

By: Representatives Calvert, Smith,
Lancaster, McLean, Creekmore IV, Roberson,
Clark, Paden, Mickens, Cockerham, Brown
(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



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

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

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

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

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

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

(iii) Create consistent rules and consequences;
and

(iv) Model respectful, nonviolent relationships.

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



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

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

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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

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

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



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

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

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

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



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

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

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

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

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

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

(f) A social and emotional learning coordinator;

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

(h) A licensed clinical social worker.

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

