

Overview:

SB 2050, 87th Texas Legislature, R.S. (2021) amended Texas Education Code by adding Subsection 37.0832(c-1) which requires TEA to adopt minimum standards for an LEA's bullying prevention policies and procedures under Subsection 37.0832(c), Education Code. Both school districts and open-enrollment charter schools will be required to comply with these minimum standards.

TEA is inviting feedback from any interested person on the updated proposed minimum standards for an LEA's bullying prevention policies and procedures. Public feedback will be accepted October 28 through November 28, 2022, and should be submitted to StudentDisciplineSupport@tea.texas.gov with the subject line "Updated Minimum Standards Public Feedback". All submitted feedback will be reviewed and considered prior to release of the final minimum standards.

Updated Proposed Minimum Standards for Bullying Prevention Policies and Procedures:

The minimum standards for bullying prevention policies and procedures implemented by a school district or open-enrollment charter school (local educational agency or LEA) under Texas Education Code (TEC), §37.0832, must:

- (1) ensure and appropriately integrate into instruction research-based content designed to reduce bullying for students in that age group, which include:
 - a. For students in early primary:
 - i. explicit direct instruction designed so students can recognize bullying behaviors;
 - ii. classroom culture-building discussions that encourage peers, when they observe bullying occur, to intervene in a way that is focused on learning from the incident; and
 - iii. explicit direct instruction that characterizes bullying as a behavior that results from the student's need to acquire more mature social or coping skills, not an immutable trait;
 - b. For students in secondary:
 - i. explicit direct instruction on the brain's neuroplasticity so the student recognizes bullying behavior comes from developmental needs for social status, can change when the brain matures and learns better ways of coping, and is not an immutable trait; and
 - ii. classroom-culture or school-culture-building discussions that encourage peers to portray bullying as an undesirable means for attaining or maintaining social status in school and to dissuade students from using bullying as a tool for reputation management;
- (2) define how positive school culture will be measured in alignment with the school and LEA's mission, vision, and values, using an age-appropriate survey that includes relevant questions on bullying that includes appropriate privacy controls in compliance with the Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. §1232g), and define who is responsible to develop and oversee the implementation of action plans based on the results;
- (3) require each LEA campus to establish a committee, which may be incorporated into an existing committee that otherwise meets the requirements of these minimum standards, to address bullying by focusing on prevention efforts and health and wellness initiatives;
- (4) ensure an easy mechanism for bullying incidents to be reported both anonymously and identifiably by students and staff to an appropriate campus staff member(s);
 - a. the policy should recognize that, while one or more staff members may be designated, that students are encouraged to report incidents of bullying to any trusted staff member, and that any staff member aware of such incidents must relay any reports to the appropriately designated staff member(s);

- b. the policy should provide for a tracking mechanism to allow for LEA-level staff to periodically monitor the reported counts of bullying incidents, and that declines in the count of bullying incidents may represent not only improvements in the campus culture because bullying declines but also declines in the campus culture because of a decline in openness to report incidents; and
 - c. the policy should support research-based interventions taken both for the students who engage in bullying behaviors and the students who were targeted by the bullying behaviors; and
- (5) include a rubric or checklist to assess an incident of bullying and to determine the LEA's response to the incident.