

By: Goolsby

H.B. No. 248

A BILL TO BE ENTITLED

1 AN ACT

2 relating to bullying as a ground for removing a public school
3 student from class and placing the student in an alternative
4 education program.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 37.006, Education Code, is amended by
7 adding Subsection (m) to read as follows:

8 (m) A student shall be removed from class and placed in an
9 alternative education program as provided by Section 37.008 if the
10 student, on or within 300 feet of school property, as measured from
11 any point on the school's real property boundary line, or while
12 attending a school-sponsored or school-related activity on or off
13 of school property, including while on a school bus or at a school
14 bus stop, engages in bullying. In this subsection, "bullying"
15 means engaging in written or verbal expression or physical conduct
16 that:

17 (1) the student knows or reasonably believes will
18 cause significant emotional distress to another student;

19 (2) causes significant emotional distress to another
20 student; and

21 (3) would cause significant emotional distress to a
22 reasonable person under the same circumstances.

23 SECTION 2. This Act applies beginning with the 2003-2004
24 school year.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2003.