



STATE BAR OF TEXAS ANNUAL MEETING
SAN ANTONIO

PROPOSED ANNUAL MEETING RESOLUTIONS

The State Bar Resolutions Committee will consider adopting the following resolutions during the State Bar of Texas Annual Meeting June 23-24 in San Antonio. Any resolutions adopted by the committee will be considered by attendees of the General Session. If adopted by that body, the resolution expresses the majority opinion of those attending the General Session, not the majority opinion of the State Bar membership.

PROPOSED RESOLUTION REGARDING THE

Establishment of Convalescence/Nursing Homes for Members of the State Bar of Texas

WHEREAS an estimated 80 percent of members of the State Bar of Texas reside in the Houston, San Antonio-Austin, and Fort Worth-Dallas areas; and

WHEREAS these designated areas of Texas could support the establishment of convalescence/nursing homes for the benefit of members of the State Bar needing such services; and

WHEREAS a feasibility study, by the State Bar of Texas, incorporated by reference for the establishment of such facilities has been conducted by the State Bar, but not approved by any section or committee of the State Bar.

RESOLVE the feasibility study by the State Bar for the establishment of convalescence/nursing homes in designated areas for members of the State Bar conducted prior to this date, be submitted to delegates at the State Bar Convention for their consideration, and such study be further considered by the authorized Committee of the State Bar of Texas.

Joe Ray Blalack, Attorney at Law, Humble, Texas.



PROPOSED RESOLUTION ON

School Bullying Prevention

WHEREAS the State Bar of Texas (SBOT) recognizes and understands that the many forms of bullying, including cyber-bullying, affect one-third of our youth today; and

WHEREAS bullying and harassment is a continuing problem for school districts, parents, students, and communities across the nation; and

WHEREAS studies and research reflect an increase in the prevalence and incidence of bullying in Texas schools, and the clear correlations between bullying and criminal behavior, including:

- Of boys identified as bullies, 60 percent were convicted of a crime by age 24 compared to 23 percent of non-bullies; and
- Of boys identified as bullies, 40 percent had three or more criminal convictions by age 24 compared to 10 percent of non-bullies; and
- The U.S. Secret Service determined that three-quarters of the student shooters in the Columbine High School, Westside Middle School, and other similar shootings felt bullied or threatened at their schools; and
- Students who were bullied were four times more likely to carry a weapon to school compared to students who were not bullied; and

WHEREAS studies and research reflect bullied students are four to eight times more likely to feel suicidal compared to non-bullied students; and

WHEREAS studies and research reflect that bullying results in truancy as 160,000 victims of bullying miss one or more school days each month because they are too afraid to go to school; and

WHEREAS studies and research reflect that one in three teenagers are involved in bullying either as a bully or a victim and that 3.2 million youths are victims of bullying annually; and

WHEREAS surveys and polls reflect that more than 13 million children in the United States, aged 6 to 17, are targets of cyber bullying; and

WHEREAS surveys reflect that personal characteristics, including physical appearance, race, ethnicity, gender, gender identity, sexual orientation, religion, and disability are common reasons for bullying; and

WHEREAS research demonstrates that a majority of bullying can be prevented through comprehensive “whole-school” anti-bullying programs in schools.

NOW, THEREFORE, BE IT RESOLVED, the SBOT recognizes that prevention of in-school bullying is a significant legal, law enforcement, crime prevention, and social priority.

FURTHER RESOLVED, the SBOT supports appropriate government and private anti-bullying measures, efforts, and programs, including:

1. Federal, state, and local anti-bullying laws, legislation, and policies that provide the following minimum standards:
 - a. A comprehensive definition of bullying, including but not limited to verbal acts, physical acts, damage to property, electronic/cyberbullying, and bullying on the basis of personal characteristics such as physical appearance, race, ethnicity, national origin, gender, gender identity, sexual orientation, religion, or disability; and
 - b. Adequate notice provisions for students, parents, and teachers; and
 - c. Appropriate ways for reporting bullying incidents, including anonymous reporting; and
 - d. Anti-bullying education and training for students and teachers; and
 - e. Appropriate procedures and guidelines for investigation of reported bullying incidents; and
 - f. Appropriate maintenance of records and statistics on bullying incidents; and
2. Comprehensive “whole-school” anti-bullying programs in elementary, middle, and high schools.

FURTHER RESOLVED, the SBOT urges all law enforcement agencies to cooperate with the FBI’s data collection program related to hate crimes committed by and against juveniles under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009.

FURTHER RESOLVED, the SBOT urges Internet service providers and social networking platforms to adopt terms of service that define and prohibit cyberbullying and cyberhate;

FURTHER RESOLVED, the application of bullying, cyberbullying, and related laws and policies should not be used to compromise the protected First Amendment free speech rights of students.

FURTHER RESOLVED, the SBOT urges school districts to follow the October 2010 U.S. Department of Education Office of Civil Rights “Dear Colleague” letter on bullying and harassment and the Department to monitor compliance with the letter’s guidelines and more aggressively utilize federal and state civil rights protection authority under Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act.

FURTHER RESOLVED, the SBOT urges other state and local bar associations to join in the message and spirit of this resolution, to pass similar resolutions, and to encourage their members to promulgate the ideas of bullying prevention in all educational institutions in the State of Texas.

Ian Scharfman, Mark Trachtenberg, Jodi Bernstein, and Justine Fanarof, the Anti-Defamation League, Southwest Region. ✦