

By: Farrar

H.B. No. 294

A BILL TO BE ENTITLED

AN ACT

relating to contact between a public school student who assaults another student and the student victim.

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

SECTION 1. Subchapter Z, Chapter 25, Education Code, is amended by adding Section 25.902 to read as follows:

Sec. 25.902. CONTACT BETWEEN STUDENT WHO COMMITS ASSAULT AND STUDENT VICTIM. (a) This section applies only to:

(1) a student who:

(A) has been convicted of an offense described by Section 37.006(a)(2)(B) or 37.007(a)(2)(A);

(B) has been found by a court to have engaged in delinquent conduct on the basis of conduct described by Section 37.006(a)(2)(B) or 37.007(a)(2)(A); or

(C) has been accused of committing an offense described by Section 37.006(a)(2)(B) or 37.007(a)(2)(A) or of engaging in conduct that contains the elements of such an offense, and has had a protective order issued against the student in connection with the alleged offense or conduct; and

(2) a student who is the victim of conduct described by Subdivision (1).

(b) A student who is a victim to whom Subsection (a)(2) applies and who is assigned to the same campus as the student who committed the offense or engaged in the conduct may notify a

1 counselor at the campus, or in the student's school district if the  
2 campus does not have a counselor, of the offense or other conduct  
3 and request that the counselor attempt to ensure limited contact  
4 between the victim and the other student in the manner provided by  
5 Subsection (c).

6 (c) For purposes of this subsection, "parent" includes a  
7 person standing in parental relation. On receiving a request under  
8 Subsection (b) from a student who is a victim, the counselor shall  
9 suggest to the parent of the student who committed the offense or  
10 engaged in the conduct that the parent attempt to transfer the  
11 student to or enroll the student in another school. If the  
12 student's parent refuses or is unable to transfer the student to or  
13 enroll the student in another school, the counselor shall develop a  
14 plan for ensuring that the student and the student who is the victim  
15 have limited contact during the school day and during any  
16 extracurricular activities. The counselor shall coordinate with  
17 the parent of the student who committed the offense or engaged in  
18 the conduct and the parent of the victim separately in developing  
19 the plan.

20 SECTION 2. This Act applies beginning with the 2007-2008  
21 school year.

22 SECTION 3. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2007.