MISSISSIPPI LEGISLATURE
REGULAR SESSION 2022

By: Representative Gibbs (72nd)

To: Public Health and Human Services

HOUSE BILL NO. 670

AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION, IN
CONJUNCTION WITH THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH, TO
DEVELOP A MODEL POLICY AND PROCEDURE TO PREVENT AND ADDRESS
SECONDARY TRAUMATIC STRESS IN THE WORKFORCE; TO REQUIRE THE STATE
DEPARTMENT OF EDUCATION TO PUBLISH LINKS TO MENTAL HEALTH
RESOURCES, SELF ASSESSMENTS AND BEST PRACTICES TO PREVENT AND
ADDRESS SECONDARY TRAUMATIC STRESS IN THE WORKFORCE; TO PRESCRIBE
THE REQUIRED ELEMENTS OF THE MODEL POLICY AND PROCEDURE; TO
REQUIRE EACH SCHOOL DISTRICT TO ADOPT POLICIES AND PROCEDURES THAT
ALIGN WITH BOARD ADOPTED PROCEDURES BY THE BEGINNING OF THE
2022-2023 SCHOOL YEAR; TO REQUIRE SCHOOL DISTRICTS TO PERIODICALLY
REVIEW THEIR POLICIES AND PROCEDURES; TO REQUIRE THE MISSISSIPPI
DEPARTMENT OF MENTAL HEALTH TO ESTABLISH AND OPERATE AN EDUCATOR
WELL-BEING AND MENTAL HEALTH PROGRAM TO PROVIDE SUPPORT SERVICES
FOR EDUCATORS; TO PRESCRIBE THE MINIMUM SERVICES AVAILABLE THROUGH
THE PROGRAM; TO REQUIRE THE STATE BOARD OF EDUCATION TO ENTER INTO
A LIMITED PURPOSE FEE-FOR-SERVICE CONTRACT WITH MISSISSIPPI
DEPARTMENT OF MENTAL HEALTH TO PROVIDE FUNDING FOR THE EDUCATOR
WELL-BEING AND MENTAL HEALTH PROGRAM; TO REQUIRE THE MISSISSIPPI
DEPARTMENT OF MENTAL HEALTH TO SUBMIT A REPORT TO THE STATE BOARD
OF EDUCATION ON OR BEFORE NOVEMBER 1, 2023, AND ANNUALLY
THEREAFTER; TO REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP
MODEL REFERRAL PROTOCOLS FOR ADDRESSING PUPIL MENTAL HEALTH
CONCERNS; TO PRESCRIBE THE REQUIREMENTS OF THE PROTOCOLS; AND FOR
RELATED PURPOSES.

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

SECTION 1. (1) (a) The Legislature acknowledges that
secondary traumatic stress, commonly referred to as compassion
fatigue, is a natural but disruptive set of symptoms that may
result when one (1) person learns firsthand of the traumatic experiences of another. Symptoms of secondary traumatic stress may include feelings of isolation, anxiety, dissociation, physical ailments and sleep disturbances. In addition, those affected by secondary traumatic stress may experience:

(i) Changes in memory and perception;
(ii) Alterations in their sense of self-efficacy;
(iii) A depletion of personal resources; and
(iv) Disruption in their perceptions of safety, trust and independence.

(b) Secondary traumatic stress may be experienced by teachers, school counselors, administrators or other school staff. Everyday these school staff work with students experiencing trauma and loss. In addition, many students have experienced additional trauma due to the effects of the COVID-19 pandemic on themselves and their families and violent and terroristic school attacks.

(2) The Legislature finds that secondary traumatic stress is preventable and treatable. Therefore, the Legislature intends to require school districts to adopt a policy and procedure to prevent and address secondary traumatic stress in the workforce and to make resources on secondary traumatic stress publicly available.

SECTION 2. The State Department of Education shall publish on its website links to resources, self-assessments and best practices for educators and local policymakers to prevent and
address secondary traumatic stress in the workforce. The department shall collaborate with the Mississippi Association of School Superintendents, the Mississippi School Boards Association, the Mississippi Association of Educators and the Mississippi Department of Mental Health, and provide links to any resources on secondary traumatic stress available through these organizations.

SECTION 3. (1) The State Board of Education, in conjunction with the Mississippi Department of Mental Health, shall develop or revise, and periodically update, a model policy and procedure to prevent and address secondary traumatic stress in the workforce.

(2) The model policy and procedure must include the following elements:

(a) A commitment to support mental health in the workplace;

(b) Promotion of a positive workplace climate with a focus on diversity and inclusion;

(c) Establishment of a district-wide workforce mental health committee, which shall be tasked with the following functions:

(i) Sharing secondary traumatic stress, stress management, and other mental health resources and supports available through the State Department of Education, local school districts, and the Mississippi Department of Mental Health;

(ii) Sharing links to a secondary traumatic stress self-assessment tool and any associated resources; and
(iii) Reporting to the school board at least once per year with a summary of committee activities;
(d) Regular assessment of district-level and school building-level implementation of the policy and procedures that includes input from the workforce; and
(e) Provision of appropriate resources and training to schools and staff for continuous improvement.

(3) The model policy and procedure developed under this section must be posted publicly on the State Department of Education website by November 1, 2022. Updates to the model policy and procedure must be posted publicly within a reasonable time of development.

(4) By the beginning of the 2022-2023 school year, each school district must adopt, or amend if necessary, policies and procedures that, at a minimum, incorporate all the elements described in subsection (2) of this section. School districts must periodically review their policies and procedures for consistency with updated versions of the model policy and procedure.

SECTION 4. (1) The Mississippi Department of Mental Health shall establish and operate an educator well-being and mental health program to provide support services for educators serving students in Mississippi's public elementary and secondary schools.

(2) The services provided through the educator well-being and mental health program must include, but are not limited to:
(a) A hotline service for educators, providing daily telephone and text access;
(b) Staffed support groups; and
(c) Training and support programs for educators that focus on coping with stress and building resilience during the COVID-19 pandemic, recovery from the pandemic, and violent and terroristic school attacks.

(3) The State Board of Education shall enter into a limited purpose fee-for-service contract with Mississippi Department of Mental Health to provide state funding for the educator well-being and mental health program to supplement other sources of funding.

(4) On or before November 1, 2023, and annually thereafter, the Mississippi Department of Mental Health shall submit a report to the State Board of Education concerning the use of state funding for the educator well-being and mental health program, including information about the number of educators served, the services provided, funding received from other sources, and other relevant data and information about the implementation of the program and program outcomes.

SECTION 5. (1) The State Board of Education shall develop model referral protocols for addressing pupil mental health concerns. In developing these protocols, the board shall consult with the Mississippi Department of Mental Health, members of the Mississippi Association of School Superintendents, local educational agencies that have served as state or regional leaders
in state or federal pupil mental health initiatives, county mental
health programs, classroom teachers, administrators, school
nurses, school counselors and other professionals involved in
pupil mental health.

(2) These protocols shall be designed for use, on a
voluntary basis, by school districts, charter schools, all public
special purpose schools, and by educator preparation programs
operated by postsecondary educational institutions. The protocols
shall:

(a) Address the appropriate and timely referral by
school staff of pupils with mental health concerns;
(b) Reflect a multitiered system of support processes
and positive behavioral interventions and supports;
(c) Be adaptable to varied local service arrangements
for mental health services;
(d) Reflect evidence-based and culturally appropriate
approaches to pupil mental health referral;
(e) Address the inclusion of parents and guardians in
the referral process;
(f) Be written to ensure clarity and ease of use by
certificated and classified school employees;
(g) Reflect differentiated referral processes for
pupils with disabilities and other populations for whom the
referral process may be distinct;
(h) Be written to ensure that school employees act only within the authorization or scope of their credential or license. This section shall not be construed as authorizing or encouraging school employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so; and

(i) Be consistent with state activities conducted by the department in the administration of federally funded mental health programs.

(3) The board shall consider, when developing protocols under this section, the school mental health referral pathways toolkit developed by the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services.

(4) The board shall require the State Department of Education to post the model referral protocols on its website so that they may be accessed and used by educational institutions specified in subsection (2).

(5) This section is contingent upon funds being appropriated for its purpose to the department in its annual appropriation or other legislation, or state, federal or private funds being allocated for this purpose.

(6) The model referral protocols shall be completed and made available within two (2) years of the date funds are received or allocated to implement this section.
SECTION 6. This act shall take effect and be in force from and after July 1, 2022.