Texas Policymakers Must Prioritize Prevention and Student Support in the 90th Legislative Session

IDRA Testimony to the Texas House Public Education Committee on the Interim Charge Relating to the State of Education, Submitted by Paige Duggins-Clay, J.D., May 11, 2026

Dear Chair Buckley, Vice Chair Bernal and Members of the Committee:

My name is Paige Duggins-Clay, J.D., and I am Chief Legal Analyst at IDRA, an independent, non-partisan non-profit committed to achieving equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. Thank you for the opportunity to submit testimony on the committee's interim charge concerning the state of school safety in Texas.

At IDRA, we work with students, families, educators and advocates across Texas to ensure that every child has access to a safe, welcoming and excellent public education. We appreciate the legislature's continued attention to student safety. But we urge the committee to recognize that true safety cannot be achieved through hardening schools alone, nor through policies that remove children from classrooms without addressing the root causes of harm.

In the 88th and 89th legislative sessions, Texas enacted sweeping school hardening requirements and expanded mandates related to student removal, discipline and law enforcement involvement in schools. While many of these policies were advanced in response to legitimate fears and concerns following tragic acts of school violence, implementation has too often produced harmful unintended consequences for students, families and schools, particularly for economically disadvantaged students, students of color, students with disabilities, and students experiencing mental and behavioral health challenges.

As the legislature prepares for the 90th legislative session, we urge policymakers to balance the state's school safety framework by prioritizing prevention, student support and meaningful family engagement.

Overreliance on School Hardening and Exclusionary Responses

Across Texas, school districts are struggling to comply with costly hardening mandates while simultaneously facing severe shortages of counselors, social workers, psychologists, behavioral health providers and other student support personnel. Many districts report diverting limited resources away from preventive services and student support in order to fund infrastructure upgrades, security personnel, surveillance systems and compliance requirements.

At the same time, expanded discipline and student removal mandates risk increasing student exclusion from school environments without improving long-term safety outcomes. Research consistently demonstrates that exclusionary discipline practices (suspensions, expulsions,

referrals to alternative placements, and increased law enforcement involvement) are associated with poorer academic outcomes, higher dropout rates, greater justice system involvement and diminished school connectedness (Lyons, 2023).

Students who feel alienated, unsupported, targeted or disconnected from school are less likely to seek help, report concerns or engage positively with school communities. Safety policies that rely primarily on surveillance, punishment and removal can undermine the very relationships and trust that are necessary to prevent violence and support student well-being (Craven, 2022).

Accordingly, Texas should prioritize evidence-based prevention strategies that strengthen school climate, build student trust, and address underlying causes of conflict and harm.

Additional Action Necessary to Prevent and Address Bullying and Harassment

Students cannot learn in environments where they are targeted because of their race, ethnicity, national origin, religion, disability, sex or immigration status. Decades of research have shown that bullying – and particularly identity-based bullying – has profound academic, emotional and mental health consequences and can create school climates marked by fear, isolation and disengagement (Duggins-Clay & Lyons, 2025).

We continue to hear from Texas students and families who report inadequate responses to racial harassment, antisemitism, anti-Asian harassment, anti-Muslim harassment, anti-LGBTQ+ bullying, disability harassment and other forms of discriminatory conduct. In some cases, students and parents report that concerns are minimized, investigations are delayed or opaque, or retaliation occurs after complaints are raised.

The legislature should strengthen school safety by doing the following.

- Require schools to provide supportive measures to ensure student safety and continued access to educational programs and activities after reporting a bullying incident;
- Establish clear guidelines for documenting, investigating, and resolving reports of bullying and harassment;
- Ensure impacted students and families have a meaningful opportunity to participate in a bullying investigation and receive information regarding resolution;
- Require schools to collect and report data relating to bullying and harassment to better understand prevalence and tailor prevention programming; and
- Invest in evidence-based bullying prevention and response practices.

Strengthening Student and Parent Due Process Protections

As school districts implement expanded investigative and disciplinary authority under recent legislation, Texas must also ensure that students and parents retain meaningful due process protections. Families across the state increasingly report confusion, lack of transparency, and inconsistent procedures in school investigations and disciplinary proceedings. Students may face serious consequences – including removals from class, disciplinary placements, exclusion from extracurricular activities, or referrals to law enforcement – without adequate notice, meaningful opportunities to respond, or access to information about allegations and evidence.

Strong due process protections are not obstacles to safety. They are essential safeguards that promote fairness, accountability, accuracy and community trust.

When families trust school systems and feel respected in decision-making processes, schools are better positioned to identify concerns early and work collaboratively to support students. The legislature should strengthen protections by doing the following.

- Ensure timely notice to students and parents regarding disciplinary actions;
- Guarantee meaningful opportunities for students and families to present information and respond before major disciplinary decisions are made;
- Require clear documentation and transparency in school investigations;
- Protect students from discriminatory or retaliatory discipline practices; and
- Enforce laws designed to limit unnecessary law enforcement involvement in routine school discipline matters.

Conclusion

Texas students deserve schools where they feel safe, supported, respected and valued. Achieving that goal requires more than hardened facilities and expanded disciplinary authority. It requires investments in relationships, trust, prevention, mental and behavioral health support, and meaningful family engagement.

As the legislature prepares for the 90th legislative session in 2027, we urge policymakers to move beyond reactive approaches and adopt a comprehensive vision of school safety grounded in student well-being, positive behavioral interventions and support, and evidence-based prevention.

IDRA is available for any questions or further resources that we can provide. Thank you for your consideration. For more information, please contact Paige Duggins-Clay, J.D., at paige.duggins-clay@idra.org.

Resources

Craven, M. (June 16, 2022). What Safe Schools Should Look Like for Every Student – A Guide to Building Safe and Welcoming Schools and Rejecting Policies that Hurt Students, IDRA Issue Brief. https://idra.news/SafeSchoolsIB

Duggins-Clay, P., & Lyons, M. (April 23, 2025). Identity-based Bullying in Texas Schools – Policy Recommendations. IDRA Issue Brief. https://www.idra.org/education_policy/identity-based-bullying-in-texas-schools-policy-recommendations-idra-issue-brief/

Lyons, M. (2023). 33 Years Later, Tough On Crime Still Bad For Students. IDRA Knowledge is Power. https://www.idra.org/resource-center/33-years-later-tough-on-crime-still-bad-for-students/

IDRA is an independent, non-profit organization led by Celina Moreno, J.D. Our mission is to achieve equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college.

Submitted via House Public Comment Portal

In the 88th and 89th legislative sessions, Texas enacted sweeping school hardening requirements and expanded mandates related to student removal, discipline, and law enforcement involvement in schools. While many of these policies were advanced in response to legitimate fears and concerns following tragic acts of school violence, implementation has too often produced harmful unintended consequences for students, families, and schools.

Districts are struggling to comply with costly hardening mandates while simultaneously facing severe shortages of counselors, social workers, psychologists, behavioral health providers, and other student support personnel. At the same time, expanded removal mandates risk increasing student exclusion from school environments without improving long-term safety outcomes. Research consistently demonstrates that exclusionary discipline practices are associated with poorer academic outcomes, higher dropout rates, greater justice system involvement, and diminished school connectedness.

Students who feel alienated, unsupported, targeted, or disconnected from school are less likely to seek help, report concerns, or engage positively with school communities. Safety policies that rely primarily on surveillance, punishment, and removal can undermine the very relationships and trust that are necessary to prevent violence and support student well-being.

Further, decades of research have shown that bullying has profound academic, emotional, and mental health consequences. We continue to hear from Texas students and families who report inadequate responses to racial harassment, antisemitism, anti-Asian harassment, anti-Muslim harassment, anti-LGBTQ+ bullying, and disability harassment. Students and parents have reported that concerns are minimized, investigations are delayed or opaque, or retaliation occurs after complaints are raised.

The legislature should require schools to provide supportive measures after a bullying incident is reported; establish clear guidelines for investigating reports of bullying and harassment; and invest in evidence-based bullying prevention and response practices.

Finally, families across the state increasingly report lack of transparency and inconsistent procedures in school investigations and disciplinary proceedings. Students often face serious consequences without adequate notice, meaningful opportunities to respond, or access to information about allegations and evidence.

When families trust school systems and feel respected in decision-making processes, schools are better positioned to identify concerns early and work collaboratively to support students. The legislature should strengthen due process protections by ensuring timely notice regarding disciplinary actions; guaranteeing meaningful opportunities for families to present information and respond before major disciplinary decisions; and enforcing laws limiting law enforcement involvement in routine school discipline matters.