MISSISSIPPI LEGISLATURE

By: Representatives Cockerham, Summers, Felsher, Stamps, Paden

To: Education; Appropriations

REGULAR SESSION 2022

HOUSE BILL NO. 832
(As Passed the House)

AN ACT TO CREATE THE MENTAL AWARENESS PROGRAM FOR SCHOOLS; TO AMEND SECTION 37-3-89, MISSISSIPPI CODE OF 1972, TO REQUIRE MENTAL AWARENESS AND TRAUMA-INFORMED APPROACHES IN EDUCATOR PREPARATION PROGRAMS; TO DEFINE TRAUMA-INFORMED APPROACHES; TO AMEND SECTION 37-9-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS SHALL HAVE AT LEAST ONE SCHOOL COUNSELOR OR MENTAL HEALTH SERVICES PROVIDER PER 250 STUDENTS; TO AUTHORIZE UNDERFUNDED AND UNDERSTAFFED SCHOOL TO EMPLOY ONE SCHOOL COUNSELOR TO SERVICE ALL THE SCHOOLS IN THE EMPLOYING SCHOOL DISTRICT; TO PROVIDE FOR THE DISTRIBUTION OF TIME AND DUTIES WITHIN SUCH DISTRICTS; TO REQUIRE SCHOOL COUNSELORS OR SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDERS TO CREATE A TRAUMA-INFORMED TEAM FOR EACH SCHOOL; TO REQUIRE SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS TO REPORT THE NUMBER AND PLACEMENT OF SCHOOL COUNSELORS IN THE DISTRICT TO THE DEPARTMENT OF EDUCATION; TO AUTHORIZE SCHOOL DISTRICTS TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH A NATIONALLY RECOGNIZED SOCIAL WORK CONSORTIUM AND CERTAIN STATE INSTITUTIONS OF HIGHER LEARNING TO PLACE MASTER’S LEVEL GRADUATE STUDENTS INTO SCHOOLS AS SCHOOL COUNSELORS UNDER A SUPERVISED INTERNSHIP PROGRAM; TO CREATE NEW SECTION 37-9-80, MISSISSIPPI CODE OF 1972, WHICH Requires THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH THE DEPARTMENT OF MENTAL HEALTH, TO CREATE A TOOLKIT TO ASSIST SCHOOLS IN IMPLEMENTING TRAUMA-INFORMED APPROACHES; AND FOR RELATED PURPOSES.

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

SECTION 1. The provisions of this act shall be known and may be cited as the "Mental Awareness Program for School Act."

SECTION 2. Section 37-3-89, Mississippi Code of 1972, is amended as follows:

H. B. No.  832 ~ OFFICIAL ~ G1/2
22/HR26/R1678PH PAGE 1 (DJ\KW)
37-3-89.  (1) The State Board of Education, acting through the Commission on Teacher and Administrator Education, Certification and Licensure and Development, shall require each educator preparation program in the state, as a condition for approval, to include a course or courses on school discipline or classroom management, including mental disturbance awareness and trauma-informed approaches as defined in subsection (2) of this section, as a required part of the teacher education program. All school discipline or classroom management courses offered by a teacher education program shall be approved by the Educator License Commission.

(2) "Mental disturbance awareness and trauma-informed approaches" means incorporating principles of mental disturbance awareness, trauma awareness and trauma-informed practices, as recommended by the federal Department of Health and Human Services' Substance Abuse and Mental Health Services Administration, in a school in order to foster a safe learning environment for all students and staff, and to ensure that each student is well-known by at least one (1) adult in the school setting.

SECTION 3. Section 37-9-79, Mississippi Code of 1972, is amended as follows:

37-9-79.  (1) Beginning with the 2014-2015 school year, the assignment of K-12 Professional School Counselors to the
particular schools within the district shall be at the discretion of the local school board with the following restrictions:

(a) As funds and qualified personnel become available, every public school district and public charter school shall employ at least one (1) school counselor in each school;

(b) As funds and qualified personnel become available, it shall be the goal that each public school district and public charter school shall provide at least one (1) school counselor for every two hundred fifty (250) students, including, but not limited to, the school counselor required in paragraph (a) of this subsection;

(c) If funds or qualified personnel are not available each public school district and public charter school shall employ at least one (1) school counselor who shall serve the entire school district, and who shall proportionately allocate his or her service, on a rotational basis, to each school in the school district or each public charter school under the jurisdiction of a single charter governing board. Additionally, in the event that a mental disturbance or trauma-inducing incident occurs at any school in the school district or charter district on a date the school counselor is not scheduled in assigned service rotation at that school, the school counselor shall be temporarily assigned to the school where the incident occurred, until such time that the school counselor, building principal and district superintendant
or charter administrator reasonably conclude that the trauma has been mitigated.

( ***d) Except as otherwise provided under subsection (6) of this section, no individual shall be employed as a professional school counselor without a minimum of a master's degree in *** counseling, or in an emergency situation, an appropriate certification as determined by the Commission on Teacher and Administrator Education, Certification and Licensure and Development; and

( ***e) Professional school counselors shall provide the following comprehensive counseling services:

(i) Academic, *** social, emotional and college-and-career readiness counseling;

(ii) Use multiple student data sources to help students make informed academic and career choices;

(iii) Career and educational counseling;

(iv) Individual and group counseling (large/small);

(v) Crisis intervention and preventive counseling;

(vi) Referrals to community agencies;

(vii) Educational consultations and collaboration with teachers, administrators, parents and community leaders;

(viii) Educational and career placement services;

(ix) Follow-up counseling services;

(x) Conflict resolution; and
(xi) Professional school counselors must spend a minimum of eighty percent (80%) of their time to the delivery of services to students. Delivery of services is the direct service provided to students, parents, school staff and the community which are interaction between professional school counselors and students. These direct services may include the delivery of the following:

1. School counseling core curriculum: This curriculum is designed to help students attain the desired competencies and to provide all students with the knowledge, attitudes and skills appropriate for their developmental level. The school counseling core curriculum is delivered throughout the school's overall curriculum and may be presented by professional school counselors in collaboration with other professional educators and other resources. Collaborative efforts may be implemented to enhance the services provided.

2. Individual student planning: Professional school counselors coordinate ongoing systemic activities or individual/group sessions designed to assist students in establishing personal/social goals and developing future career plans.

3. Responsive services: Responsive services are designed to meet students' immediate needs and concerns in regard to social/personal issues. Responsive services may include counseling in individual, small-group settings, crisis
responses, mentally disturbance awareness or trauma-informed approaches as defined in Section 37-3-89(2).

4. Indirect Student Services: Indirect services are provided on behalf of students as a result of the school counselors' interactions with others including referrals for additional assistance, consultation and collaboration with parents, teachers, other educators and community organizations.

   (2) Professional school counselors shall abide by * * * a relevant national counseling code of ethics.

   (3) A professional school counselor or administrator shall facilitate at each school the creation of a trauma-informed team to identify students whose learning, behavior and relationships have been impacted by trauma. The trauma-informed team may consist of school administrators, school counselors, teachers, mental health services providers, family resource and youth service coordinators, school nurses and any other school or district personnel.

   (4) Each school counselor providing services pursuant to this section, in collaboration with the trauma-informed team members described in this section, shall provide at least one (1) hour of in-person or virtual annual training, guidance and assistance to administrators, teachers and staff on:

   (a) Recognizing symptoms of mentally induced disturbance or trauma in students; and
(b) Utilizing responses, interventions and strategies to support the learning needs of those students.

(5) (a) School districts may employ, contract or otherwise work collaboratively with mental health service providers, including community mental health centers, other organizations providing relevant training for educators and school personnel, or other school districts to assist with the development and implementation of mental awareness and trauma-informed approaches and a trauma-informed team.

(b) School districts and public charter schools may enter in a memorandum of agreement (MOA) with the Consortium for Career Development in Social Work Education, or other similar nationally recognized consortium career services professionals representing and/or serving social work education, which partner with colleges and universities serving social work students in the State of Mississippi, including, but not limited to, Delta State University, Jackson State University, Mississippi State University and the University of Mississippi. Through the use of the MOA the consortium shall establish a program in collaboration with the Social Work Departments of the participating colleges and universities to:

(i) Provide students pursuing master's degrees in social work, counseling or psychology with internship placement opportunities in school districts or charter schools to assist in providing counseling services to schools in need;
(ii) Provide students pursuing master's degrees in social work, counseling or psychology with practical workplace experience; and

(iii) Pair such students with local consortium-member mentees who will offer professional guidance and constructive observation and feedback.

(6) Local school districts and each public charter school shall report the number and placement of school counselors in the district to the State Department of Education no later than November 1, 2022, and each subsequent year thereafter. The report shall include the source of funding for each position, as well as a summary of the job duties of each counselor and the approximate percent of time devoted to duties over the course of the year.

(* * * *) The State Department of Education may adopt regulations regarding the activities of the professional school counselor as are not inconsistent with this section.

SECTION 4. The following shall be codified as Section 37-9-80, Mississippi Code of 1972:

37-9-80. (1) On or before July 1, 2022, the State Department of Education, in collaboration with the State Department of Mental Health, shall make available a toolkit to assist school districts and public charter schools in implementing trauma-informed teams as described in Section 37-9-79(3). The toolkit shall include a template for local boards of education and public charter schools to develop a plan to
incorporate mental disturbance awareness and trauma-informed approaches in schools.

(2) On or before July 1, 2024, each local board of education and public charter school shall develop a plan for implementing trauma-informed teams and mental disturbance awareness and trauma-informed approaches in its schools. These plans shall be submitted to the State Department of Education and the State Department of Mental Health, which may collaborate to provide feedback to school districts on the plans. Plans shall include, but not be limited to, strategies for:

(a) Enhancing mental disturbance and trauma awareness throughout the school community and provide services designed to foster a safe school environment for students;

(b) Developing trauma-informed discipline policies and practices, which may include consultation with the school counselor or school-based mental health services provider when a student is recommended for suspension for ten (10) or more days, expulsion or attendance at an alternative school; and

(c) Collaborating with appropriate and relevant school, public safety, and community organizations to create procedures for notification of trauma-exposed students.

SECTION 5. This act shall take effect and be in force from and after its passage.