

By: Huffman, et al.

S.B. No. 72

A BILL TO BE ENTITLED

AN ACT

relating to requiring public schools to provide instruction and materials and adopt policies relating to the prevention of child abuse, family violence, and dating violence.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as the Christine Blubaugh Act.

SECTION 2. Section 28.002, Education Code, is amended by adding Subsections (u), (u-1), (u-2), and (u-3) to read as follows:

(u) The State Board of Education shall adopt rules requiring students to receive instruction on the prevention of child abuse, family violence, and dating violence at least once in middle or junior high school and at least once in high school. The instruction must include information on:

(1) the dating violence policy adopted by the student's school district under Section 37.0831;

(2) the prevalence of dating violence and the recognition of abuse warning signs;

(3) the procedures for reporting violence or abuse;  
and

(4) educational materials or resources available to students under Section 37.0831(c).

(u-1) Before each school year, a school district shall provide written notice as described by Subsection (u-2) to a parent

1 of each student enrolled in the district who will receive:

2 (1) the instruction required by Subsection (u); or

3 (2) any other instruction required by state law  
4 relating to the prevention of child abuse, family violence, and  
5 dating violence.

6 (u-2) The written notice required by Subsection (u-1) must  
7 include:

8 (1) a statement that the district will provide  
9 instruction to the parent's student relating to the prevention of  
10 child abuse, family violence, and dating violence;

11 (2) a description of:

12 (A) the curriculum materials that will be used in  
13 providing instruction to the parent's student relating to the  
14 prevention of child abuse, family violence, and dating violence;  
15 and

16 (B) the educational materials and resources  
17 described by Section 37.0831(c); and

18 (3) a statement of the parent's right to:

19 (A) review the materials and resources described  
20 by Subdivision (2); and

21 (B) remove the student from instruction relating  
22 to the prevention of child abuse, family violence, and dating  
23 violence without subjecting the student to any disciplinary action,  
24 academic penalty, or other sanction imposed by the district or the  
25 student's school.

26 (u-3) If a school district does not comply with the  
27 requirements of Subsections (u-1) and (u-2), a parent of a student

1 enrolled in the district may file a complaint in accordance with the  
2 district's grievance procedure adopted as required by Section  
3 26.011.

4 SECTION 3. The heading to Section 37.0831, Education Code,  
5 is amended to read as follows:

6 Sec. 37.0831. DATING VIOLENCE POLICIES; EDUCATIONAL  
7 MATERIALS AND RESOURCES.

8 SECTION 4. Section 37.0831, Education Code, is amended by  
9 amending Subsection (b) and adding Subsection (c) to read as  
10 follows:

11 (b) A dating violence policy must:

12 (1) include:

13 (A) a definition of dating violence that includes  
14 the intentional use of physical, sexual, verbal, or emotional abuse  
15 by a person to harm, threaten, intimidate, or control another  
16 person in a dating relationship, as defined by Section 71.0021,  
17 Family Code;

18 (B) a clear statement that dating violence is not  
19 tolerated at school;

20 (C) reporting procedures and guidelines for  
21 students who are victims of dating violence; and

22 (D) information regarding the instruction on the  
23 prevention of dating violence required under Section 28.002(u); and

24 (2) address safety planning, enforcement of  
25 protective orders, school-based alternatives to protective orders,  
26 training for teachers and administrators at each district campus  
27 that instructs students in grade six or higher, counseling for

1 affected students, and awareness education for students and  
2 parents.

3 (c) To the extent possible, a school district shall make  
4 available to students:

5 (1) age-appropriate educational materials that  
6 include information on the dangers of dating violence; and

7 (2) resources to students seeking help.

8 SECTION 5. This Act applies beginning with the 2021-2022  
9 school year.

10 SECTION 6. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect on the 91st day after the last day of the  
15 legislative session.