

1 AN ACT relating to prevention-oriented child abuse awareness instruction.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 158.4416 is amended to read as follows:

4 (1) For purposes of this section:

5 (a) "School counselor" means an individual who holds a valid school counselor  
6 certificate issued in accordance with the administrative regulations of the  
7 Education Professional Standards Board;

8 (b) "School-based mental health services provider" means a licensed or certified  
9 school counselor, school psychologist, school social worker, or other qualified  
10 mental health professional as defined in KRS 202A.011; and

11 (c) "Trauma-informed approach" means incorporating principles of trauma  
12 awareness and trauma-informed practices, as recommended by the federal  
13 Substance Abuse and Mental Health Services Administration, in a school in  
14 order to foster a safe, stable, and understanding learning environment for all  
15 students and staff and ensuring that all students are known well by at least one  
16 (1) adult in the school setting.

17 (2) The General Assembly recognizes that all schools must provide a place for students  
18 to feel safe and supported to learn throughout the school day, and that any trauma a  
19 student may have experienced can have a significant impact on the ability of a  
20 student to learn. The General Assembly directs all public schools to adopt a trauma-  
21 informed approach to education in order to better recognize, understand, and  
22 address the learning needs of students impacted by trauma and to foster a learning  
23 environment where all students, including those who have been traumatized, can be  
24 safe, successful, and known well by at least one (1) adult in the school setting.

25 (3) (a) Beginning July 1, 2021, or as funds and qualified personnel become available:  
26 1. Each school district and each public charter school shall employ at least  
27 one (1) school counselor in each school with the goal of the school

1 counselor spending sixty percent (60%) or more of his or her time  
2 providing counseling and related services directly to students; and

3 2. It shall be the goal that each school district and each public charter  
4 school shall provide at least one (1) school counselor or school-based  
5 mental health services provider who is employed by the school district  
6 for every two hundred fifty (250) students, including but not limited to  
7 the school counselor required in subparagraph 1. of this paragraph.

8 (b) A school counselor or school-based mental health services provider at each  
9 school shall facilitate the creation of a trauma-informed team to identify and  
10 assist students whose learning, behavior, and relationships have been  
11 impacted by trauma. The trauma-informed team may consist of school  
12 administrators, school counselors, school-based mental health services  
13 providers, family resource and youth services coordinators, school nurses, and  
14 any other school or district personnel.

15 (c) Each school counselor or school-based mental health services provider  
16 providing services pursuant to this section, and the trauma-informed team  
17 members described in paragraph (b) of this subsection, shall provide training,  
18 guidance, and assistance to other administrators, teachers, and staff on:

- 19 1. Recognizing symptoms of trauma in students;
- 20 2. Utilizing interventions and strategies to support the learning needs of  
21 those students;~~and~~
- 22 3. **Incorporating age-appropriate and evidence-based interventions and**  
23 **strategies for child physical, sexual, and emotional abuse and neglect**  
24 **awareness and prevention; and**
- 25 **4.** Implementing a plan for a trauma-informed approach as described in  
26 subsection (5) of this section.

27 (d) 1. School districts may employ or contract for the services of school-based

1           mental health services providers to assist with the development and  
2           implementation of a trauma-informed approach and the development of  
3           a trauma-informed team pursuant to this subsection and to enhance or  
4           expand student mental health support services as funds and qualified  
5           personnel become available.

6           2. School-based mental health services providers may provide services  
7           through a collaboration between two (2) or more school districts or  
8           between school districts and educational cooperatives or any other  
9           public or private entities, including but not limited to local or regional  
10          mental health day treatment programs.

11          (e) No later than November 1, 2022, and each subsequent year, the local school  
12          district superintendent shall report to the department the number of school-  
13          based mental health service providers, the position held, placement in the  
14          district, certification or licensure held, the source of funding for each position,  
15          a summary of the job duties and work undertaken by each school-based  
16          mental health service provider, and the approximate percent of time devoted  
17          to each duty over the course of the year.

18          (f) The department shall annually compile and maintain a list of school-based  
19          mental health service providers by district which shall include the information  
20          required in paragraph (e) of this subsection.

21          (g) No later than June 1, 2023, and each subsequent year, the department shall  
22          provide the Interim Joint Committee on Education with the information  
23          reported by local school district superintendents and compiled in accordance  
24          with paragraph (f) of this subsection.

25          (4) ~~{On or before July 1, 2020, }~~The Department of Education shall make available a  
26          toolkit that includes guidance, strategies, behavioral interventions, practices, and  
27          techniques to assist school districts and public charter schools in developing a

1 trauma-informed approach in schools *that includes recommendations regarding*  
 2 *age-appropriate and evidence-based standards on child physical, sexual, and*  
 3 *emotional abuse and neglect awareness and prevention.*

4 (5) ~~On or before July 1, 2021,~~ Each local board of education and board of a public  
 5 charter school shall develop a plan for implementing a trauma-informed approach  
 6 in its schools. The plan shall include but not be limited to strategies for:

7 (a) Enhancing trauma awareness throughout the school community;

8 (b) Conducting an assessment of the school climate, including but not limited to  
 9 inclusiveness and respect for diversity;

10 (c) *Enhancing age-appropriate child abuse and neglect awareness throughout*  
 11 *the school community and developing evidence-based child abuse and*  
 12 *neglect prevention services and programs;*

13 *(d)* Developing trauma-informed discipline policies;

14 *(e)*~~(d)~~ Collaborating with the Department of Kentucky State Police, the local  
 15 sheriff, and the local chief of police to create procedures for notification of  
 16 trauma-exposed students; and

17 *(f)*~~(e)~~ Providing services and programs designed to reduce the negative impact  
 18 of trauma, support critical learning, and foster a positive and safe school  
 19 environment for every student.

20 *(6) Beginning in the 2023-2024 school year, the Kentucky Department of Education*  
 21 *shall send an annual, electronic notification to each superintendent detailing*  
 22 *where the age-appropriate and evidence-based standards on child physical,*  
 23 *sexual, and emotional abuse and neglect awareness and prevention can be found*  
 24 *within the broader academic standards for health.*

25 ➔ Section 2. This Act may be cited as Erin's Law.