

FIRST REGULAR SESSION

HOUSE BILL NO. 1304

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HENDERSON.

2665H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 162 and 170, RSMo, by adding thereto two new sections relating to liability claims in educational settings.

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

Section A. Chapters 162 and 170, RSMo, are amended by adding thereto two new sections, to be known as sections 162.012 and 170.038, to read as follows:

162.012. 1. For purposes of this section, the following terms mean:

(1) "School-sponsored activity", any activity sponsored by a school including, but not limited to, participation in a work-based learning program in which training or work activities are conducted at the premises of or under the direction of an employer participating in the program;

(2) "Work-based learning program", the same meaning given to the term in section 170.038.

2. The school board of any school district may purchase insurance contracts to insure against loss, damages, or expenses incident to a claim arising out of the sickness, bodily injury, or death by accident of any student injured on school premises or during school-sponsored activities. For purposes of this subsection, travel to and from any work-based learning program shall constitute a school-sponsored activity.

3. The school board of any school district may purchase insurance contracts for the benefit of students to insure against loss resulting from the loss of, theft of, or damage to the personal property of students while on school premises or during school-sponsored activities.

170.038. 1. For purposes of this section, the following terms mean:

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.

2 **(1) "Secondary education", education of students who attend secondary schools;**

3 **(2) "Secondary school", a public school giving instruction in a grade or grades not**
4 **lower than the sixth nor higher than the twelfth grade;**

5 **(3) "Work-based learning program", a learning program in a secondary education**
6 **curriculum that:**

7 **(a) Includes, but is not limited to, work study, on-the-job training, job shadowing,**
8 **internships, clinicals, practicums, cooperative projects, and industry-led service-learning**
9 **projects;**

10 **(b) Is incorporated into coursework or related to a specific field of study; and**

11 **(c) Integrates knowledge and theory learned in the classroom with the practical**
12 **application and development of technical skills and proficiencies in a professional work**
13 **setting.**

14 **2. An employer who accepts a secondary school student in a work-based learning**
15 **program shall not be subject to civil liability for any claim arising from the student's**
16 **negligent act or omission.**

17 **3. Nothing in this section shall provide immunity for gross negligence or willful**
18 **misconduct.**

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