

SB2050, from the 87th legislature's 2021 regular session, tasked the Texas Education Agency (TEA) with creating minimum standards for schools to follow with regard to bullying prevention. One of these requirements is that districts create a rubric or checklist to be used by staff when assessing any incident of alleged bullying to determine the response to the incident. It is important to note that the Texas State Safety Center provides [Checklists to determine bullying](#) based on statute. Those would be used first by campus administrators. It is important to remember that even if an allegation does not meet the legal definition of bullying, student actions may still violate the Student Code of Conduct and therefore be dealt with as disciplinary situations.

Federal privacy laws (FERPA) prohibit school staff from sharing individual disciplinary information about a student with anyone but that student's parents without their expressed written consent. Thus, someone who reports an allegation of bullying is prohibited by federal privacy laws from knowing what disciplinary actions were taken by administrators after investigating an allegation. Nevertheless, below is the AHISD checklist for staff to use when assessing any incident of alleged bullying to determine the school's response to the incident.

AHISD Checklist to Assess an Allegation of Bullying

1. Were the actions taken in self-defense ("the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself")?
2. What was the intent or lack of intent at the time the student engaged in the conduct?
3. What was the social impact of the alleged behavior (i.e., size of audience, social media spread, etc)?
4. What is the student's disciplinary history?
5. Do parts of the Student Code of Conduct or law enforcement input shed light on the severity of the actions?
6. Does the student have a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct or that calls for specific interventions, including counseling support, to prevent incidents like these from occurring? *Note: This consideration can be independent and prior to an ARD committee conducting a manifestation determination regarding this step.*
7. What is the precedent, in terms of student disciplinary consequences, for other incidents that were similar to this one in terms of severity, situation, and scope?
8. How cooperative are the students & the parents in terms of integrity, honesty, cooperation, remorse, and desire to repair relationships surrounding the incident?
9. Does the student demonstrate a genuine commitment to improving behavior after previous incidents?
10. When did this incident take place? Was it recent or in the past? If in the past, how far in the past?