

By: Representatives Cockerham, Summers,
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To: Education

HOUSE BILL NO. 1227

1 AN ACT TO CREATE THE MENTAL AWARENESS PROGRAM FOR SCHOOLS; TO
 2 AMEND SECTION 37-3-89, MISSISSIPPI CODE OF 1972, TO REQUIRE MENTAL
 3 AWARENESS AND TRAUMA-INFORMED APPROACHES IN EDUCATOR PREPARATION
 4 PROGRAMS; TO DEFINE TRAUMA-INFORMED APPROACHES; TO AMEND SECTION
 5 37-9-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOL
 6 DISTRICTS AND PUBLIC CHARTER SCHOOLS SHALL HAVE AT LEAST ONE
 7 SCHOOL COUNSELOR OR MENTAL HEALTH SERVICES PROVIDER PER 250
 8 STUDENTS; TO AUTHORIZE UNDERFUNDED AND UNDERSTAFFED SCHOOLS TO
 9 EMPLOY ONE SCHOOL COUNSELOR TO SERVICE ALL THE SCHOOLS IN THE
 10 EMPLOYING SCHOOL DISTRICT; TO PROVIDE FOR THE DISTRIBUTION OF TIME
 11 AND DUTIES WITHIN SUCH DISTRICTS; TO REQUIRE SCHOOL COUNSELORS OR
 12 SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDERS TO CREATE A
 13 TRAUMA-INFORMED TEAM FOR EACH SCHOOL; TO REQUIRE SCHOOL DISTRICTS
 14 AND PUBLIC CHARTER SCHOOLS TO REPORT THE NUMBER AND PLACEMENT OF
 15 SCHOOL COUNSELORS IN THE DISTRICT TO THE DEPARTMENT OF EDUCATION;
 16 TO AUTHORIZE SCHOOL DISTRICTS TO ENTER INTO A MEMORANDUM OF
 17 AGREEMENT WITH A NATIONALLY RECOGNIZED SOCIAL WORK CONSORTIUM AND
 18 CERTAIN STATE INSTITUTIONS OF HIGHER LEARNING TO PLACE MASTER'S
 19 LEVEL GRADUATE STUDENTS INTO SCHOOLS AS SCHOOL COUNSELORS UNDER A
 20 SUPERVISED INTERNSHIP PROGRAM; TO CREATE NEW SECTION 37-9-80,
 21 MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF
 22 EDUCATION, IN COLLABORATION WITH THE DEPARTMENT OF MENTAL HEALTH,
 23 TO CREATE A TOOLKIT TO ASSIST SCHOOLS IN IMPLEMENTING
 24 TRAUMA-INFORMED APPROACHES; AND FOR RELATED PURPOSES.

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

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

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



30 37-3-89. (1) The State Board of Education, acting through
31 the Commission on Teacher and Administrator Education,
32 Certification and Licensure and Development, shall require each
33 educator preparation program in the state, as a condition for
34 approval, to include a course or courses on school discipline or
35 classroom management, including mental disturbance awareness and
36 trauma-informed approaches as defined in subsection (2) of this
37 section, as a required part of the teacher education program. All
38 school discipline or classroom management courses offered by a
39 teacher education program shall be approved by the Educator
40 License Commission.

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

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

52 37-9-79. (1) Beginning with the 2014-2015 school year, the
53 assignment of K-12 Professional School Counselors to the



54 particular schools within the district shall be at the discretion
55 of the local school board with the following restrictions:

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

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

65 (c) If funds or qualified personnel are not available
66 each public school district and public charter school shall employ
67 at least one (1) school counselor who shall serve the entire
68 school district, and who shall proportionately allocate his or her
69 service, on a rotational basis, to each school in the school
70 district or each public charter school under the jurisdiction of a
71 single charter governing board. Additionally, in the event that a
72 mental disturbance or trauma-inducing incident occurs at any
73 school in the school district or charter district on a date the
74 school counselor is not scheduled in assigned service rotation at
75 that school, the school counselor shall be temporarily assigned to
76 the school where the incident occurred, until such time that the
77 school counselor, building principal and district superintendent



78 or charter administrator reasonably conclude that the trauma has
79 been mitigated.

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

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

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

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

93 (iii) Career and educational counseling;

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

96 (v) Crisis intervention and preventive counseling;

97 (vi) Referrals to community agencies;

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

100 (viii) Educational and career placement services;

101 (ix) Follow-up counseling services;

102 (x) Conflict resolution; and



103 (xi) Professional school counselors must spend a
104 minimum of eighty percent (80%) of their * * * time to the
105 delivery of services to students * * *. Delivery of services is
106 the direct service provided to students, parents, school staff and
107 the community which are interaction between professional school
108 counselors and students. These direct services may include the
109 delivery of the following:

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

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

124 3. Responsive services: Responsive services
125 are designed to meet students' immediate needs and concerns in
126 regard to social/personal issues. Responsive services may include
127 counseling in individual, small-group settings, * * * crisis



128 responses, mentally disturbance awareness or trauma-informed
129 approaches as defined in Section 37-3-89(2).

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

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

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

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

150 (a) Recognizing symptoms of mentally induced
151 disturbance or trauma in students; and



152 (b) Utilizing responses, interventions and strategies
153 to support the learning needs of those students.

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

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

173 (i) Provide students pursuing master's degrees in
174 social work, counseling or psychology with internship placement
175 opportunities in school districts or charter schools to assist in
176 providing counseling services to schools in need;



177 (ii) Provide students pursuing master's degrees in
178 social work, counseling or psychology with practical workplace
179 experience; and

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

183 (6) Local school districts and each public charter school
184 shall report the number and placement of school counselors in the
185 district to the State Department of Education no later than
186 November 1, 2023, and each subsequent year thereafter. The report
187 shall include the source of funding for each position, as well as
188 a summary of the job duties of each counselor and the approximate
189 percent of time devoted to duties over the course of the year.

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

193 **SECTION 4.** The following shall be codified as Section
194 37-9-80, Mississippi Code of 1972:

195 37-9-80. (1) On or before July 1, 2023, the State
196 Department of Education, in collaboration with the State
197 Department of Mental Health, shall make available a toolkit to
198 assist school districts and public charter schools in
199 implementing trauma-informed teams as described in Section
200 37-9-79(3). The toolkit shall include a template for local boards
201 of education and public charter schools to develop a plan to



202 incorporate mental disturbance awareness and trauma-informed
203 approaches in schools.

204 (2) On or before July 1, 2025, each local board of education
205 and public charter school shall develop a plan for implementing
206 trauma-informed teams and mental disturbance awareness and
207 trauma-informed approaches in its schools. These plans shall be
208 submitted to the State Department of Education and the State
209 Department of Mental Health, which may collaborate to provide
210 feedback to school districts on the plans. Plans shall include,
211 but not be limited to, strategies for:

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

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

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

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

