

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

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

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

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

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

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

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

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

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. Acts of violence as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020, RSMo, to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210, RSMo. The provisions of sections 210.110 to 210.165, RSMo, notwithstanding, the division of family services shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to any spanking administered in a reasonable manner by any certificated

school personnel pursuant to a written policy of discipline established by the board of education of the school district. Upon receipt of any reports of child abuse by the division of family services pursuant to sections 210.110 to 210.165, RSMo, which allegedly involves personnel of a school district, the division of family services shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the division of family services and take no further action. In all matters referred back to the division of family services, the division of family services shall treat the report in the same manner as other reports of alleged child abuse received by the division. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the juvenile officer of the county in which the alleged incident occurred. The report shall be jointly investigated by the juvenile officer or a law enforcement officer designated by the juvenile officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by the juvenile officer or a law enforcement officer designated by the juvenile officer and the president of the school board or such president's designee. The investigation shall begin no later than forty-eight hours after notification from the division of family services is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the division of family services. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated. The school board shall consider the separate reports and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

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

district personnel agree that the evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

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

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

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

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

* * *

167.020. 1. As used in this section, the term "homeless child" shall mean a person less than twenty-one years of age who lacks a fixed, regular and adequate nighttime residence, including a child **or youth** who:

(1) **Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in motels, hotels, or camping grounds due to lack of alternative adequate accommodations; is living in emergency or transitional shelters; is abandoned in hospitals; or is awaiting foster care placement;**

(2) Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(3) Is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(4) Is a migratory child or youth who qualifies as homeless because the child or youth is living in circumstances described in subdivisions (1) to (3) of this subsection.

2. In order to register a pupil, the parent or legal guardian of the pupil or the pupil himself or herself shall provide, at the time of registration, one of the following:

(1) Proof of residency in the district. Except as otherwise provided in section 167.151, the term "residency" shall mean that a person both physically resides within a school district and is domiciled within that district. The domicile of a minor child shall be the domicile of a parent, military guardian pursuant to a military-issued guardianship or court-appointed legal guardian; or

(2) Proof that the person registering the student has requested a waiver under subsection 3 of this section within the last forty-five days. In instances where there is reason to suspect that admission of the pupil will create an immediate danger to the safety of other pupils and employees of the district, the superintendent or the superintendent's designee may convene a hearing within **five** working days of the request to register and determine whether or not the pupil may register.

3. Any person subject to the requirements of subsection 2 of this section may request a waiver from the district board of any of those requirements on the basis of hardship or good cause. Under no circumstances shall athletic ability be a valid basis of hardship or good cause for the issuance of a waiver of the requirements of subsection 2 of this section. The district board shall convene a hearing as soon as possible, but no later than forty-five days after receipt of the waiver request made under this subsection or the waiver request shall be granted. The district board may grant the request for a waiver of any requirement of subsection 2 of this section. The district board may also reject the request for a waiver in which case the pupil shall not be allowed to register. Any person aggrieved by a decision of a district board on a request for a waiver under this subsection may appeal such decision to the circuit court in the county where the school district is located.

4. Any person who knowingly submits false information to satisfy any requirement of subsection 2 of this section is guilty of a class A misdemeanor.

5. In addition to any other penalties authorized by law, a district board may file a civil action to recover, from the parent, military guardian or legal guardian of the pupil, the

costs of school attendance for any pupil who was enrolled at a school in the district and whose parent, military guardian or legal guardian filed false information to satisfy any requirement of subsection 2 of this section.

6. Subsection 2 of this section shall not apply to a pupil who is a homeless child or a pupil attending a school not in the pupil's district of residence as a participant in an interdistrict transfer program established under a court-ordered desegregation program, a pupil who is a ward of the state and has been placed in a residential care facility by state officials, a pupil who has been placed in a residential care facility due to a mental illness or developmental disability, a pupil attending a school pursuant to sections 167.121 and 167.151, a pupil placed in a residential facility by a juvenile court, a pupil with a disability identified under state eligibility criteria if the student is in the district for reasons other than accessing the district's educational program, or a pupil attending a regional or cooperative alternative education program or an alternative education program on a contractual basis.

7. Within two business days of enrolling a pupil, the school official enrolling a pupil, including any special education pupil, shall request those records required by district policy for student transfer and those discipline records required by subsection 7 of section 160.261, RSMo, from all schools previously attended by the pupil within the last twelve months. Any school district that receives a request for such records from another school district enrolling a pupil that had previously attended a school in such district shall respond to such request within five business days of receiving the request. School districts may report or disclose education records to law enforcement and juvenile justice authorities if the disclosure concerns law enforcement's or juvenile justice authorities' ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is disclosed must comply with applicable restrictions set forth in 20 U.S.C. Section 1232g (b)(1)(E).

* * *

167.171. 1. The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts relating to the suspension, the action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

- (1) The pupil shall be given oral or written notice of the charges against such pupil;
- (2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;
- (3) The pupil shall be given an opportunity to present such pupil's version of the incident; and
- (4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

3. No school board shall readmit or enroll a pupil properly suspended for more than ten consecutive school days for an act of school violence as defined in subsection 2 of section 160.261, RSMo, regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school, or otherwise permit such pupil to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference shall include the appropriate school officials including any teacher employed in that school or district directly involved with the conduct that resulted in the suspension or expulsion, the pupil, the parent or guardian of the pupil or any agency having legal jurisdiction, care, custody or control of the pupil. The school board shall notify in writing the parents or guardians and all other parties of the time, place, and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. Notwithstanding any provision of this subsection to the contrary, no pupil shall be readmitted or enrolled to a regular program of instruction if:

- (1) Such pupil has been convicted of; or
- (2) An indictment or information has been filed alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (3) A petition has been filed pursuant to section 211.091, RSMo, alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (4) The pupil has been adjudicated to have committed an act which if committed by an adult would be one of the following:

- (a) First degree murder under section 565.020, RSMo;
- (b) Second degree murder under section 565.021, RSMo;
- (c) First degree assault under section 565.050, RSMo;
- (d) Forcible rape under section 566.030, RSMo;
- (e) Forcible sodomy under section 566.060, RSMo;
- (f) Statutory rape under section 566.032, RSMo.;**
- (g) Statutory sodomy under section 566.062, RSMo.;**
- (h) Robbery in the first degree under section 569.020, RSMo;
- (i) Distribution of drugs to a minor under section 195.212, RSMo;
- (j) Arson in the first degree under section 569.040, RSMo;
- (k) Kidnapping, when classified as a class A felony under section 565.110, RSMo.

Nothing in this subsection shall prohibit the readmittance or enrollment of any pupil if a petition has been dismissed, or when a pupil has been acquitted or adjudicated not to have committed any of the above acts. This subsection shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability. Nothing in this subsection shall be construed to prohibit a school district which provides an alternative education program from enrolling a pupil in an alternative education program if the district determines such enrollment is appropriate.

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the

school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.

Definitions

Assault While On School Property

565.075. 1. A person commits the crime of assault while on school property if the person:

- (1) Knowingly causes physical injury to another person; or
- (2) With criminal negligence, causes physical injury to another person by means of a deadly weapon; or
- (3) Recklessly engages in conduct which creates a grave risk of death or serious physical injury to another person;

and the act described under subdivision (1), (2) or (3) of this subsection occurred on school or school district property, or in a vehicle that at the time of the act was in the service of a school or school district, or arose as a result of a school or school district-sponsored activity.

2. Assault while on school property is a class D felony.

Assault, First Degree

565.050. 1. A person commits the crime of assault in the first degree if he attempts to kill or knowingly causes or attempts to cause serious physical injury to another person.

2. Assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim in which case it is a class A felony.

Assault, Second Degree

565.060. 1. A person commits the crime of assault in the second degree if he:

- (1) Attempts to kill or knowingly causes or attempts to cause serious physical injury to another person under the influence of sudden passion arising out of adequate cause; or
- (2) Attempts to cause or knowingly causes physical injury to another person by means of a deadly weapon or dangerous instrument; or
- (3) Recklessly causes serious physical injury to another person; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause physical injury to any other person than himself; or

(5) Recklessly causes physical injury to another person by means of discharge of a firearm.

2. The defendant shall have the burden of injecting the issue of influence of sudden passion arising from adequate cause under subdivision (1) of subsection 1 of this section.

3. Assault in the second degree is a class C felony.

Assault, Third Degree

565.070. 1. A person commits the crime of assault in the third degree if:

(1) The person attempts to cause or recklessly causes physical injury to another person; or

(2) With criminal negligence the person causes physical injury to another person by means of a deadly weapon; or

(3) The person purposely places another person in apprehension of immediate physical injury; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to another person; or

(5) The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative; or

(6) The person knowingly causes physical contact with an incapacitated person, as defined in section 475.010, RSMo, which a reasonable person, who is not incapacitated, would consider offensive or provocative.

2. Except as provided in subsections 3 and 4 of this section, assault in the third degree is a class A misdemeanor.

3. A person who violates the provisions of subdivision (3) or (5) of subsection 1 of this section is guilty of a class C misdemeanor.

4. A person who has pled guilty to or been found guilty of the crime of assault in the third degree more than two times against any family or household member as defined in section 455.010, RSMo, is guilty of a class D felony for the third or any subsequent commission of the crime of assault in the third degree when a class A misdemeanor. The offenses described in this subsection may be against the same family or household member or against different family or household members.

Sexual Offense Definitions

566.010. As used in this chapter and chapter 568, RSMo, the following terms mean:

(1) "Deviate sexual intercourse", any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the male or female sex organ or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person;

(2) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;

(3) "Sexual contact", any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person;

(4) "Sexual intercourse", any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results.

Sexual Abuse

566.100. 1. A person commits the crime of sexual abuse if he subjects another person to sexual contact by the use of forcible compulsion.

2. Sexual abuse is a class C felony unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual contact with more than one person or the victim is less than fourteen years of age, in which case the crime is a class B felony.

Sexual Assault

566.040. 1. A person commits the crime of sexual assault if he has sexual intercourse with another person knowing that he does so without that person's consent.

2. Sexual assault is a class C felony.

Deviate Sexual Assault

566.070. 1. A person commits the crime of deviate sexual assault if he has deviate sexual intercourse with another person knowing that he does so without that person's consent.

2. Deviate sexual assault is a class C felony.

Forcible Rape

566.030. 1. A person commits the crime of forcible rape if such person has sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. Forcible rape or an attempt to commit forcible rape is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

Forcible Sodomy

566.060. 1. A person commits the crime of forcible sodomy if such person has deviate sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. Forcible sodomy or an attempt to commit forcible sodomy is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

Statutory Rape

566.032. 1. A person commits the crime of statutory rape in the first degree if he has sexual intercourse with another person who is less than fourteen years old.

2. Statutory rape in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner, subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, or the victim is less than twelve years of age in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

Statutory Sodomy

566.062. 1. A person commits the crime of statutory sodomy in the first degree if he has deviate sexual intercourse with another person who is less than fourteen years old.

2. Statutory sodomy in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner, subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, or the victim is less than twelve years of age, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

Sexual Misconduct Involving a Child

566.083. 1. A person commits the crime of sexual misconduct involving a child if the person:

(1) Knowingly exposes the person's genitals to a child less than fourteen years of age in a manner that would cause a reasonable adult to believe that the conduct is likely to cause affront or alarm to a child less than fourteen years of age;

(2) Knowingly exposes the person's genitals to a child less than fourteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; or

(3) Coerces a child less than fourteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child.

2. As used in this section, the term "sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Violation of this section is a class D felony; except that the second or any subsequent violation of this section is a class C felony.

Weapons Definitions

571.010. As used in this chapter:

(1) "Antique, curio or relic firearm" means any firearm so defined by the National Gun Control Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of Alcohol Tobacco and Firearms, 27 CFR Section 178.11:

- (a) Antique firearm is any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said ammunition not being manufactured any longer; this includes any matchlock, wheel lock, flintlock, percussion cap or similar type ignition system, or replica thereof;
- (b) Curio or relic firearm is any firearm deriving value as a collectible weapon due to its unique design, ignition system, operation or at least fifty years old, associated with a historical event, renown personage or major war;
- (2) "Blackjack" means any instrument that is designed or adapted for the purpose of stunning or inflicting physical injury by striking a person, and which is readily capable of lethal use;
- (3) "Concealable firearm" means any firearm with a barrel less than sixteen inches in length, measured from the face of the bolt or standing breech;
- (4) "Deface" means to alter or destroy the manufacturer's or importer's serial number or any other distinguishing number or identification mark;
- (5) "Explosive weapon" means any explosive, incendiary, or poison gas bomb or similar device designed or adapted for the purpose of inflicting death, serious physical injury, or substantial property damage; or any device designed or adapted for delivering or shooting such a weapon;
- (6) "Firearm" means any weapon that is designed or adapted to expel a projectile by the action of an explosive;
- (7) "Firearm silencer" means any instrument, attachment, or appliance that is designed or adapted to muffle the noise made by the firing of any firearm;
- (8) "Gas gun" means any gas ejection device, weapon, cartridge, container or contrivance other than a gas bomb, that is designed or adapted for the purpose of ejecting any poison gas that will cause death or serious physical injury, but not any device that ejects a repellant or temporary incapacitating substance;
- (9) "Intoxicated" means substantially impaired mental or physical capacity resulting from introduction of any substance into the body;
- (10) "Knife" means any dagger, dirk, stiletto, or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. For purposes of this chapter, "knife" does not include any ordinary pocketknife with no blade more than four inches in length;
- (11) "Knuckles" means any instrument that consists of finger rings or guards made of a hard substance that is designed or adapted for the purpose of inflicting serious physical injury or death by striking a person with a fist enclosed in the knuckles;

- (12) "Machine gun" means any firearm that is capable of firing more than one shot automatically, without manual reloading, by a single function of the trigger;
- (13) "Projectile weapon" means any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person;
- (14) "Rifle" means any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore by a single function of the trigger;
- (15) "Short barrel" means a barrel length of less than sixteen inches for a rifle and eighteen inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall rifle or shotgun length of less than twenty-six inches;
- (16) "Shotgun" means any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile through a smooth bore barrel by a single function of the trigger;
- (17) "Spring gun" means any fused, timed or nonmanually controlled trap or device designed or adapted to set off an explosion for the purpose of inflicting serious physical injury or death;
- (18) "Switchblade knife" means any knife which has a blade that folds or closes into the handle or sheath, and
- (a) That opens automatically by pressure applied to a button or other device located on the handle; or
- (b) That opens or releases from the handle or sheath by the force of gravity or by the application of centrifugal force.

Official Missouri School Resource Officer (SRO) Training Notice

SRO TRAINING – ADVANCED / INTERMEDIATE

Date: 10 January 2007
To: All agencies and officers seeking SRO Training
From: Sheldon Lineback, MPCCF Executive Director

* Date: 23 thru 27 July 2007

* Location: MPCCF Headquarters – 1001 East High Street, Jefferson City, Mo. 65101

* Class Size: Limited to the first (25) twenty-five candidates applications received.

* Who could utilize this training: New / senior SRO's and school unit supervisors.

* Fee for the training will be \$350.00. This cost includes training materials, lunch meals and membership dues to the Missouri School Resource Officers Association for one year. Post credits will be awarded to those who successfully complete the training. This program contains an "Active Shooter" block of instruction.

* Lodging can be obtained by the officer / department by contacting Truman Inn (**573/ 635-7171**) (Nathan or Denise are the POC). To obtain the training rate, please identify yourself as an attendee for the SRO training. Room rates are \$46.35 per night (single or double occupancy) with a tax exempt ID statement. **Breakfast meals are provided at the hotel. It is your responsibility to make your own reservations.**

*** Registration Process:**

1. Fill out the SRO Registration and Payment Forms - fax it back to the **MPCCF (573) 636-6634**.

2. The first (25) twenty-five SRO Registration Forms received will be processed. These candidates will be contacted and notified that they have a slot in the class. They will be sent directions and contact numbers. These spots are not transferable within the department without contacting the MPCCF.

3. **Make your own lodging with Truman Inn.** Don't forget to bring the tax exempt letter.

*** Other Information:**

- For future SRO programs check their web site MSROA.Missouri.
- Don't forget the Annual MSROA Conference on June 25 – 28, 2007 at Tan-Tar-A (See the MSROA web site for registration forms)

CANDIDATE NAME: _____

SRO PAYMENT FORM

(Please place a check mark beside the options you choose)

___ **Invoice for the services.**

Attention: _____

___ **PAYMENT IS ATTACHED (Please mail to address below.)**

Missouri Police Chiefs' Charitable Foundation

SRO Training

1001 East High Street

Jefferson City, Mo. 65101

REGISTRATION FEE for training is \$350

___ **Registration fee is enclosed.**

___ **Bill my department at the above address**

___ **Send bill to following address:**

___ **Pay by Credit Card (Visa or Mastercard)**

Card type: (please circle) Visa or Mastercard

Name on the card: _____

Card Number: _____ **Date on Card:** _____

SCHOOL RESOURCE OFFICER TRAINING

July 23 thru 27, 2007

MISSOURI POLICE CHIEFS' CHARITABLE FOUNDATION
TRAINING FACILITY 1001 East High Street, Jefferson City, Mo.

SRO REGISTRATION FORM

First Name: _____

Last Name: _____

Agency: _____

Address: _____

City: _____ State: _____

Phone Number: _____ Fax Number _____

E-mail Address _____

School District or School Assigned

Name: -----

Address: -----

Agenda

Monday, 23 July 2007

0800 – 0900 Opening / welcome

0900 – 1200 Safe schools, Student Records (FERPA) and Search & Seizure

1200 – 1300 Lunch

1300 – 1630 CPTED and School Visit

Tuesday, 24 July 2007

0800 - 1000 Internet Safety for our youth

1000 – 1200 Teen Sexual Awareness

1200 – 1300 Lunch

1300 - 1530 Music and Our Youth

1530 - 1630 DRE in the School

Wednesday, 25 July 2007

0800 – 1200 Threat Assessment / Crisis Management

1200 – 1300 Lunch

1300 – 1700 Juvenile Law

Thursday, 26 July 2007

0800 – 1200 Active Shooter – Classroom

1200 – 1300 Lunch

1300 – 1700 Active Shooter - Skills (Hands on Training)

Friday, 27 July 2007

0800 – 1200 Active Shooter – Skills cont.

1200 – Award of Certificates. / Critique of Program

MISSOURI POLICE CHIEFS CHARITABLE FOUNDATION 2007 MISSOURI LAW ENFORCEMENT / MSROA JOINT CONFERENCE



**2007
MSROA Annual Training Conference
&
Business Meeting**

June 25 thru 28, 2007

**Tan-Tar-A Resort
P.O.Box 188, TT
Osage Beach, Missouri 65065**

**MPCCF & MSORA Conference
Registration Form**

June 25 thru 28, 2007

Tan-Tar-A Resort

Registration Deadline: June 15, 2007 Fax to: (573) 636-6634

First Name: _____ Last Name: _____

School / Department: _____ Position/ Title: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ E-Mail: _____

Conference Registration:	\$ 125.00
Conference includes CEH's for selected Conference sessions, all instructional materials, MSROA membership, refreshments, family BBQ, two breakfasts and one lunch	
Extra Business Lunch Ticket	\$20.00
Total Amount Due (Make checks payable to MPCCF)	\$ _____
Method of payment: Check <input type="checkbox"/> Purchase Order <input type="checkbox"/> Pay on Site <input type="checkbox"/> Credit Card <input type="checkbox"/>	
Credit Card (Visa and Master Card Only) # _____	Exp. Date: _____

Mail or Fax Registration by June 15, 2007

Registrations Sent After June 15, 2007, \$150.00

*****Make Checks Payable to MPCCF*****

1001 East High Street

Jefferson City, Mo. 65101 (573) 636-5444 Fax (573) 636-6634

Make Your Own Lodging By May 25, 2007: Tan-Tar-A Resort

Osage Beach, Missouri 65065

(573) 348-3131 or 1-800-Tan-Tar-A

AGENDA:

Monday, June 25, 2007:

0800 to 1600 Registration

During the conference you will receive vital information that relates to the School Resource Officer Program. We will provide information that will enhance your knowledge of juvenile law, school terrorist activities, teen use of illegal drugs and problems related to school behavior. Post credits will be provided to those courses that meet the qualification.

The Conference will be hosted in one of the most beautiful settings at the Lake. Tan-Tar-A is known worldwide for its attractions and family fun. Vendors will be available for your viewing. A family BBQ will be offered at one of the local state parks. One evening is designated as “Free” time for shopping at the many specialty stores. Another evening is reserved for pizza by the pool. Networking rooms will also be available for those who wish to attend and share “war stories”.

Make all checks payable to the MPCCF and don't forget to send your registration to the following address:

Missouri Police Chiefs Charitable Foundation (MPCCF)

1001 East High Street

Jefferson City, Missouri 65101

Late registrations will be \$150.00 after June 15, 2007

Tan-Tar-A Resort:

Make your room reservations by calling: **Tan-Tar-A, 1-800-tan-tar-a or (573) 348-3131**. Room rates are **\$89.00 per night**. This includes all taxes, but don't forget to bring your city tax exempt letter. Don't forget to mention that the reservation is for the **Law Enforcement and MSROA Conference**. For further information, view the MSROA web site at MSROA.Missouri.org
** Room Reservation cut-off is **May 15, 2007**. Price and location may change after that date.

Training:

The MPCCF will host a SRO Training Program on 23 thru 27 July, 2007. Visit MOPCA.Com for information or call (573) 636-5444, ask for Mike.

**MSROA 2006-2007 SCHOOL RESOURCE OFFICER OF THE YEAR
AWARD
Nomination Application Format**

The first MSROA's "SRO Of The Year" award was given at the 2006 MSROA Conference. This award's purpose is to recognize a MSROA member, who is in good standing, for their exceptional achievement serving in a school resource assignment. Please complete the form as instructed below. All nomination forms must be received by no later than May 1, 2007, and can be mailed to:

Missouri School Resource Officer's Association
c/o Missouri Police Chief's Charitable Foundation
1001 East High Street
Jefferson City, MO 65101

 * * * * *  **Format To Use**  * * * * *
* 

**SRO's NAME
DEPARTMENT
ADDRESS (full mailing)
PHONE NUMBER & E-MAIL ADDRESS**

**NOMINATING PERSON's NAME, TITLE, PHONE NUMBER, & E-MAIL
ADDRESS**
(Nominating person may be another officer / supervisor, or a school staff /
administration member.)

INCLUDE:

- *List Nominee's Training & Experience
- *List any awards the nominee has received (PROVIDE A PHOTOCOPY OF EACH AWARD.)
- *In detail, describe how the nominee fulfills the SRO Triad Role Concept of:
 - > "Law Enforcement" in the school environment.
 - > "Counseling/Mediating" in the school environment.
 - > "Law Related Instructor" giving presentations in the school environment.
- *MUST include a signed endorsement letter from the nominee's agency head.

PLEASE NOTE THAT:

1. Any photographs and nomination materials will not be returned.
2. The nominated member must be a MSROA member in good standing for the year prior to the MSROA conference being nominated for.
3. A nominee must not have won the award for the past three years to be considered eligible.
4. Each nominee will be judged according to the completion of information as instructed above.

5. The Missouri School Resource Officer's Association has the right to reject, dismiss, or turn down any nomination without reason provided to the nominator or nominee.

Any questions should be directed to the current MSROA President or his designee.