

## Senate Bill 179: Davids' Law

David's Law relates to student harassment, bullying, cyberbullying, injury to or death of a minor; creating a criminal offense. Effective September 1, 2017.

### Changes include:

- **Definition of bullying changed to**
  - *single significant act or pattern of acts by one or more students directed at another student that exploits an imbalance of power*
  - **Include**
    - *Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student*
    - *materially and substantially disrupts the educational process or the orderly operation of a classroom or school*
    - *Infringes on the rights of the victim at school and*
    - *Cyberbullying*

- **Definition of Cyberbullying**

**Bullying that is done through the use of electronic communication, including through the use of a cellular or other type of telephone, a computer, a pager, a camera, electronic mail, instant messaging, text messaging, a social media application, Internet website, or other Internet-based communication tool.**

- **Bullying that occurs**
  - On or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property
  - On a publicly or privately owned school bus or van being used for transportation of students to or from school or a school-sponsored or school-related activity
- **Cyberbullying that occurs**
  - Off school property or outside of a school-sponsored or school-related activity if the cyberbullying
    - Interferes with a student's educational opportunities
    - Substantially disrupts the orderly operations of a classroom, school, or school-sponsored or school-related activity
- **Procedure for providing notice of an incident of bullying to a parent or guardian of the alleged victim on or before the third business day after the date the incident is reported; and to a parent or guardian of the alleged bully within a reasonable amount of time after the incident**
- **Procedures for a student to anonymously report an incident of bullying**
- **Additional points. David's Law**
  - allows school districts to establish a districtwide policy related to bullying prevention and mediation
  - specifies the placement or expulsion of certain students for certain bullying behavior
  - specifies reports that school principals may make to local law enforcement

- allows continuing education requirements for classroom teachers and principals to include instruction related to grief-informed and trauma-informed strategies
- requires TEA to maintain a website with resources related to student mental health needs
- amends the Health and Safety Code to expand the list of certain procedures that school districts may develop
- amends the Civil Practice and Remedies Code to specify relief for cyberbullying of a child, and to require that the Texas Supreme Court promulgate forms for use as an application for injunctive relief in suits relating to cyberbullying
- amends the Penal Code to include certain actions within the offense of harassment

