

116TH CONGRESS
2D SESSION

H. R. 3659

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2020

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To establish an Anti-Bullying Roundtable to study bullying
in elementary and secondary schools in the United
States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; FINDINGS.**

2 (a) SHORT TITLE.—This Act may be cited as
3 “Danny’s Law”.

4 (b) FINDINGS.—The Congress finds the following:

5 (1) This Act is named in honor of Daniel
6 Fitzpatrick, who, in August 2016, when he was 13
7 years old, tragically took his own life as a direct re-
8 sult of bullying.

9 (2) According to the Centers for Disease Con-
10 trol and Prevention, bullying is among the most
11 commonly reported discipline problems in public
12 schools.

13 (3) Potential effects of bullying include social
14 and emotional distress, physical injury, and in-
15 creased risk for lowering academic achievement.

16 **SEC. 2. ANTI-BULLYING ROUNDTABLE.**

17 (a) ESTABLISHMENT.—There is established an inde-
18 pendent commission to be known as the “Anti-Bullying
19 Roundtable” (in this Act referred to as the “Round-
20 table”).

21 (b) DUTIES.—The duties of the Roundtable shall be
22 to study and report on bullying in elementary schools and
23 secondary schools in the United States by consulting with
24 State educational agencies and local educational agencies
25 regarding—

26 (1) current policies on bullying;

1 (2) teacher education on bullying and bullying
2 prevention policies;

3 (3) parent and student education on bullying
4 and bullying prevention policies;

5 (4) instances of student violence as a result of
6 bullying;

7 (5) instances of student self-harm as a result of
8 bullying;

9 (6) preventative measures in place at State and
10 local levels; and

11 (7) instances of cyberbullying and practices for
12 addressing cyberbullying.

13 (c) MEMBERSHIP.—

14 (1) IN GENERAL.—The Roundtable shall be
15 composed of 15 members, appointed as follows:

16 (A) Three members shall be appointed by
17 the Secretary of Education, and those three
18 members shall represent three different cat-
19 egories of stakeholders described in paragraph
20 (2).

21 (B) Six members shall be appointed by the
22 Speaker of the House of Representatives, three
23 of whom shall be appointed on the rec-
24 ommendation of the majority leader of the
25 House of Representatives, and three of whom

1 shall be appointed on the recommendation of
2 the minority leader of the House of Representa-
3 tives. The Speaker, the majority leader, and the
4 minority leader of the House of Representatives
5 shall each select individuals who represent at
6 least three different categories of stakeholders
7 described in paragraph (2).

8 (C) Six members shall be appointed by the
9 President pro tempore of the Senate, three of
10 whom shall be appointed on the recommenda-
11 tion of the majority leader of the Senate, and
12 three of whom shall be appointed on the rec-
13 ommendation of the minority leader of the Sen-
14 ate. The President pro tempore, the majority
15 leader, and the minority leader of the Senate
16 shall each select individuals who represent at
17 least three different categories of stakeholders
18 described in paragraph (2).

19 (D) In appointing members of the Round-
20 table, the Secretary of Education, the Speaker
21 of the House of Representatives, and the Presi-
22 dent pro tempore of the Senate, to the extent
23 practicable, shall take into account all the other
24 nominees to the Roundtable to ensure as many

1 as possible of the categories of stakeholders de-
2 scribed in paragraph (2) are represented.

3 (2) REPRESENTATION.—The members of the
4 Roundtable shall include, to the extent practicable,
5 at least one representative of each of the following:

6 (A) Teachers.

7 (B) School leaders.

8 (C) Parents of schoolchildren.

9 (D) Individuals who are at least 16 years
10 of age and who have experienced bullying.

11 (E) Physicians.

12 (F) Child psychologists.

13 (G) Paraprofessionals.

14 (H) School resource officers or other ap-
15 propriate professionals responsible for school se-
16 curity.

17 (I) Specialized instructional support per-
18 sonnel.

19 (J) Other staff.

20 (K) Other individuals with expertise work-
21 ing with bullied youth.

22 (3) CHAIR.—The members of the Roundtable
23 shall elect one individual to serve as chair.

24 (4) TERMS.—Each member shall be appointed
25 for the duration of the existence of the Roundtable.

1 (5) VACANCIES.—A vacancy in the Roundtable
2 shall be filled in the manner in which the original
3 appointment was made under paragraph (1) and in
4 accordance with the requirements of paragraph (2).

5 (6) PAY.—Members of the Roundtable shall
6 serve without pay.

7 (d) TIME FRAME FOR FORMATION.—Not later than
8 180 days after the date of enactment of this Act, the des-
9 ignated Members of Congress and the Secretary shall ap-
10 point the members described in subsection (c)(1).

11 (e) POWERS OF ROUNDTABLE.—

12 (1) HEARINGS AND SESSIONS.—The Round-
13 table may, for the purpose of carrying out this sec-
14 tion, hold hearings, sit and act at times and places,
15 take testimony, and receive evidence as the Round-
16 table considers appropriate.

17 (2) OBTAINING OFFICIAL DATA.—Upon request
18 of the chair of the Roundtable, the Secretary of
19 Education shall work with the heads of appropriate
20 departments or agencies to furnish requested infor-
21 mation to the Roundtable.

22 (3) MAILS.—The Roundtable may use the
23 United States mails in the same manner and under
24 the same conditions as other departments and agen-
25 cies of the United States.

1 (4) ADMINISTRATIVE SUPPORT SERVICES.—

2 Upon request of the Roundtable, the Secretary of
3 Education shall provide to the Roundtable the ad-
4 ministrative support services necessary for the
5 Roundtable to carry out its responsibilities under
6 this Act.

7 (f) REPORTS.—

8 (1) BEST PRACTICES REPORT.—Not later than
9 270 days after the date on which the Roundtable
10 has been formed, the Roundtable shall submit to the
11 Secretary of Education, and the Secretary shall
12 make public, a report on best practices concerning
13 bullying, including cyberbullying, in elementary
14 schools and secondary schools in the United States
15 that contains, among other items—

16 (A) recommendations for how to prevent
17 bullying;

18 (B) recommendations for how to best edu-
19 cate educators, administrators, and all relevant
20 school staff on recognizing bullying;

21 (C) recommendations for how parents can
22 best address and discuss with their children the
23 early warning signs of bullying;

24 (D) recommendations for addressing un-
25 derlying causes of bullying behavior;

1 (E) recommendations to address bullying
2 of at-risk students, including students who are
3 at greater risk of self-harm; and

4 (F) examples of successful evidence-based
5 bullying prevention programming.

6 (2) FINAL REPORT.—Not later than 1 year
7 after the date on which the Roundtable has been
8 formed, the Roundtable shall transmit a final report
9 to the Secretary of Education and the Congress con-
10 taining—

11 (A) a detailed statement of the findings
12 and conclusions of the Roundtable; and

13 (B) recommendations for lawmakers re-
14 garding effective bullying prevention policies.

15 (g) TERMINATION.—The Roundtable shall terminate
16 upon submission of the final report pursuant to subsection
17 (f)(2).

18 (h) RULE OF CONSTRUCTION.—No data obtained
19 under this Act from State educational agencies, local edu-
20 cational agencies, Federal departments or agencies, or
21 other sources, including information described in sub-
22 section (e)(2), shall include or reveal personally identifi-
23 able information about any individual.

24 (i) DEFINITIONS.—In this Act, the terms “elemen-
25 tary school”, “local educational agency”, “paraprofes-

1 sional”, “parent”, “other staff”, “school leader”, “sec-
2 ondary school”, “Secretary”, “specialized instructional
3 support personnel”, and “State educational agency” have
4 the meaning given those terms, respectively, under section
5 8101 of the Elementary and Secondary Education Act of
6 1965 (20 U.S.C. 7801).

Passed the House of Representatives September 16,
2020.

Attest: CHERYL L. JOHNSON,
Clerk.