

By: Menéndez, et al.
(Allison, Meza)

S.B. No. 2050

Substitute the following for S.B. No. 2050:

By: Dutton

C.S.S.B. No. 2050

A BILL TO BE ENTITLED

AN ACT

relating to bullying and cyberbullying in public schools.

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

SECTION 1. Section 37.0832, Education Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) The board of trustees of each school district shall adopt a policy, including any necessary procedures, concerning bullying that:

(1) prohibits the bullying of a student;

(2) prevents and mediates bullying incidents between students that:

(A) interfere with a student's educational opportunities; or

(B) substantially disrupt the orderly operation of a classroom, school, or school-sponsored or school-related activity;

(3) [~~(2)~~] prohibits retaliation against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying;

(4) [~~(3)~~] establishes a procedure for providing notice of an incident of bullying to:

(A) a parent or guardian of the alleged victim on or before the third business day after the date the incident is

1 reported; and

2 (B) a parent or guardian of the alleged bully
3 within a reasonable amount of time after the incident;

4 (5) [~~(4)~~] establishes the actions a student should
5 take to obtain assistance and intervention in response to bullying;

6 (6) [~~(5)~~] sets out the available counseling options
7 for a student who is a victim of or a witness to bullying or who
8 engages in bullying;

9 (7) [~~(6)~~] establishes procedures for reporting an
10 incident of bullying, including procedures for a student to
11 anonymously report an incident of bullying, investigating a
12 reported incident of bullying, and determining whether the reported
13 incident of bullying occurred;

14 (8) [~~(7)~~] prohibits the imposition of a disciplinary
15 measure on a student who, after an investigation, is found to be a
16 victim of bullying, on the basis of that student's use of reasonable
17 self-defense in response to the bullying; [~~and~~]

18 (9) [~~(8)~~] requires that discipline for bullying of a
19 student with disabilities comply with applicable requirements
20 under federal law, including the Individuals with Disabilities
21 Education Act (20 U.S.C. Section 1400 et seq.); and

22 (10) complies with the minimum standards adopted by
23 the agency under Subsection (c-1).

24 (c-1) The agency shall adopt minimum standards for a school
25 district's policy under Subsection (c). The standards must:

26 (1) include an emphasis on bullying prevention by
27 focusing on school climate and building healthy relationships

1 between students and staff;

2 (2) require each district campus to establish a
3 committee to address bullying by focusing on prevention efforts and
4 health and wellness initiatives;

5 (3) require students at each grade level to meet
6 periodically for instruction on building relationships and
7 preventing bullying, including cyberbullying;

8 (4) include an emphasis on increasing student
9 reporting of bullying incidents to school employees by:

10 (A) increasing awareness about district
11 reporting procedures; and

12 (B) providing for anonymous reporting of
13 bullying incidents;

14 (5) require districts to:

15 (A) collect information annually through student
16 surveys on bullying, including cyberbullying; and

17 (B) use those survey results to develop action
18 plans to address student concerns regarding bullying, including
19 cyberbullying; and

20 (6) require districts to develop a rubric or checklist
21 to assess an incident of bullying and to determine the district's
22 response to the incident.

23 SECTION 2. Section 48.009, Education Code, is amended by
24 adding Subsection (b-4) to read as follows:

25 (b-4) The commissioner by rule shall require each school
26 district and open-enrollment charter school to annually report
27 through the Public Education Information Management System the

1 number of reported incidents of bullying that have occurred at each
2 campus. The commissioner's rules shall require a district or
3 school to specify the number of incidents of bullying that included
4 cyberbullying.

5 SECTION 3. Section 37.0832(f), Education Code, is repealed.

6 SECTION 4. This Act applies beginning with the 2021-2022
7 school year.

8 SECTION 5. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2021.