

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1678

98TH GENERAL ASSEMBLY

Reported from the Committee on Education, April 21, 2016, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

4824S.02C

AN ACT

To repeal section 170.310, RSMo, and to enact in lieu thereof two new sections relating to student safety.

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

Section A. Section 170.310, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 170.310 and 173.2050, to read as
3 follows:

170.310. 1. **For school year 2017-18 and each school year**
2 **thereafter, upon graduation from high school pupils in public schools**
3 **and charter schools shall have received thirty minutes of**
4 **cardiopulmonary resuscitation instruction and training in the proper**
5 **performance of the Heimlich maneuver or other first aid for choking**
6 **given any time during a pupil's four years of high school.**

7 **2. Beginning in school year 2017-18,** any public school or charter
8 school serving grades nine through twelve [may] **shall** provide enrolled students
9 instruction in cardiopulmonary resuscitation. Students with disabilities may
10 participate to the extent appropriate as determined by the provisions of the
11 Individuals with Disabilities Education Act or Section 504 of the Rehabilitation
12 Act. Instruction [may be embedded in any health education course] **shall be**
13 **included in the district's existing health or physical education**
14 **curriculum.** Instruction shall be based on a program established by the
15 American Heart Association or the American Red Cross, or through a nationally
16 recognized program based on the most current national evidence-based emergency
17 cardiovascular care guidelines, and psychomotor skills development shall be
18 incorporated into the instruction. For purposes of this section, "psychomotor

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

19 skills" means the use of hands-on practicing and skills testing to support
20 cognitive learning.

21 [2.] 3. The teacher of the cardiopulmonary resuscitation course or unit
22 shall not be required to be a certified trainer of cardiopulmonary resuscitation if
23 the instruction is not designed to result in certification of students. Instruction
24 that is designed to result in certification being earned shall be required to be
25 taught by an authorized cardiopulmonary instructor. Schools may develop
26 agreements with any local chapter of a voluntary organization of first responders
27 to provide the required hands-on practice and skills testing.

28 [3.] 4. The department of elementary and secondary education may
29 promulgate rules to implement this section. Any rule or portion of a rule, as that
30 term is defined in section 536.010, that is created under the authority delegated
31 in this section shall become effective only if it complies with and is subject to all
32 of the provisions of chapter 536 and, if applicable, section 536.028. This section
33 and chapter 536 are nonseverable and if any of the powers vested with the
34 general assembly pursuant to chapter 536 to review, to delay the effective date,
35 or to disapprove and annul a rule are subsequently held unconstitutional, then
36 the grant of rulemaking authority and any rule proposed or adopted after August
37 28, 2012, shall be invalid and void.

**173.2050. 1. The governing board of each public institution of
2 higher education in this state shall engage in discussions with law
3 enforcement agencies with jurisdiction over the premises of an
4 institution to develop and enter into a memorandum of understanding
5 concerning sexual assault, domestic violence, dating violence, and
6 stalking, as defined in the federal Higher Education Act of 1965, 20
7 U.S.C. Section 1092(f), involving students both on and off campus.**

8 **2. The memorandum of understanding shall contain detailed
9 policies and protocols regarding sexual assault, domestic violence,
10 dating violence, and stalking involving a student that comport with
11 best practices and current professional practices. At a minimum, the
12 memorandum shall set out procedural requirements for the reporting
13 of an offense, protocol for establishing who has jurisdiction over an
14 offense, and criteria for determining when an offense is to be reported
15 to law enforcement.**

16 **3. The department of public safety in cooperation with the
17 department of higher education shall promulgate rules and regulations**

18 to facilitate the implementation of this section. Any rule or portion of
19 a rule, as that term is defined in section 536.010, that is created under
20 the authority delegated in this section shall become effective only if it
21 complies with and is subject to all of the provisions of chapter 536 and,
22 if applicable, section 536.028. This section and chapter 536 are
23 nonseverable, and if any of the powers vested with the general
24 assembly pursuant to chapter 536 to review, to delay the effective date,
25 or to disapprove and annul a rule are subsequently held
26 unconstitutional, then the grant of rulemaking authority and any rule
27 proposed or adopted after August 28, 2016, shall be invalid and void.

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