

By: Raymond

H.B. No. 540

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 a disciplinary
4 alternative 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 (p) to read as follows:

8 (p) A student shall be removed from class and placed in a
9 disciplinary alternative education program as provided by Section
10 37.008 if the student, on or within 300 feet of school property, as
11 measured from any point on the school's real property boundary
12 line, or while attending a school-sponsored or school-related
13 activity on or off of school property, including while on a school
14 bus or at a school bus stop, engages in bullying. In this
15 subsection, "bullying" means engaging in written or oral expression
16 or physical conduct 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. Section 37.006(p), Education Code, as added by
24 this Act, applies beginning with the 2009-2010 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, 2009.