

1 H.580

2 Introduced by Representatives Webb of Shelburne, Donahue of Northfield,  
3 and Mrowicki of Putney

4 Referred to Committee on

5 Date:

6 Subject: Education; trauma-informed systems; resilience building

7 Statement of purpose of bill as introduced: This bill proposes to incorporate  
8 various trauma-informed initiatives in school settings, including expanding the  
9 youth risk behavior survey to pose questions about adverse childhood  
10 experiences, developing a curriculum for students that addresses child brain  
11 development, and requiring that a student who is placed outside a traditional  
12 school setting be given priority for reintegration into a traditional school  
13 setting.

14 An act relating to trauma-informed policies in educational settings

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 \* \* \* Human Services Generally \* \* \*

17 Sec. 1. 33 V.S.A. § 3402 is added to read:

18 § 3402. DEFINITIONS

19 As used in this chapter:

1           (1) “Toxic stress” means strong, frequent, or prolonged experience of  
2           adversity without adequate support.

3           (2) “Trauma-informed” means a type of program, organization, or  
4           system that recognizes the widespread impact of trauma and potential paths for  
5           recovery; recognizes the signs and symptoms of trauma in clients, families,  
6           staff, and others involved in a system; responds by fully integrating knowledge  
7           about trauma into policies, procedures, and practices; and seeks actively to  
8           resist retraumatization and build resilience among the population served.

9   \* \* \* Education \* \* \*

10          Sec. 2. 16 V.S.A. § 136 is amended to read:

11          § 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS  
12    AND COMPREHENSIVE HEALTH

13   \* \* \*

14          (c) The Secretary shall collaborate with other agencies and councils  
15          working on childhood wellness to:

16                (1) Supervise the preparation of appropriate nutrition and fitness  
17          curricula for use in the public schools, promote programs for the preparation of  
18          teachers to teach these curricula, and assist in the development of wellness  
19          programs.

20                (2) [Repealed.]

1 (3) Establish and maintain a website that displays data from a youth risk  
2 behavior survey in a way that enables the public to aggregate and disaggregate  
3 the information. The survey shall include questions pertaining to adverse  
4 childhood experiences, meaning those potentially traumatic events that occur  
5 during childhood and can have negative, lasting effects on an individual's  
6 health and well-being.

7 (4) Research funding opportunities for schools and communities that  
8 wish to build wellness programs and make the information available to the  
9 public.

10 (5) Create a process for schools to share with the Department of Health  
11 any data collected about the height and weight of students in kindergarten  
12 through grade six. The Commissioner of Health may report any data compiled  
13 under this subdivision on a countywide basis. Any reporting of data must  
14 protect the privacy of individual students and the identity of participating  
15 schools.

16 \* \* \*

17 Sec. 3. 16 V.S.A. § 137 is added to read:

18 § 137. MODEL PLAN; TRAUMA-INFORMED SCHOOL

19 (a) On or before September 1, 2018, the Agency of Education shall adopt  
20 and publish on its website a model plan for implementing trauma-informed  
21 programming and policies within Vermont schools. The model plan shall

1 describe best practices for supervisory unions and approved independent  
2 schools with regard to implementing programs and policies that prevent and  
3 mitigate childhood trauma and toxic stress in school.

4 (b) On or before September 1, 2020, each supervisory union and approved  
5 independent school shall adopt and post electronically a plan for implementing  
6 trauma-informed programming and policies at schools under its jurisdiction.  
7 Each supervisory union and approved independent school shall develop its  
8 own plan using the Agency’s model plan as guidance or adopt the Agency’s  
9 model plan. A supervisory union or approved independent school developing  
10 its own plan may adopt a plan more rigorous than the Agency’s model plan,  
11 but shall not adopt a less rigorous plan.

12 (c) As used in this section, “trauma-informed” shall have the same meaning  
13 as in 33 V.S.A. § 3402.

14 Sec. 4. 16 V.S.A. § 138 is added to read:

15 § 138. MAINTENANCE OF RECORDS ON INCARCERATED PARENTS

16 OR GUARDIANS

17 (a) On or before September 1, 2018, the Agency of Education shall:

18 (1) identify any student who attends a public school or approved  
19 independent school and who has an incarcerated parent or guardian; and

20 (2) develop a system to maintain in real time the identity of students  
21 with an incarcerated parent or guardian.

1        (b) On or before September 1, 2019, and annually thereafter, the Secretary  
2        shall provide to each public school and approved independent school a list  
3        setting forth the names of all students who attend that school who have an  
4        incarcerated parent or guardian.

5        Sec. 5. 16 V.S.A. § 906 is amended to read:

6        § 906. COURSE OF STUDY

7        (a) In public schools, approved and recognized independent schools, and ~~in~~  
8        ~~home~~ in-home study programs, learning experiences shall be provided for  
9        students in the minimum course of study.

10       (b) For purposes of this title, the minimum course of study means learning  
11       experiences adapted to a student's age and ability in the fields of:

12       (1) basic communication skills, including reading, writing, and the use  
13       of numbers;

14       (2) citizenship, history, and government in Vermont and the United  
15       States;

16       (3) physical education and comprehensive health education, including  
17       the effects of tobacco, alcoholic drinks, and drugs on the human system and on  
18       society;

19       (4) English, American, and other literature;

20       (5) the natural sciences; ~~and~~

21       (6) the fine arts; and

1           (7) the relationship between children’s brain development and early  
2           learning.

3           Sec. 6. 16 V.S.A. § 2901 is amended to read:

4           § 2901. SUCCESS FOR ALL STUDENTS IN THE GENERAL  
5                               EDUCATION ENVIRONMENT

6           (a) It is the policy of the State that each local school district develop and  
7           maintain, in consultation with parents, a comprehensive system of education  
8           that will result, to the extent appropriate, in all students succeeding in the  
9           general education environment. A comprehensive system of education  
10          includes a full range of services and accommodations that are needed by  
11          students in the district. These services could include a separate alternative  
12          program if the district finds that some of its students could be better served in  
13          an environment outside the classroom; or if the district finds that separate  
14          placement is the best way to provide services to a student who is disrupting the  
15          class or having difficulty learning in a traditional school setting ~~for~~  
16          ~~educational, emotional, or personal reasons and thereby impairing the ability of~~  
17          ~~the classroom teacher to provide quality services to that student or to other~~  
18          ~~students.~~ This chapter does not replace or expand entitlements created by  
19          federal law, nor is it the intent of this chapter to create a higher standard for  
20          maintaining a student in the general classroom than the standard created in the  
21          following federal laws: 20 U.S.C. § 1401 et seq., Individuals with Disabilities

1 Education Act; 29 U.S.C. § 794, Section 504 of the Rehabilitation Act; and  
2 42 U.S.C. § 12101 et seq., Americans with Disabilities Act.

3 (b) [Repealed.]

4 (c) No individual entitlement or private right of action is created by this  
5 section.

6 (d) The Secretary of Education shall ensure that an approved independent  
7 school that serves as a separate placement or alternative program to a student  
8 who is disrupting the class or having difficulty learning in a traditional school  
9 setting shall prioritize and actively work toward reintegrating the student into a  
10 traditional school setting. Any reintegration effort shall take into account the  
11 student's best interests and the effect of the reintegrated student on the students  
12 in the traditional school setting.

13 Sec. 7. REPORT; ALIGNMENT OF DESIGNATED AND SPECIALIZED  
14 SERVICE AGENCIES WITH SUPERVISORY UNIONS

15 On or before November 1, 2018, the Agencies of Education and of Human  
16 Services shall jointly submit a report containing recommendations to correct  
17 the misalignment between designated and specialized service agencies and  
18 supervisory unions in a manner that reduces the duplication and complexity of  
19 services provided in accordance with 1988 Acts and Resolves No. 264. The  
20 report shall be submitted to the House Committees on Education and on

1 Human Services and to the Senate Committees on Education and on Health  
2 and Welfare.

3 \* \* \* Rulemaking \* \* \*

4 Sec. 8. RULEMAKING; TRAUMA-INFORMED TRAINING FOR  
5 EDUCATORS

6 The Standards Board for Professional Educators shall amend its licensure  
7 rules pursuant to 3 V.S.A. chapter 25 to require that teachers and  
8 administrators receive training on the use of trauma-informed practices that  
9 build resilience in students. The Standards Board shall specify criteria and the  
10 number of training hours necessary to meet the requirements of this rule.  
11 Teachers and administrators shall have until January 1, 2020 to come into  
12 compliance with this rule. The Standards Board may grant variances to  
13 individual teachers and administrators for exceptional circumstances.  
14 “Trauma-informed” shall have the same meaning as in 33 V.S.A. § 3402.

15 Sec. 9. RULEMAKING; TRAUMA-INFORMED TRAINING FOR CHILD  
16 CARE PROVIDERS

17 The Commissioner for Children and Families shall amend the Department’s  
18 rules pursuant to 3 V.S.A. chapter 25 to require the following employees of  
19 registered and licensed family child care homes and center-based child care  
20 and preschool programs to receive training on the use of trauma-informed  
21 practices that build resilience in enrolled children and students: family child



1 care providers, family child care assistants, administrators, teachers, teacher  
2 associates, teacher assistants, and classroom aides. “Trauma-informed” shall  
3 have the same meaning as in 33 V.S.A. § 3402.

4 \* \* \* Effective Date \* \* \*

5 Sec. 10. EFFECTIVE DATE

6 This act shall take effect on July 1, 2018.