

158.4416 Trauma-informed approach to education -- Definitions for section -- Goals for employment of school-based counselors -- School counselor or school-based mental health services provider to facilitate trauma-informed team -- Duties of team -- Training and guidance of school personnel to assist in recognizing and dealing with issues of student trauma -- Collaboration for provision of services between two or more school districts or between school districts and educational cooperatives, or other public or private entities -- Annual report to department of number and placement of school-based mental health service providers in each district, source of funding, summary of job duties, and percentage of time devoted to each duty -- Report required to Interim Joint Committee on Education -- Department of Education to make available toolkits to develop trauma-informed approach in schools -- Plan and strategies for implementing trauma-informed approach.

- (1) For purposes of this section:
 - (a) "Direct services" means in-person or virtual services provided directly to a student by a school counselor, including but not limited to individual counseling, group counseling, and individual student planning, scheduling, and registration;
 - (b) "Indirect services" means services provided on behalf of a student as a result of interactions with others, including but not limited to consultation and collaboration with parents, teachers, and other educators;
 - (c) "School counselor" means an individual who holds a valid school counselor certificate issued in accordance with the administrative regulations of the Education Professional Standards Board;
 - (d) "School psychologist" means an individual who holds a valid school psychology certificate issued in accordance with the administrative regulations of the Education Professional Standards Board;
 - (e) "School social worker" means an individual who holds a valid school social work certificate issued in accordance with the administrative regulations of the Education Professional Standards Board;
 - (f) "School-based mental health services provider" means a certified school counselor, school psychologist, school social worker, or other qualified mental health professional as defined in KRS 202A.011;
 - (g) "Trauma" means physical, emotional, or life-threatening harm; and
 - (h) "Trauma-informed approach" means incorporating principles of trauma awareness and trauma-informed practices in a school in order to foster a safe, stable, and understanding learning environment for all students and staff and ensuring that all students are known well by at least one (1) adult in the school setting.
- (2) The General Assembly recognizes that all schools must provide a place for students to feel safe and supported to learn throughout the school day, and that any trauma a student may have experienced can have a significant impact on the ability of a student to learn. The General Assembly directs all public schools to adopt a trauma-informed approach to education in order to better recognize, understand, and

address the learning needs of students impacted by trauma and to foster a learning environment where all students, including those who have been traumatized, can be safe, successful, and known well by at least one (1) adult in the school setting. The requirements of this subsection shall apply to public charter schools as a health and safety requirement under KRS 160.1592(1).

- (3) (a) As funds and qualified personnel become available:
 1. Each school district and each public charter school shall employ at least one (1) school counselor in each school with the goal of the school counselor spending at least sixty percent (60%) or more of his or her time providing direct services to students and no more than forty percent (40%) of his or her time providing indirect services to students; and
 2. It shall be the goal that each school district and each public charter school shall provide at least one (1) school counselor or school-based mental health services provider who is employed by the school district for every two hundred fifty (250) students, including but not limited to the school counselor required in subparagraph 1. of this paragraph.
- (b) A school counselor or school-based mental health services provider at each school shall be the facilitator of a trauma-informed team to identify and assist students whose learning, behavior, and relationships have been impacted by trauma. The trauma-informed team may consist of school administrators, school counselors, school psychologists, school social workers, school-based mental health services providers, community-based mental health services providers hired by the district, family resource and youth services coordinators, school nurses, school resource officers, and any other school or district personnel.
- (c) The trauma-informed team shall:
 1. Provide assistance to school personnel to enable them to support students whose learning, behavior, and relationships have been impacted by trauma;
 2. Identify ways to recognize and respond to mental health issues in all students;
 3. Identify ways to build resiliency and wellness in all students;
 4. Compile an annual record of its activities during the course of the school year to be used in the annual comprehensive school improvement plan process required by 703 KAR 5:225; and
 5. Submit the record created in accordance with subparagraph 4. of this paragraph to the department.
- (d) Each school counselor or school-based mental health services provider providing services pursuant to this section, and the trauma-informed team members described in paragraph (b) of this subsection, shall provide training, guidance, and assistance to other administrators, teachers, and staff on:
 1. Recognizing symptoms of trauma in students;
 2. Utilizing interventions and strategies to support the learning needs of those students; and

3. Implementing the plan for a trauma-informed approach as described in subsection (5) of this section.
- (e)
 1. School districts may employ or contract for the services of school-based mental health services providers to assist with the development and implementation of a trauma-informed approach and the development of a trauma-informed team pursuant to this subsection and to enhance or expand student mental health support services as funds and qualified personnel become available.
 2. School-based mental health services providers may provide services through a collaboration between two (2) or more school districts or between school districts and educational cooperatives or any other public or private entities, including but not limited to local or regional mental health day treatment programs.
 - (f) No later than November 1 of each year, the local school district superintendent shall report to the department the number of school-based mental health service providers, the position held, placement in the district, certification or licensure held, the source of funding for each position, a summary of the job duties and work undertaken by each school-based mental health service provider, and the approximate percent of time devoted to each duty over the course of the year.
 - (g) The department shall annually compile and maintain a list of school-based mental health service providers by district which shall include the information required in paragraph (f) of this subsection.
 - (h) No later than June 1 of each year, the department shall provide the Interim Joint Committee on Education with the information reported by local school district superintendents and compiled in accordance with paragraph (g) of this subsection.
- (4) The department shall make available a toolkit that includes guidance, strategies, behavioral interventions, practices, and techniques to assist school districts and public charter schools in developing a trauma-informed approach in schools.
 - (5) Each local board of education and board of a public charter school shall develop a plan for implementing a trauma-informed approach in its schools. The plan shall include but not be limited to strategies for:
 - (a) Enhancing trauma awareness throughout the school community;
 - (b) Conducting an assessment of the school climate, including but not limited to inclusiveness and respect for diversity;
 - (c) Developing trauma-informed discipline policies;
 - (d) Collaborating with the Department of Kentucky State Police, the local sheriff, and the local chief of police to create procedures for notification of trauma-exposed students; and
 - (e) Providing services and programs designed to reduce the negative impact of trauma, support critical learning, and foster a positive and safe school environment for every student.
 - (6) The trauma-informed approach plan developed in accordance with subsection (5) of

this section shall be reviewed and updated annually, incorporated into the annual comprehensive district improvement plan required by 703 KAR 5:225, and submitted to the department. The department shall annually provide a summary of the trauma-informed approach strategies being used in districts to the board and the Legislative Research Commission for referral to the Interim Joint Committee on Education.

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