



**#DAVIDSLAW  
ANTI-BULLYING PLEDGE**

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The red ellipsis symbol serves as a reminder of the dangers of cyberbullying. By placing this sticker on my phone or computer,

**I pledge to NEVER use my device as a weapon**

David's Law aims to end cyberbullying in Texas. Visit [davidlegacy.org](http://davidlegacy.org) to learn how you can make a difference.

**DAVIDSLEGACY.ORG**

# David's Law Overview 2017

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Bullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that...

1  
Physically harms a student, damages the student's property, or places the student in reasonable fear of physical harm or property damage;

2  
Is so severe, persistent, or pervasive that it creates an abusive, threatening, or intimidating educational environment for a student;

3  
Materially and substantially disrupts the educational process or school operations; or

4  
Infringes on the rights of the victim at school.

Cyberbullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and uses any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other internet-based communication tool that...

1

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

2

occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying

3

interferes with a student's educational opportunities; or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

# School Districts SHALL...

**1**  
**Prohibit  
bullying**

**2**  
Prohibit  
retaliation  
against a victim,  
witness, or  
another person

**3**  
Provide notice to a  
parent of an  
alleged victim of  
bully on or before  
3 working days  
after the date  
the bully report  
was received.  
Provide notice to  
parent of an  
alleged bully within  
7 working days

**4**  
must establish a  
reporting system  
(with available  
counseling  
options) to now  
include  
procedures for a  
student to  
anonymously  
report an  
incident of  
bullying

# School Districts SHALL...

5

prohibit disciplinary measure on a student who is found to be a victim of bullying, on the basis of that student's use of reasonable self-defense in response to the bullying

6

A victim of Bullying SHALL be offered the right to be transferred to a different campus or classroom than the offender or to a neighboring school district.

7

If the victim chooses not to transfer, the board may transfer the offender to a different campus, classroom, or district or provide significant measure of supervision and protection.

8

School counselors SHALL: Serve as an "impartial, non-reporting conciliator for interpersonal conflicts and discord involving two or more students arising out of accusations of bullying."

# A bully **MAY** be removed to a DAEP or Expelled if-

1

The bullying encourages a student to commit or attempt suicide.

2

Incites violence against a student through group bullying.

3

Releases or threatens to release intimate visual material of a student (minor or 18 and older) without that student's consent.

4

Intimate visual material is material that depicts a person:  
(A) with the person's intimate parts exposed; or  
(B) engaged in sexual conduct

Principals or Designee, other than a counselor, MAY report to law enforcement after the investigation if the principal has reasonable grounds to believe the student has engaged in assault or harassment.

1

Assault- when a person intentionally, knowingly, or recklessly causes bodily injury to another person. An assault must involve a victim and a perpetrator(s) and the victim must receive bodily injury.

2

Harassment- Repeated e-communications in a manner likely to "harass, annoy, alarm, abuse, torment, embarrass, or offend another."

3

Employees and volunteers are immune from liability or discipline related to reporting.

School districts *MAY* establish a district-wide policy to assist in the prevention and mediation of bullying between students that:

1

Interferes with a student's educational opportunities or

2

substantially disrupts the orderly operation of a classroom, campus, or school activity.

# Parents and Injunctions/Criminal Penalties Concerning Bullying

1

Students who are cyberbullied and their parents will be able to obtain injunctions or other legal actions

2

Forms will be available from local law enforcement.  
Students or their parent will only have to prove that cyberbullying occurred.

3

Legal actions may include: restraining orders, temporary injunctions, permanent injunctions

4

Criminal Penalties for the minor student and their parent if the: Harassment by e-communication encourage suicide or conduct that causes serious bodily self-injury.

If the bully has previously violated a restraining order or injunction.