

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 2362**

BY DELEGATES ZUKOFF, HORNBUCKLE, THOMPSON,  
TONEY, ELLINGTON, HANSEN, LOVEJOY, DEAN AND  
STORCH

[Introduced February 13, 2021; Referred to the  
Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18-2-43, relating to implementation of trauma-informed practices in schools;  
 3 providing for an effective date; providing for training; providing definition of trauma-  
 4 informed practices; providing for disciplinary considerations in light of trauma-informed  
 5 practices; providing for a culture of acceptance among educational professionals relating  
 6 to trauma-informed practices within the school; and providing for rulemaking.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. STATE BOARD OF EDUCATION.**

**§18-2-43. Implementation of trauma-informed practices.**

1 (a) Beginning July 1, 2021, the state board shall implement trauma-informed practices in  
 2 schools in this state from kindergarten through grade 12.

3 (b) The state board shall provide training for all teachers, school leaders,  
 4 paraprofessionals, and specialized instructional support personnel on trauma-informed practices.

5 (c) "Trauma-informed practices" means:

6 (1) Evidence-based professional development that promotes a shared understanding  
 7 among teachers, teachers' assistants, school leaders, paraprofessionals, specialized instructional  
 8 support personnel and other staff that:

9 (A) Traumatic experiences are common among students;

10 (B) Trauma can impact student learning, behavior and relationships in school;

11 (C) Traumatic experiences do not inherently undermine the capabilities of students to  
 12 reach high expectations in academics and life;

13 (D) School-wide learning environments where all students and adults feel safe, welcomed,  
 14 and supported can enable students to succeed despite traumatic experiences; and

15 (E) Services, support, and programs provided to meet individual student needs should be  
 16 trauma-informed, where appropriate, and increase student connection to the school-wide learning  
 17 environment;

- 18           (2) Adoption of disciplinary procedures and practices that:
- 19           (A) Accompany disciplinary actions with holistic assessments and positive behavioral  
20 interventions and support to address the underlying causes of student behavior, including trauma;
- 21           (B) Avoid harsh and punitive, exclusionary disciplinary practices;
- 22           (C) Utilize evidence-based restorative practices that build a culture of trust; and
- 23           (D) Do not discriminate on the basis of race, color, national origin, sex (including sexual  
24 orientation or gender identity), disability, English proficiency status, migrant status, or age,  
25 consistent with the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), title VI of the Civil  
26 Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), title IX of the Education Amendments of 1972 (20  
27 U.S.C. § 1681 *et seq.*), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), the  
28 Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 *et seq.*), and the Individuals with  
29 Disabilities Education Act (42 U.S.C. § 1400 *et seq.*);
- 30           (3) Activities that engage teachers, teachers' assistants, school leaders,  
31 paraprofessionals, specialized instructional support personnel, and other staff in a process of  
32 school-based planning to:
- 33           (A) Promote a school-wide culture of acceptance;
- 34           (B) Help all students feel safe and connected to the school community;
- 35           (C) Support all students to form positive relationships with adults and peers, understand  
36 and manage emotions, achieve success academically and in extra-curricular areas, and  
37 experience physical and psychological health and well-being;
- 38           (D) Promote teamwork and effective communication among all staff and shared  
39 responsibility for every student;
- 40           (E) Integrate evidence-based practices that build social-emotional skills into rigorous  
41 academic instruction; and
- 42           (F) Recognize and prevent adult implicit bias.
- 43           (d) The state board is authorized to propose legislative rules for promulgation in

- 44 accordance with §29A-3b-1 *et seq.* of this code, and if necessary, may promulgate an emergency
- 45 rule in accordance with said article, for the implementation of this section.

NOTE: The purpose of this bill is to require the State Board of Education to implement trauma-informed practices in grades K-12.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.