

Department of Legislative Services
 Maryland General Assembly
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FISCAL AND POLICY NOTE
First Reader

Senate Bill 367 (Senator Washington, *et al.*)
 Education, Health, and Environmental Affairs

State Department of Education - Guidelines on Trauma-Informed Approach

This bill establishes the Trauma-Informed Schools Initiative within the Maryland State Department of Education (MSDE) to expand the use of trauma-informed approaches in schools and intensively train schools on becoming trauma-informed schools. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: General fund expenditures increase by \$407,100 in FY 2021 to implement the new program. Out-year costs reflect inflation and reduced ongoing expenditures.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	407,100	348,800	350,900	354,000	357,100
Net Effect	(\$407,100)	(\$348,800)	(\$350,900)	(\$354,000)	(\$357,100)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Three local school systems that are chosen to participate in the initiative receive additional support and resources to implement trauma-informed approaches in one school each.

Small Business Effect: None.

Analysis

Bill Summary: A “trauma-informed approach” is defined as a method for understanding and responding to an individual with symptoms of chronic interpersonal trauma or traumatic stress. A “trauma-informed school” is a school that:

- acknowledges the widespread impact of trauma and understands the potential paths for recovery;
- recognizes the signs and symptoms of trauma in students, teachers, and staff;
- integrates information about trauma into policies, procedures, and practices; and
- actively resists re-traumatizing a student, teacher, or staff member who has experienced trauma.

Trauma-Informed Schools Initiative

In consultation with the Maryland Department of Health (MDH) and the Department of Human Services (DHS), MSDE must establish the program, develop guidelines to assist schools, and work with stakeholders and content experts to develop curriculum and content training. MSDE has to distribute those guidelines to each local school system and develop a website on the trauma-informed approach. *By July 1, 2020*, MSDE has to select one school from each of a rural, suburban, and urban/metropolitan area to voluntarily participate in the program and receive intensive training on the trauma-informed approach. In implementing the program, MSDE must (1) consult with schools and jurisdictions that use a trauma-informed or similar approach; (2) provide training to specified personnel in participating schools; (3) monitor each school's progress; and (4) provide assistance to participating schools. Again, in consultation with MDH and DHS, MSDE must (1) collect data related to the program; (2) study each school's progress and results at the end of each specified school year; and (3) report findings to the Governor and General Assembly by August 31 of each year from 2021 through 2025.

Trauma-Informed Schools Expansion Fund

The bill establishes the fund as a special, nonlapsing fund that consists of money appropriated in the State budget, interest earnings, and any other money from any other source. The fund may be used only for the program, and expenditures from the fund may be made only in accordance with the State budget. Any money expended from the fund is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for the program.

Current Law: The State Board of Education must establish guidelines that define a State code of discipline for all public schools with standards of conduct and consequences for violations of the standards. The guidelines were last updated in 2014. The State board must also (1) upon request, provide technical assistance and training to local school boards on the use of restorative practices and (2) assist each local school board with implementing the guidelines. Each local school board must adopt regulations designed to create and maintain within schools the atmosphere of order and discipline necessary for effective learning. The local regulations must state that the primary purpose of any disciplinary

measure is rehabilitative, restorative, and educational. They must also provide for educational and behavioral interventions, restorative approaches, counseling, student and parent conferencing, and alternative programs.

State law and regulations do not specifically address trauma-informed approaches to student discipline.

Background:

State Board Task Force

In December 2018, the State Board of Education formed the Task Force on Student Discipline Regulations to:

- consider the impact that current discipline regulations have on Maryland students, teachers, classrooms, learning environments, and schools;
- identify patterns of practice in implementing State regulations/policies;
- determine best practices in student discipline inside and outside of Maryland, including, but not limited to, restorative justice and positive behavioral intervention supports;
- evaluate recommendations and findings from other groups and commissions, including, but not limited to, the Kirwan Commission and the Commission on the School to Prison Pipeline; and
- based on consideration of the foregoing and the understanding that all students in Maryland should receive an education in a safe school, make recommendations to the State board on any regulatory, policy, or guidance changes that should be adopted to improve the disciplinary environment in Maryland schools.

The task force met six times and issued its recommendations to the State board in August 2019. Among its 15 recommendations, the task force recommended that MSDE (1) recognize student mental health as a major factor related to the issue of discipline; (2) enhance regulations regarding school counselors and school psychologists to align with nationally recommended ratios; and (3) provide a menu of best practices to address student discipline and provide adequate training and resources to ensure that programs (including restorative practices) are implemented with fidelity.

Trauma-Informed Care

Trauma-informed care (TIC) emerged as a strategy for addressing symptoms of traumatic stress in the early 2000s. In 2005, the Substance Abuse and Mental Health Services Administration within the U.S. Department of Health and Human Services provided

funding for a National Center for Trauma-Informed Care to support efforts to eliminate the use of seclusion, restraints, and other coercive practices and to develop the knowledge base on TIC.

According to the center, TIC (1) realizes the widespread impact of trauma; (2) recognizes the signs of symptoms of trauma in clients and others; (3) responds by fully integrating knowledge about trauma into policies, procedures, and practices; and (4) seeks to actively resist re-traumatization. Ultimately, it seeks to change the paradigm from asking “What’s wrong with you?” to one that asks “What happened to you?”

TIC intervention programs generally recognize (1) the survivor’s need to be respected, informed, connected, and hopeful for their own recovery; (2) the interrelation between trauma and symptoms of trauma such as substance abuse, eating disorders, depression, and anxiety; and (3) the need to work in a collaborative way with survivors, family and friends, and other human service agencies.

In 2016, Baltimore City received a \$2.4 million grant from the U.S. Department of Education to promote trauma-responsive practices in 13 schools and to provide training on trauma-informed practices to almost 4,500 school staff in the district.

State Fiscal Effect: The bill establishes a new program within MSDE and assigns multiple duties to MSDE, including selecting the participating schools, developing guidelines and curricula for schools implementing the program, offering training and technical assistance to schools, and conducting an evaluation of the program. Although MSDE is charged with carrying out these responsibilities in consultation with MDH and DHS, this analysis assumes that MSDE carries out most of the duties assigned by the bill with peripheral assistance from the other agencies that they can provide with existing resources.

Although the bill creates a special fund to cover the costs of the program, it does not assign any revenues to the fund. Therefore, this analysis assumes that general funds are used to cover all costs related to administering the program. The special fund is available for any supplemental funding that may be included in the budget. Alternatively, general funds would be used to capitalize the special fund, with special fund revenues and expenditures in the same amount.

General fund expenditures increase by \$407,054 in fiscal 2021, which accounts for the bill’s July 1, 2020 effective date. As the bill requires that participating schools be identified on the bill’s effective date, all expenses are assumed to begin on that day. This estimate reflects the cost of hiring an education program specialist to administer the program and ensure the required website is developed. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses. In addition, the estimate assumes that:

- MSDE provides annual grants of \$50,000 to each of the three participating schools to implement trauma-informed approaches.
- As MSDE does not have in-house expertise in TIC, MSDE contracts with one or more third parties to develop program guidelines and curricula and provide training to participating schools on an ongoing basis. First-year costs for the contracted services are \$100,000 to develop guidelines and curricula, with ongoing annual costs of \$50,000 to provide training to the three schools.
- MSDE contracts with a third party with expertise in research and evaluation to design and prepare the annual evaluation reports at an annual cost of \$60,000.

Position	1.0
Salary and Fringe Benefits	\$ 89,529
Grants for Participating Schools	150,000
Development of Guidelines and Curricula	100,000
Research and Evaluation	60,000
Other Operating Expenses	<u>7,525</u>
Total FY 2021 State Expenditures	\$407,054

Future year expenditures reflect a full salary with annual increases and employee turnover and ongoing operating expenses.

Additional Comments: MSDE has to select schools for the Trauma-Informed Schools Initiative on or before the bill takes effect on July 1, 2020. As the program cannot begin operation until that date, it is doubtful that it will be able to meet that deadline.

Additional Information

Prior Introductions: HB 256 of 2019 passed the House in amended form, but no action was taken by the Senate. Its cross file, SB 223 of 2019, received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: HB 277 (Delegate Wilkins, *et al.*) - Ways and Means.

Information Source(s): Maryland State Department of Education; Department of Human Services; Maryland Department of Health; Baltimore City Public Schools; Baltimore County Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; National Center for Trauma-Informed Care; Department of Legislative Services

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Analysis by: Michael C. Rubenstein

Direct Inquiries to:
(410) 946-5510
(301) 970-5510