

BILL ANALYSIS

Senate Research Center
87S10695 GCB-D

S.B. 9
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Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Child abuse, family violence, and dating violence are unfortunately prevalent issues that significantly impact a student's educational and personal experiences. Though the issue is prevalent, these matters are frequently not discussed and as a result, students are ill equipped and lack resources to assist in these difficult times and challenging circumstances.

According to the Centers for Disease Control and Prevention (CDC), approximately one in 11 female high school students and one in 15 male high school students have experienced physical dating violence in the last year, and approximately one in nine female high school students and one in 36 male high school students experienced sexual dating violence in the last year.

This proposed legislation is presented in memory of Christine Blubaugh of Grand Prairie, Texas, who lost her life to dating violence at the age of 16. She would have celebrated her 37th birthday on April 13, 2021.

S.B. 9 provides for educational instruction pertaining to the prevention of child abuse, family violence, and dating violence. Under S.B. 9, students will be exposed to resources and gain awareness on how to manage when these challenging circumstances arise. S.B. 9 will require students to be exposed to this educational instruction a minimum of one time between middle school and junior high and at least one time in high school.

S.B. 9 amends current law 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. Additionally, it requires that a parent be provided notice of the instruction, the right to review the material, and the right to remove the parent's student from the instruction if desired.

As proposed, S.B. 9 amends current law 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.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Education in SECTION 2 (Section 28.002, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Authorizes this Act to be cited as the Christine Blubaugh Act.

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

(u) Requires the State Board of Education to 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. Requires that the instruction include information on:

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

- (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) Requires a school district, before each school year, to provide written notice as described by Subsection (u-2) to a parent of each student enrolled in the district who will receive:

- (1) the instruction required by Subsection (u); or
- (2) any other instruction required by state law relating to the prevention of child abuse, family violence, and dating violence.

(u-2) Requires that the written notice required by Subsection (u-1) include:

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

(2) a description of:

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

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

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

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

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

(u-3) Authorizes a parent of a student enrolled in the district, if a school district does not comply with the requirements of Subsections (u-1) and (u-2), to file a complaint in accordance with the district's grievance procedure adopted as required by Section 26.011 (Complaints).

SECTION 3. Amends the heading to Section 37.0831, Education Code, to read as follows:

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

SECTION 4. Amends Section 37.0831, Education Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires that a dating violence policy:

(1) include:

(A) creates this paragraph from existing text and makes a nonsubstantive change;

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

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

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

(2) makes no changes to this subdivision.

(c) Requires a school district, to the extent possible, to make available to students:

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

(2) resources to students seeking help.

SECTION 5. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 6. Effective date: upon passage or on the 91st day after the last day of the legislative session.