
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2301 Session of
2022

INTRODUCED BY N. NELSON, HOHENSTEIN, GUENST, MADDEN, KINSEY,
STURLA, RABB, SCHLOSSBERG, PARKER, SANCHEZ, HILL-EVANS, DALEY
AND CIRESI, SEPTEMBER 19, 2022

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 19, 2022

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in school safety and security,
6 providing for trauma-informed records program.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 1306.1-B. Trauma-informed records program.

13 (a) Trauma-informed records program establishment and record
14 maintenance.--A school district that participates in the School
15 Safety and Security Grant Program established under section
16 1306-B may establish a trauma-informed records program. If a
17 school district opts to establish a trauma-informed records
18 program, the school district shall maintain electronic records,
19 overseen by a certified school counselor, in a format developed

1 by the Department of Education that includes information
2 relating to traumatic events and adverse childhood experiences
3 of a student, including:

4 (1) Information provided by a county or law enforcement
5 agency regarding a student.

6 (2) Information provided by a family-authorized medical
7 provider regarding a student.

8 (3) Information concerning in-school incidents regarding
9 a student that would prompt a call to a law enforcement
10 agency, behavioral health unit, mobile crisis unit, school
11 safety program or student support service such as a student
12 assistance program as defined in 22 Pa. Code § 12.16
13 (relating to definitions).

14 (4) Information provided by a behavioral health unit, a
15 mobile crisis unit, a school safety program or a student
16 support service such as a student assistance program as
17 defined in 22 Pa. Code § 12.16.

18 (5) A statement written by the school's certified school
19 counselor concerning the overall well-being of the student
20 that excludes confidential information.

21 (6) A summary of known triggers for the student that
22 induce symptoms of post-traumatic stress disorder relating to
23 previous exposure to trauma that excludes confidential
24 information provided by a behavioral health unit, mobile
25 crisis unit, school safety program, student support service
26 or family-authorized medical provider.

27 (7) A support plan detailing how a school district will
28 care for the student regarding the history of traumatic
29 exposure and overall well-being of the student.

30 (8) Any information voluntarily given by a parent or

1 guardian concerning a student.

2 (b) Administrator.--In the event a school district does not
3 have a certified school counselor employed, a school board may
4 select a currently employed school administrator to oversee the
5 trauma-informed records. A school administrator selected by the
6 school board shall undergo educational training relating to
7 trauma-informed approaches as outlined under section 1205.7 as
8 well as training relating to record management.

9 (c) Tiers of information.--The Department of Education, in
10 developing an electronic format for trauma-informed records,
11 shall classify information into the following three tiers:

12 (1) Tier one shall include all aspects of a student's
13 trauma-informed record, as well as the contact information of
14 any outside agency that has provided information to a school
15 district concerning a traumatic event of a student.

16 (2) Tier two shall only include a summary of traumatic
17 events with a list of known triggers for a student that
18 induces post-traumatic stress disorder symptoms relating to
19 previous trauma exposure that excludes confidential
20 information, as well as include the support plan for the
21 student in place by the school district.

22 (3) Tier three shall only include a brief statement
23 concerning the overall well-being of a student.

24 (d) Use.--Information maintained in trauma-informed records
25 are to be utilized exclusively for assisting:

26 (1) A school district in developing the trauma-informed
27 capacity to support the student population.

28 (2) A school district in developing instructional
29 approaches under section 1205.7.

30 (3) School officials as a part of the determination

1 process of in-school supports needed for a student.

2 (e) Confidentiality.--A student's trauma-informed record
3 shall be considered confidential, and the record content may
4 only be divulged if considered appropriate by the certified
5 school counselor or the school administrator responsible for the
6 maintenance of the records and with parental agreement in some
7 instances. The following authorities shall have access to
8 request information within the records:

9 (1) The parent or guardian of a student for which the
10 school district has maintained a record.

11 (2) School officials and professional employees. All
12 school officials or professional employees must have written
13 authorization by the certified school counselor or the school
14 administrator responsible for the maintenance of the records
15 in order to view a student's trauma-informed record. The
16 written authorization shall outline to which tier a school
17 official or professional employee has access. A school
18 official or professional employee must request access to a
19 student's record each time they want to access the record.

20 (3) A family-authorized medical provider. All family-
21 authorized medical providers must have written authorization
22 by the student's parent or guardian in order to view a
23 student's record.

24 (4) Cooperating county or law enforcement agencies. All
25 cooperating county and law enforcement agencies must have
26 written authorization by the student's parent or guardian in
27 order to view a student's record.

28 (5) The student for which a record has been maintained.

29 (f) Transfer.--Whenever a pupil transfers to another grant-
30 funded school entity or grant-funded nonpublic school under this

1 article, a certified copy of the student's trauma-informed
2 record shall be transmitted to the school entity or nonpublic
3 school to which the pupil has transferred. The school entity or
4 nonpublic school to which the student has transferred should
5 request the record. The sending school entity or nonpublic
6 school shall have 10 days from receipt of the request to supply
7 a certified copy of the student's record. The transfer of the
8 record shall be administered by the school counselors or school
9 administrator selected by the school boards of the respective
10 school entities or nonpublic schools.

11 (g) Retention.--In the event a school district no longer
12 continues to receive grant funding under this article, or in the
13 event a pupil no longer attends the school district, the school
14 shall retain trauma-informed records for no longer than two
15 years after the discontinuation of funding or disenrollment of
16 the student. The district shall then destroy all trauma-informed
17 records maintained by a process promulgated by the Department of
18 Education.

19 (h) Record establishment.--A parent or guardian of a student
20 shall be notified of a trauma-informed record being established
21 for that student and shall either approve or reject the creation
22 of a trauma record.

23 (i) Definitions.--As used in this section, the following
24 words and phrases shall have the meanings given to them in this
25 subsection unless the context clearly indicates otherwise:

26 "Trauma." The term includes results from an event, series of
27 events or set of circumstances that is experienced by an
28 individual as physically or emotionally harmful or threatening
29 and that has lasting adverse effects on the individual's
30 cognitive functioning and physical, social, emotional, mental or

1 spiritual well-being.

2 "Trauma-informed approach." Includes a school-wide approach
3 to education and a classroom-based approach to student learning
4 that recognizes the signs and symptoms of trauma and responds by
5 fully integrating knowledge about trauma into policies,
6 professional learning, procedures and practices for the purposes
7 of recognizing the presence and onset of trauma, resisting the
8 reoccurrence of trauma and promoting resiliency tailored to a
9 school entity's culture, climate and demographics and the
10 community as a whole.

11 "Traumatic event." The term includes an event or series of
12 events that causes physical, emotional or psychological harm and
13 has lasting adverse effects on the individual's cognitive
14 functioning and physical, social, emotional, mental or spiritual
15 well-being.

16 Section 2. This act shall take effect in 60 days.