

HOUSE No. 577

The Commonwealth of Massachusetts

PRESENTED BY:

Chynah Tyler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act promoting trauma informed supports in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/18/2019</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>1/28/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/28/2019</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>1/28/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/31/2019</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/30/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/1/2019</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>1/26/2019</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>1/31/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/30/2019</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>2/1/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/28/2019</i>

HOUSE No. 577

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 577) of Chynah Tyler and others relative to promoting trauma informed support in schools. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act promoting trauma informed supports in schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 71 of the General Laws is hereby amended by striking out section 37Q and
2 inserting in place thereof the following section:-

3 Section 37Q. (a) As used in this section the following words shall have the following
4 meanings, unless the context clearly requires otherwise:

5 "Approved private day or residential school", a school that accepts, through agreement
6 with a school committee, a child requiring special education pursuant to section 10 of chapter
7 71B.

8 "Charter school", commonwealth charter schools and Horace Mann charter schools
9 established pursuant to section 89.

10 "Collaborative school", a school operated by an educational collaborative established
11 pursuant to section 4E of chapter 40.

12 "Counselor to student ratio", licensed school counselors, social workers and/or school
13 trauma specialists who by license and assignment are identified as school counselors, social
14 workers and/or school trauma specialists for students on September 1 of each year compared to
15 the student enrollment on September 1 of each year.

16 "Plan", a mental health support plan established pursuant to subsection (b).

17 "School counselor", an individual who has documented competence in counseling
18 children and adolescents in a school setting who –

19 i. Holds a minimum of a bachelor's degree with a major in counseling.

20 ii. Has completed course work and clinical experience that demonstrates subject
21 matter knowledge as outlined in the Subject Matter Knowledge Guidelines, including, but not
22 limited to:

23 (1) principles of therapeutic relationships;

24 (2) theories of normal and abnormal intellectual, social, and emotional development;

25 (3) learning disorders, including emotional issues affecting student achievement, and
26 their treatment;

27 (4) prevention and treatment of substance abuse, physical and sexual abuse, and
28 violence in PreK-12 students;

29 (5) knowledge of state-of-the-art diagnostic instruments;

30 (6) procedures for testing and interpreting results;

- 31 (7) techniques for communicating and working with families and school and
32 community personnel;
- 33 (8) knowledge of the criminal justice system with particular reference to the juvenile
34 justice system and organizations;
- 35 (9) knowledge of medical conditions and medication related to physical disabilities
36 and learning disorders;
- 37 (10) knowledge of trauma informed care;
- 38 (11) knowledge of cultural competence; and
- 39 (12) federal and state laws and regulations addressing the legal rights of students and
40 families;
- 41 iii. Has completed a practicum of 450 hours in an educational setting;
- 42 iv. Obtains a passing score on the Communication and Literacy Skills test.
- 43 "School district", the school department of a city or town, a regional school district or a
44 county agricultural school.
- 45 "School social worker", an individual who –
- 46 i. holds a minimum of a master’s degree in social work or counseling.
- 47 ii. has completed course work and clinical experience that demonstrates subject
48 matter knowledge as outlined in the Subject Matter Knowledge Guidelines, including, but not
49 limited to:

- 50 (i) principles of therapeutic relationships;
- 51 (ii) theories of normal and abnormal intellectual, social, and emotional development;
- 52 (iii) learning disorders, including emotional issues affecting student achievement, and
53 their treatment;
- 54 (iv) prevention and treatment of substance abuse, physical and sexual abuse, and
55 violence in PreK-12 students,
- 56 (v) knowledge of state-of-the-art diagnostic instruments; procedures for testing and
57 interpreting results;
- 58 (vi) techniques for communicating and working with families and school and
59 community personnel;
- 60 (vii) knowledge of the criminal justice system with particular reference to the juvenile
61 justice system and organizations;
- 62 (viii) knowledge of medical conditions and medication related to physical disabilities
63 and learning disorders;
- 64 (ix) knowledge of trauma informed care;
- 65 (x) knowledge of cultural competence; and
- 66 (xi) federal and state laws and regulations addressing the legal rights of students and
67 families;

- 68 iii. Has completed a practicum of 900 hours, 450 of which must be working with
69 children, adolescents, and families in an educational setting; and
- 70 iv. Obtains a passing score on the Communication and Literacy Skills test.
- 71 “School Trauma Specialist”, an individual who-
- 72 i.Holds a minimum of a high school diploma and certificate in Psychological First Aid.
- 73 ii. Has completed relevant training and trauma response experience that demonstrates
74 subject matter knowledge, including, but not limited to:
- 75 (i) knowledge of trauma informed care;
- 76 (ii) knowledge of healing centered engagement;
- 77 (iii) knowledge of cultural competence;
- 78 (iv) knowledge of the support and tools necessary for recovery from trauma and return
79 to normal experience;
- 80 (v) knowledge of social and emotional development;
- 81 (vi) knowledge of the criminal justice system with particular reference to the juvenile
82 justice system;
- 83 (vii) knowledge of impacts of trauma in urban environments;
- 84 (viii) knowledge of how trauma impacts learning;
- 85 (ix) knowledge to holistic approaches to foster well-being of children and/or
86 adolescents; and

87 v. Has worked a minimum of 2 years with children and/or adolescents who have
88 experienced trauma.

89 (b) Each school district, charter school, approved private day or residential school and
90 collaborative school shall develop and adhere to a plan to address the general mental health
91 needs of its students, including the students' families, teachers and school administrators. Each
92 plan shall also address the potential need for emergency and acute treatment for students,
93 including the students' families, teachers and school administrators as a result of a tragedy or
94 crisis within the district or school. Each plan shall include employing or contracting school
95 counselors or social workers; Each plan shall also include employing or contracting school
96 trauma specialist in school districts, charter schools, approved private day or residential schools
97 and collaborative schools in which majority of students are low income; to:

98 (i) deliver responsive services related to identification and placement of children
99 with trauma and other handicapping conditions into the appropriate programs for support;
100 services should complement and coordinate with existing school, familial, and community
101 programs.

102 (ii) provide preventative, intervention, developmental, social, emotional and
103 resolution counseling or supports to students when appropriate programs and resources are not
104 available.

105 (iii) create training for teachers relative to the identification and care of students
106 suspected of experiencing trauma or other handicapping conditions.

107 (iv) offer consultations to parents to develop their understanding of student growth
108 and development problems and how some non-school factors affect the learning and
109 achievement of their children.

110 School counselors, social workers or school trauma specialists shall spend the majority of
111 their time in providing the direct counseling or supports to students, parents, and faculty.
112 Responsibilities of the school counselor shall not include clerical duties, substitute teaching, and
113 other related administrative functions outside the scope of a school counselor's, social worker's
114 or trauma specialist purview.

115 Before September 1 of each year, each school district, charter school, approved private
116 day or residential school and collaborative school shall review and update its plan to achieve best
117 practices.

118 (c) The department of elementary and secondary education shall promulgate rules or
119 regulations necessary to carry out this section; provided, however, that each school district,
120 charter school, approved private day or residential school and collaborative school shall provide
121 school counselors, social workers, or school trauma specialists at the following counselor to
122 student ratio: (a) For elementary schools, one (1) school counselor for five hundred (500)
123 students enrolled in grades K-5; (b) For middle schools, one (1) school counselor for every two
124 hundred and fifty (250) students enrolled in grades 6 through 8; (c) For high schools, one (1)
125 school counselor for every two hundred and fifty (250) students enrolled in grades 9 through 12.

126 (d) No student shall be required to participate in any plan to which the student's parents
127 object.

128 (e) Each school district, charter school, approved private day or residential school and
129 collaborative school shall demonstrate the effectiveness of their plan through a summary report
130 of student performance in achievement, attendance, and behavior to the local school board at
131 least once a year.

132 (f) Each school counselor, social workers, and school trauma specialists shall be
133 evaluated on knowledge, abilities, skills and attitudes necessary to plan, organize, implement and
134 self-evaluate the implementation of each plan.

135 (g) Any school district, charter school, approved private day or residential school or
136 collaborative school may request a waiver from the Massachusetts Department of Elementary
137 and Secondary Education of the counselor to student ratio requirements, provided that the school
138 district, charter school, approved private day or residential school or collaborative school
139 provides:

140 (i) Data to the Massachusetts Department of Elementary and Secondary Education
141 proving that the intent of this section is being fulfilled by an alternative program model.

142 (ii) Evidence of its use of the Behavioral Health and Public Schools Self-Assessment
143 Tool for Schools for the self-assessment of current activities and strategies that the staff and
144 programs in the respective school district, charter school, approved private day or residential
145 school or collaborative school in to create a supportive school environment at a minimum of
146 once-per-year.

147 (h) No public employer shall be liable for injury, loss of property, personal injury or
148 death caused by an act or omission of a public employee while acting in the scope of the public
149 employee's employment and arising out of the implementation of this section.

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(i) This section shall not be construed as creating or imposing a specific duty of care.