

By: Representatives Calvert, Smith,
Lancaster, McLean, Creekmore IV, Roberson,
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(70th)

To: Education

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 770

1 AN ACT TO CREATE THE "TRAUMA-INFORMED DISCIPLINE PRACTICES
2 ACT"; TO PREVENT AND REDUCE TRAUMA-RELATED AFTER EFFECTS THROUGH
3 THE DEVELOPMENT AND IMPLEMENTATION OF APPROACHES TO STUDENT
4 LEARNING THAT RECOGNIZE THE SIGNS AND SYMPTOMS OF TRAUMA AND
5 INTEGRATES RESEARCH-BASED KNOWLEDGE INTO EDUCATION-BASED POLICIES,
6 LEARNING, PROCEDURES AND PRACTICES IN PUBLIC AND PRIVATE SCHOOLS;
7 TO PROVIDE DEFINITIONS; TO PRESCRIBE THE MINIMUM STANDARDS OF
8 TRAINING; TO REQUIRE EACH LOCAL SCHOOL BOARD OR APPROPRIATE
9 GOVERNING BOARD OF EACH PUBLIC SCHOOL, CHARTER SCHOOL AND
10 NONPUBLIC SCHOOL ACCREDITED BY THE STATE DEPARTMENT OF EDUCATION
11 TO SUBMIT A STATE PLAN AND TO PROVIDE REPORTING REQUIREMENTS IN
12 ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE
13 BOARD OF EDUCATION; TO CREATE THE MISSISSIPPI SCHOOL SAFETY AND
14 SECURITY COMMITTEE TO DEVELOP RECOMMENDATIONS FOR SCHOOLS RELATING
15 TO MENTAL HEALTH SERVICES AND TRAUMA-INFORMED SCHOOLS; AND FOR
16 RELATED PURPOSES.

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

18 **SECTION 1.** This act shall be known, and may be cited as the
19 "Trauma-Informed Discipline Practices Act."

20 **SECTION 2.** **Findings.** (1) With the rise in school shootings
21 and violence in the United States, national research is confirming
22 that anxiety and stress levels of children and teenagers are
23 increasing at an alarming rate in public and private schools. A
24 child's exposure and reaction to trauma can interfere with brain
25 development, learning and behavior, all of which have a potential



26 impact on a child's academic success as well as the overall school
27 experience.

28 (2) By understanding and responding to trauma, school
29 administrators, teachers, staff and students can help reduce its
30 negative impact, support critical learning, and create a more
31 positive school experience. Trauma-informed discipline policies
32 and behavioral interventions can better meet the educational needs
33 of students who have experienced trauma.

34 (3) Policy must be implemented that better equips teachers
35 and other school employees to help children who have experienced
36 trauma, or Adverse Childhood Experiences (ACEs), succeed by
37 implementing mandatory training for select professional school
38 staff.

39 (4) Adverse Childhood Experiences (ACEs) include all forms
40 of maltreatment, abuse, neglect and other potentially traumatic
41 experiences that occur to people younger than eighteen (18) years
42 of age. An ACE score is a tally of different types of abuse,
43 neglect and other hallmarks of a challenging childhood. The
44 higher the ACE score, the more childhood trauma the child has
45 experienced. The more childhood trauma, the higher the risk of
46 self-destructive behavior, chronic health conditions, emotional
47 and behavioral dysfunction and premature death, according to the
48 Centers for Disease Control and Prevention.

49 (5) There are no evidence-based training programs on adverse
50 childhood experiences for school leaders and teachers in



51 Mississippi. ACEs are stressful or traumatic events experienced
52 by people under eighteen (18) years of age, and include, but are
53 not limited to: physical abuse, sexual abuse, poverty, neglect,
54 neighborhood violence, natural or other disasters, hunger,
55 bullying, family violence, emotional abuse and psychological
56 abuse.

57 (6) The State of Mississippi lacks authorization for local
58 education agencies (LEAs) to develop their own ACEs training
59 program to make available to school personnel.

60 **SECTION 3. Purpose.** The purposes of this act are to:

61 (a) Develop an evidence-based strategy to address
62 adverse childhood experiences (ACEs), as defined in Section 4 of
63 this act, that are adopted through policies by public, charter and
64 nonpublic schools accredited by the State Department of Education,
65 which seek to:

66 (i) Balance accountability with an understanding
67 of traumatic behavior;

68 (ii) Teach school and classroom rules while
69 reinforcing that violence and abusive behavior are not allowed,
70 nor tolerated at school or school-related activities;

71 (iii) Create consistent rules and consequences;

72 and

73 (iv) Model respectful, nonviolent relationships.

74 (b) Develop guidelines on trauma-informed discipline
75 practices, based on professional input from licensed school social



76 workers, who participate in in-home case management, certified
77 trauma specialists, and by the State Department of Education, that
78 LEAs must use to develop related policy.

79 **SECTION 4. Definitions.** As used in this act, the following
80 terms shall have the meanings ascribed in this section, unless
81 context of use clearly requires otherwise:

82 (a) "Adverse Childhood Experiences" (ACEs) mean
83 stressful or traumatic events experienced by minor children,
84 including, but not limited to: physical abuse, sexual abuse,
85 poverty, neglect, neighborhood violence, natural or other
86 disasters, hunger, bullying, family violence, emotional abuse and
87 psychological abuse.

88 (b) "Elementary school" means any school within the
89 definition of the term under the Elementary and Secondary
90 Education Act of 1965 (20 USCS Section 7801(18)).

91 (c) "Local school district" means a Mississippi public
92 school district governed by a local school board, charter school
93 governing board, or board of a nonpublic school accredited by the
94 State Department of Education.

95 (d) "Charter school" means a school operating under the
96 authority of the "Mississippi Charter School Act of 2013," as
97 defined in Section 37-28-5.

98 (e) "Trauma-informed discipline practices" means a
99 strength-based framework, grounded in an understanding of and
100 responsiveness to the impact of trauma that emphasizes physical,



101 psychological and emotional safety for everyone, and that creates
102 opportunities for survivors to rebuild a sense of control and
103 empowerment.

104 (f) "Positive behavior supports" means a systematic
105 approach to embed evidence-based practices and data-driven
106 decision making to improve school climate and culture, including
107 systemic and individualized strategies to achieve improved
108 academic and social outcomes, and increase learning for all
109 students.

110 (g) "School" mean any entity that is a public school,
111 charter school or nonpublic school accredited by the State
112 Department of Education that provides early childhood, elementary
113 or secondary education programs of instruction, which are under
114 the jurisdiction of a local education agency, governing board, or
115 other board of trustees, and receive financial assistance from the
116 state and federal government.

117 (h) "Secondary school" means any school within the
118 definition of the term under the Elementary and Secondary
119 Education Act of 1965 (20 USCS Section 7801(38)).

120 (i) "Board" means the State Board of Education acting
121 through the State Superintendent of Public Education.

122 **SECTION 5. Minimum standards.** Not later than one hundred
123 eighty (180) days after July 1, 2020, the State Board of Education
124 shall promulgate rules and regulations establishing the minimum
125 standards of training of school personnel in trauma-informed



126 education for all public, charter and nonpublic schools accredited
127 by the State Department of Education providing instruction for
128 students in kindergarten through Grade 12. The standards shall
129 include:

130 (a) Techniques to identify and assess signs of ACEs and
131 the resulting trauma among students in kindergarten through Grade
132 12;

133 (b) Approaches to utilize triangulated, hierarchical
134 support systems;

135 (c) Development of school-wide policies related to
136 positive behavior supports, restorative justice and resiliency;

137 (d) Requirements that the governing board of each LEA,
138 public school, charter school and nonpublic school accredited by
139 the State Department of Education adopts a policy requiring
140 schools under their jurisdiction to perform an ACEs assessment
141 before long-term suspension for ten (10) or more days, expelling a
142 student, or requiring a student to attend alternative school; and

143 (e) The policy adopted by an educational entity under
144 paragraph (d) of this section must provide guidance on who will
145 administer the assessment, limited to the Licensed Certified
146 Social Workers (LCSW), National Certified School Counselors,
147 (NCSC), or Class AAA or AAAA psychologists. The assessment
148 findings must be considered before implementing long-term
149 suspension for ten (10) or more days, expelling a student, or
150 requiring a student to attend alternative school.



151 **SECTION 6. State plan and reporting requirement and**

152 **enforcement.** (1) Not later than two (2) weeks after the
153 promulgation of the rules and regulations required under the
154 provisions of Section 5 of this act are formally adopted following
155 compliance with the Mississippi Administrative Procedures Act, and
156 every year thereafter, the local school board or appropriate
157 governing board of each public school, charter school and
158 nonpublic school accredited by the State Department of Education
159 providing instruction for students in kindergarten through Grade
160 12 shall submit a plan to the State Superintendent of Public
161 Education that provides:

162 (a) Assurances that the school district, charter school
163 or accredited nonpublic school has in effect:

164 (i) Policies and procedures that meet the minimum
165 standards with respect to state-approved trauma-informed education
166 mandatory training, established by regulations promulgated by the
167 State Board of Education;

168 (ii) Mechanisms to ensure the recording of the
169 occurrence of the trauma-informed education mandatory training;
170 and

171 (iii) Mechanisms to effectively monitor and
172 enforce the minimum standards.

173 (b) A description of the state policies and procedures,
174 including a description of the state-approved trauma-informed
175 education trainings programs in the state.



176 (2) Annually, each local school board or appropriate
177 governing board of each public school, charter school and
178 nonpublic school accredited by the State Department of Education
179 shall prepare and submit to the State Board of Education, the
180 number of school personnel participating, the number of trainings
181 facilitated, dates of the trainings and location of the
182 state-approved trauma-informed education mandatory trainings.

183 **SECTION 7.** (1) There is created the Mississippi School
184 Safety and Security Committee. The Mississippi School Safety and
185 Security Committee is a working group, the purposes of which are
186 to develop recommendations that promote early identification,
187 referral, coordination and access to quality mental health
188 services for students and to have as an additional focus on the
189 safety of the students and educators in the classroom.

190 (2) The Mississippi School Safety and Security Committee
191 shall develop a guide for public schools, charter schools and any
192 nonpublic school accredited by the State Department of Education
193 on how to become a trauma-informed school and a website about the
194 Trauma-Informed Schools Initiative which includes information for
195 parents or guardians, public schools, charter schools and any
196 nonpublic school accredited by the State Department of Education.

197 (3) The School Safety and Security Committee shall provide
198 criteria for the use of federal funds to support trauma-informed
199 practices in schools.



200 (4) The School Safety and Security Committee is comprised of
201 the following persons:

202 (a) A chairperson elected by majority vote of the
203 committee;

204 (b) An individual from a state institution of higher
205 learning who is a subject matter expert in trauma-informed
206 approaches, appointed by the Commissioner of Higher Education;

207 (c) A school principal with experience in behavioral
208 matters, appointed by the Mississippi Association of School
209 Administrators;

210 (d) A school nurse with experience in behavioral health
211 matters, appointed by the Mississippi Association of Educators;

212 (e) A school director with experience in school safety
213 and security matters or behavioral health matters, appointed by
214 the Mississippi Association of School Superintendents;

215 (f) A social and emotional learning coordinator;

216 (g) A child psychologist who specializes in mental,
217 social and emotional development of children, appointed by the
218 Mississippi Psychological Association; and

219 (h) A licensed clinical social worker.

220 **SECTION 8.** This act shall take effect and be in force from
221 and after July 1, 2020.

