

BILL ANALYSIS

Senate Research Center
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S.B. 1109
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Child abuse, family violence, and dating violence are unfortunately prevalent issues that significantly impact a student's educational and personal experiences. Though the issue is prevalent, these matters are frequently not discussed and as a result, students are ill-equipped and lack resources to assist in these difficult times and challenging circumstances.

According to the CDC, approximately one in 11 female high school students and one in 15 male high school students have experienced physical dating violence in the last year, and approximately one in nine female high school students and one in 36 male high school students experienced sexual dating violence in the last year.

This proposed legislation is presented in memory of Christina Blubaugh of Grand Prairie, Texas, who lost her life to dating violence at the age of 16. She would have celebrated her 37th birthday on April 13, 2021.

S.B. 1109 provides for educational instruction pertaining to the prevention of child abuse, family violence, and dating violence, as part of the essential knowledge and skills requirements to satisfy the health curriculum requirements. Under S.B. 1109, students will be exposed to resources and gain awareness on how to manage when these challenging circumstances arise. S.B. 1109 will require students to be exposed to this educational instruction a minimum of one time between middle school and junior high and a minimum of two times in high school.

This legislation would be added to Section 37.0831 of the Texas Education Code, which currently requires school districts to implement a dating violence policy that addresses safety planning, training for teachers and administrators, counseling for affected students, and awareness education for students and parents. Enactment of this bill would likely not result in measurable costs to schools or to state and local governments.

As proposed, S.B. 1109 amends current law relating to requiring public schools to provide instruction and materials and adopt policies relating to the prevention of child abuse, family violence, and dating violence.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Education in SECTION 2 (Section 28.002, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Authorizes this Act to be cited as the Christina Blubaugh Act.

SECTION 2. Amends Section 28.002, Education Code, by adding Subsection (u), as follows:

(u) Requires the State Board of Education (SBOE), as part of the essential knowledge and skills for the health curriculum under Subsection (a)(2)(B) (relating to a required enrichment curriculum including health information), to adopt rules requiring students to receive instruction on the prevention of child abuse, family violence, and dating violence at least once in middle or junior high school and at least twice in high school. Requires that the instruction include information on:

- (1) the dating violence policy adopted by the student's school district under Section 37.0831;
- (2) the prevalence of dating violence and the recognition of abuse warning signs;
- (3) the procedures for reporting violence or abuse; and
- (4) educational materials or resources available to students under Section 37.0831(c).

SECTION 3. Amends the heading to Section 37.0831, Education Code, to read as follows:

Sec. 37.0831. New Heading: DATING VIOLENCE POLICIES; EDUCATIONAL MATERIALS AND RESOURCES.

SECTION 4. Amends Section 37.0831, Education Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires that a dating violence policy:

(1) include:

- (A) a definition of dating violence that includes the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship, as defined by Section 71.0021 (Dating Violence), Family Code;
- (B) a clear statement that dating violence is not tolerated at school;
- (C) reporting procedures and guidelines for students who are victims of dating violence; and
- (D) information regarding the essential knowledge and skills relating to dating violence required under Section 28.002(u); and

(2) makes no changes to this subdivision.

(c) Requires a school district, to the extent possible, to make available to students age-appropriate educational materials that include information on the dangers of dating violence and resources to students seeking help.

SECTION 5. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 6. Effective date: upon passage or September 1, 2021.