

Minimum Standards January 31, 2023

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

- (1) ensure and appropriately integrate into instruction research-based content designed to reduce bullying for students in that age group, which are:
 - a. for students in early primary:
 - i. explicit direct instruction designed so students can recognize bullying, including cyberbullying, behaviors, and how to report them;
 - ii. age-appropriate classroom culture-building discussions that encourage peers to intervene when they observe bullying occur; 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, including cyberbullying, the behavior can come from a developmental need to acquire more social skills, 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 portray bullying as undesirable behavior and means for attaining or maintaining social status in school, and to dissuade students from using bullying as a tool for reputation management;
 - iii. explicit direct instruction is designed so students recognize the role reporting plays in promoting a safe school community
- (2) define how positive school culture and building healthy relationships between students and staff 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, including cyberbullying, 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 that address student concerns regarding bullying, including cyberbullying;
- (3) require each LEA campus to establish a committee, which must include parents and secondary level students and 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) develop a policy for the reporting of bullying, including cyberbullying, incidents:
 - a. the policy must outline an easy mechanism(s) for reporting bullying, including cyberbullying, incidents both anonymously and identifiable by students and staff to an appropriate campus staff member(s)
 - b. the policy should recognize that, while one or more staff members may be designated, 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 appropriate designated staff member(s); and
 - c. 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;
- (5) provide support for research-based interventions taken both for the students who engage in bullying behaviors and the students who were targeted by the bullying behaviors;

(6) include a rubric or checklist to assess an incident of bullying and to determine the LEA's response to the incident.

(7) in connection with the policy in subsection 4 and the rubric/checklist in subsection 6 any actions taken in response to bullying, including cyberbullying, must comply with state and federal law regarding students with disabilities.