

1-1 By: Menéndez S.B. No. 2050  
 1-2 (In the Senate - Filed March 12, 2021; April 1, 2021, read  
 1-3 first time and referred to Committee on Education; April 23, 2021,  
 1-4 reported adversely, with favorable Committee Substitute by the  
 1-5 following vote: Yeas 10, Nays 0; April 23, 2021, sent to printer.)

1-6 COMMITTEE VOTE

|                 | Yea | Nay | Absent | PNV |
|-----------------|-----|-----|--------|-----|
| 1-7 Taylor      | X   |     |        |     |
| 1-8 Lucio       | X   |     |        |     |
| 1-9 Bettencourt | X   |     |        |     |
| 1-10 Hall       | X   |     |        |     |
| 1-11 Hughes     |     |     | X      |     |
| 1-12 Menéndez   | X   |     |        |     |
| 1-13 Paxton     | X   |     |        |     |
| 1-14 Perry      | X   |     |        |     |
| 1-15 Powell     | X   |     |        |     |
| 1-16 Schwertner | X   |     |        |     |
| 1-17 West       | X   |     |        |     |

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 2050 By: West

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to bullying and cyberbullying in public schools.  
 1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-24 SECTION 1. Section 37.0832, Education Code, is amended by  
 1-25 amending Subsection (c) and adding Subsection (c-1) to read as  
 1-26 follows:  
 1-27 (c) The board of trustees of each school district shall  
 1-28 adopt a policy, including any necessary procedures, concerning  
 1-29 bullying that:  
 1-30 (1) prohibits the bullying of a student;  
 1-31 (2) prevents and mediates bullying incidents between  
 1-32 students that:  
 1-33 (A) interfere with a student's educational  
 1-34 opportunities; or  
 1-35 (B) substantially disrupt the orderly operation  
 1-36 of a classroom, school, or school-sponsored or school-related  
 1-37 activity;  
 1-38 (3) ~~(2)~~ prohibits retaliation against any person,  
 1-39 including a victim, a witness, or another person, who in good faith  
 1-40 provides information concerning an incident of bullying;  
 1-41 (4) ~~(3)~~ establishes a procedure for providing  
 1-42 notice of an incident of bullying to:  
 1-43 (A) a parent or guardian of the alleged victim on  
 1-44 or before the third business day after the date the incident is  
 1-45 reported; and  
 1-46 (B) a parent or guardian of the alleged bully  
 1-47 within a reasonable amount of time after the incident;  
 1-48 (5) ~~(4)~~ establishes the actions a student should  
 1-49 take to obtain assistance and intervention in response to bullying;  
 1-50 (6) ~~(5)~~ sets out the available counseling options  
 1-51 for a student who is a victim of or a witness to bullying or who  
 1-52 engages in bullying;  
 1-53 (7) ~~(6)~~ establishes procedures for reporting an  
 1-54 incident of bullying, including procedures for a student to  
 1-55 anonymously report an incident of bullying, investigating a  
 1-56 reported incident of bullying, and determining whether the reported  
 1-57 incident of bullying occurred;  
 1-58 (8) ~~(7)~~ prohibits the imposition of a disciplinary  
 1-59 measure on a student who, after an investigation, is found to be a  
 1-60 victim of bullying, on the basis of that student's use of reasonable

2-1 self-defense in response to the bullying; [~~and~~]  
2-2 (9) [~~(8)~~] requires that discipline for bullying of a  
2-3 student with disabilities comply with applicable requirements  
2-4 under federal law, including the Individuals with Disabilities  
2-5 Education Act (20 U.S.C. Section 1400 et seq.); and

2-6 (10) complies with the minimum standards adopted by  
2-7 the agency under Subsection (c-1).

2-8 (c-1) The agency shall adopt minimum standards for a school  
2-9 district's policy under Subsection (c). The standards must:

2-10 (1) include an emphasis on bullying prevention by  
2-11 focusing on school climate and building healthy relationships  
2-12 between students and staff;

2-13 (2) require annual bullying prevention training for  
2-14 district employees and students;

2-15 (3) require each district campus to establish a  
2-16 committee to address bullying by focusing on prevention efforts and  
2-17 health and wellness initiatives;

2-18 (4) require students at each grade level to meet  
2-19 periodically for instruction on building relationships and  
2-20 preventing bullying, including cyberbullying;

2-21 (5) include an emphasis on increasing student  
2-22 reporting of bullying incidents to school employees by:

2-23 (A) increasing awareness about district  
2-24 reporting procedures; and

2-25 (B) providing for anonymous reporting of  
2-26 bullying incidents;

2-27 (6) require districts to:

2-28 (A) collect information annually through student  
2-29 surveys on bullying, including cyberbullying; and

2-30 (B) use those survey results to develop action  
2-31 plans to address student concerns regarding bullying, including  
2-32 cyberbullying; and

2-33 (7) require districts to develop a rubric or checklist  
2-34 to assess an incident of bullying and to determine the district's  
2-35 response to the incident.

2-36 SECTION 2. Section 48.009, Education Code, is amended by  
2-37 adding Subsection (b-4) to read as follows:

2-38 (b-4) The commissioner by rule shall require each school  
2-39 district and open-enrollment charter school to annually report  
2-40 through the Public Education Information Management System the  
2-41 number of reported incidents of bullying that have occurred at each  
2-42 campus. The commissioner's rules shall require a district or  
2-43 school to specify the number of incidents of bullying that included  
2-44 cyberbullying.

2-45 SECTION 3. Section 37.0832(f), Education Code, is repealed.

2-46 SECTION 4. This Act applies beginning with the 2021-2022  
2-47 school year.

2-48 SECTION 5. This Act takes effect immediately if it receives  
2-49 a vote of two-thirds of all the members elected to each house, as  
2-50 provided by Section 39, Article III, Texas Constitution. If this  
2-51 Act does not receive the vote necessary for immediate effect, this  
2-52 Act takes effect September 1, 2021.

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