

## Overview:

Texas Education Code (TEC), §37.0832(c), requires school districts to adopt policies and procedures concerning bullying prevention. TEC, §12.104(b)(3)(Q), also subjects open-enrollment charter schools to this requirement. Senate Bill 2050, 87th Texas Legislature, Regular Session, 2021, added TEC, §37.0832(c-1), which requires the Texas Education Agency (TEA) to adopt minimum standards for the bullying prevention policies and procedures adopted under TEC, §37.0832(c).

TEA is inviting comment from any interested person on the proposed minimum standards for an LEA's bullying prevention policies and procedures. Public comments will be accepted April 1 through April 30, 2022, and should be submitted to [StudentDisciplineSupport@tea.texas.gov](mailto:StudentDisciplineSupport@tea.texas.gov) with the subject line "Minimum Standards Public Comment". All submitted comments will be reviewed and considered prior to release of the final minimum standards on or about July 1, 2022.

## 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, include:

- (1) In addition to required curriculum under TEC, §28.002, an LEA shall provide to students at each grade level at least twice per year age-appropriate instruction regarding:
  - a) the definition of bullying, including cyberbullying, as defined by TEC, §37.0832;
  - b) the negative effects of bullying;
  - c) how to recognize, prevent, and respond to bullying;
  - d) building healthy relationships with other students and staff and the student's personal role in fostering a positive school climate as defined in TEC, §38.351;
  - e) how a student can obtain assistance and intervention in response to bullying;
  - f) how a student can report an alleged incident of bullying using the LEA's established reporting procedures, including how to report anonymously; and
  - g) the importance of reporting.
- (2) An LEA shall conduct an annual age-appropriate student survey to collect data on bullying, including cyberbullying. The survey should assess student impressions of the frequency, severity, and location of bullying incidents that have occurred or been witnessed, whether witnessed incidents were reported and how, and if incidents solicited bystander action. Survey results, in compliance with the Family Educational Rights and Privacy Act (FERPA), must be used to inform and develop actionable strategies that address identified student concerns regarding bullying, including cyberbullying.
- (3) An LEA must develop a rubric or checklist to be used by staff when assessing any incident of alleged bullying to determine the LEA's response to the incident. Other local LEA policies, including the student code of conduct, and state and federal laws may also impact the LEA's response to the incident. The established rubric or checklist should be available in both English and Spanish and be included in the LEA's bullying prevention policies and procedures published annually in student and employee LEA handbooks (and in the district improvement plan, where applicable, under TEC, §11.252).
- (4) Each LEA campus shall establish a committee to address bullying, including cyberbullying. This committee may be incorporated into an existing committee that otherwise meets the requirements of these minimum standards. The campus committee may include, but need not be limited to, social workers, school

psychologists, counselors, members of the threat assessment team required by TEC 37.115, teachers, school resource officers, administrators, parents, and students as developmentally appropriate. The committee must address bullying by focusing on prevention efforts and health and wellness initiatives and should:

- a) Meet within the first 20 school days of the beginning of each school year and at least once every reporting period of the school year thereafter using a consistent meeting process, including agendas and meeting minutes;
- b) Promote a positive school climate as defined by TEC, §38.351(d);
- c) Consistently monitor implementation of evidence-based bullying prevention and intervention strategies and health and wellness initiatives aimed at enhancing interpersonal and emotional skills, including communication, problem-solving, conflict management, empathy, restorative practices, and teamwork at the respective campus;
- d) Collaborate with each other, other school staff, students, and families, as well as utilize available community resources, as appropriate, to address student concerns regarding bullying, including cyberbullying;
- e) Post the LEA's established bullying reporting procedures, including how to report anonymously, on the LEA's website as well as in a conspicuous place reasonably likely to be viewed by all persons entering each LEA campus; and
- f) Assist the LEA with its annual student survey data collection on bullying, including cyberbullying, required by Subsection 2.