

By: Representative Cockerham

To: Education

HOUSE BILL NO. 1132

1 AN ACT TO CREATE THE "TRAUMA-INFORMED DISCIPLINE PRACTICES
 2 ACT"; TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE RULES
 3 AND REGULATIONS AIMED AT PREVENTING AND REDUCING TRAUMA-RELATED
 4 AFTER EFFECTS THROUGH THE DEVELOPMENT AND IMPLEMENTATION OF
 5 APPROACHES TO STUDENT LEARNING WHICH RECOGNIZE THE SIGNS AND
 6 SYMPTOMS OF TRAUMA AND INTEGRATE RESEARCH-BASED KNOWLEDGE INTO
 7 EDUCATION-BASED POLICIES AND PRACTICES IN PUBLIC AND PRIVATE
 8 SCHOOLS; TO DEFINE CERTAIN TERMS; TO PRESCRIBE THE MINIMUM
 9 STANDARDS OF TRAINING; TO REQUIRE EACH LOCAL SCHOOL BOARD AND
 10 APPROPRIATE GOVERNING BOARD OF A CHARTER SCHOOL OR NONPUBLIC
 11 SCHOOL ACCREDITED BY THE STATE DEPARTMENT OF EDUCATION TO SUBMIT A
 12 STATE PLAN; TO ESTABLISH REPORTING REQUIREMENTS; TO CREATE THE
 13 MISSISSIPPI SCHOOL SAFETY AND SECURITY COMMITTEE TO DEVELOP
 14 RECOMMENDATIONS FOR SCHOOLS RELATING TO MENTAL HEALTH SERVICES AND
 15 TRAUMA-INFORMED SCHOOLS; AND FOR RELATED PURPOSES.

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

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

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



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

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

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

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

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



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

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

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

60 (a) Develop an evidence-based strategy to address
61 Adverse Childhood Experiences (ACEs), as defined in Section 4 of
62 this act, which is adopted through policies by public, charter and
63 nonpublic schools accredited by the State Department of Education,
64 which seek to:

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

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

70 (iii) Create consistent rules and consequences;

71 and

72 (iv) Model respectful, nonviolent relationships.

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



75 workers who participate in in-home case management, certified
76 trauma specialists and the State Department of Education, which
77 guidelines must be used by LEAs to develop related policy.

78 **SECTION 4. Definitions.** As used in this act, the following
79 words and phrases have the meanings ascribed in this section
80 unless the context clearly requires otherwise:

81 (a) "Adverse Childhood Experiences" (ACEs) means
82 stressful or traumatic events experienced by minor children,
83 including, but not limited to: physical abuse or other violence;
84 being a witness to violence in the home; sexual abuse; poverty;
85 neglect; neighborhood violence or being a witness to violence in
86 the community; exposure to substance abuse, prescription or
87 otherwise; exposure to mental health disorders or instability due
88 to the incarceration of parents or other household members;
89 natural or other disasters; hunger; bullying; family violence;
90 emotional abuse; and psychological abuse.

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

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



98 (d) "Charter school" means a school operating under the
99 authority of the Mississippi Charter Schools Act of 2013, as
100 defined in Section 37-28-5.

101 (e) "Trauma" means the results from an event, series of
102 events or set of circumstances which is experienced by an
103 individual as physically or emotionally harmful or threatening and
104 which has lasting adverse effects on the individual's cognitive
105 functioning and physical, social, emotional, mental or spiritual
106 well-being.

107 (f) "Trauma-informed approach" means a school-wide
108 approach to education and a classroom-based approach to student
109 learning which recognizes the signs and symptoms of trauma and
110 responds by fully integrating knowledge about trauma into
111 policies, professional learning, procedures and practices for the
112 purpose of recognizing the presence and onset of trauma, resisting
113 the recurrence of trauma and promoting resiliency tailored to a
114 school entity's culture, climate and demographics and the
115 community as a whole.

116 (g) "Trauma-informed discipline practices" means a
117 strength-based framework, grounded in an understanding of and
118 responsiveness to the impact of trauma, which emphasizes physical,
119 psychological and emotional safety for everyone and which creates
120 opportunities for survivors to rebuild a sense of control and
121 empowerment.



122 (h) "Positive behavior supports" means a systematic
123 approach to embed evidence-based practices and data-driven
124 decision making to improve school climate and culture, including
125 systemic and individualized strategies to achieve improved
126 academic and social outcomes and increase learning for all
127 students.

128 (i) "School" mean any entity that is a public school,
129 charter school or nonpublic school accredited by the State
130 Department of Education which: provides early childhood,
131 elementary or secondary education programs of instruction; are
132 under the jurisdiction of a local education agency, governing
133 board or other board of trustees; and receive financial assistance
134 from the state and federal government.

135 (j) "Secondary school" means any school within the
136 definition of the term under the Elementary and Secondary
137 Education Act of 1965 (20 USCS Section 7801(38)).

138 (k) "Board" means the State Board of Education acting
139 through the State Superintendent of Public Education.

140 **SECTION 5. Minimum standards.** Before December 31, 2020, the
141 State Board of Education shall promulgate rules and regulations
142 establishing the minimum standards of training of school personnel
143 in trauma-informed education for all public, charter and nonpublic
144 schools accredited by the State Department of Education providing
145 instruction for students in kindergarten through Grade 12. The
146 standards must include:



147 (a) Techniques to identify and assess signs of ACEs and
148 the resulting trauma among students in kindergarten through Grade
149 12;

150 (b) Approaches to utilize triangulated, hierarchical
151 support systems;

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

155 (d) Requirements that the governing board of each LEA,
156 public school, charter school and nonpublic school accredited by
157 the State Department of Education must adopt a policy requiring
158 schools under their jurisdiction to perform an ACEs assessment
159 before long-term suspension for ten (10) or more days, expelling a
160 student or requiring a student to attend alternative school. A
161 policy adopted by an educational entity under this paragraph must
162 provide guidance on who will administer the assessment, which must
163 be limited to Licensed Certified Social Workers (LCSW), National
164 Certified School Counselors (NCSC), or Class AAA or AAAA
165 psychologists. The assessment findings must be considered before
166 implementing long-term suspension for ten (10) or more days,
167 expelling a student or requiring a student to attend alternative
168 school.

169 **SECTION 6. State plan and reporting requirement and**
170 **enforcement.** (1) Not later than two (2) weeks after the date on
171 which the rules and regulations promulgated under Section 5 of



172 this act formally are adopted in compliance with the Mississippi
173 Administrative Procedures Act, and every year thereafter, the
174 local school board or appropriate governing board of each public
175 school, charter school and nonpublic school accredited by the
176 State Department of Education providing instruction for students
177 in kindergarten through Grade 12 shall submit a plan to the State
178 Superintendent of Public Education that provides:

179 (a) Trauma-Informed Practices Professional Development.
180 Trauma-Informed Practices Professional Development must include,
181 but need not be limited to:

182 (i) The implementation of mandatory training for
183 administrators, staff and school board members to identify the
184 signs and symptoms of trauma;

185 (ii) A minimum of one (1) hour of professional
186 development training on trauma-informed approaches;

187 (iii) Staff training that covers the following
188 three (3) core areas:

189 1. Strengthening relationships between
190 children and adults and conveying the vital role staff play as
191 caring adults in the lives of traumatized children and their
192 caregivers;

193 2. Identifying and using outside supports;
194 and

195 3. Helping children affected by trauma
196 modulate their emotions and gain social and academic competence;



197 (b) Assurances that the school district, charter school
198 or accredited nonpublic school has in effect:

199 (i) Policies and procedures that meet the minimum
200 standards with respect to state-approved trauma-informed education
201 mandatory training, as established by regulations promulgated by
202 the State Board of Education;

203 (ii) Mechanisms to ensure the recording of the
204 occurrence of the trauma-informed education mandatory training;
205 and

206 (iii) Mechanisms to effectively monitor and
207 enforce the minimum standards; and

208 (c) A description of the state policies and procedures,
209 including a description of the state-approved trauma-informed
210 education training programs in the state.

211 (2) Annually, each local school board and the governing
212 board of each charter school and nonpublic school accredited by
213 the State Department of Education shall prepare and submit to the
214 State Board of Education the number of school personnel
215 participating, the number of trainings facilitated, dates of the
216 trainings and location of the state-approved trauma-informed
217 education mandatory trainings.

218 **SECTION 7.** (1) There is created the Mississippi School
219 Safety and Security Committee. The Mississippi School Safety and
220 Security Committee is a working group, the purposes of which are
221 to develop recommendations that promote early identification,



222 referral, coordination and access to quality mental health
223 services for students and to have as an additional focus on the
224 safety of the students and educators in the classroom.

225 (2) The Mississippi School Safety and Security Committee
226 shall develop a guide for public schools, charter schools and any
227 nonpublic school accredited by the State Department of Education
228 on how to become a trauma-informed school and a website about the
229 Trauma-Informed Schools Initiative which includes information for
230 parents or guardians, public schools, charter schools and any
231 nonpublic school accredited by the State Department of Education.

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

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

237 (a) A chairperson elected by majority vote of the
238 committee;

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

242 (c) A school principal with experience in behavioral
243 matters, appointed by the Mississippi Association of School
244 Administrators;

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



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

250 (f) A social and emotional learning coordinator;

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

254 (h) A licensed clinical social worker.

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

