

BILL ANALYSIS

Senate Research Center

H.B. 283
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Education
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Every year, hundreds of children are victims of classroom bullying. This type of behavior impedes on students trying to learn in the classroom. This bill allows a victimized student by bullying to transfer to another classroom or school within the district thereby creating a stable learning environment for the victimized student.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 25.001(b), Education Code, to include that the board of trustees of a school district (board) or its designee is required to admit into the public schools of the district free of tuition a person who is over five and younger than 21 years of age on the first day of September of the school year in which admission is sought if the person does not reside in the school district but the grandparent of the person resides in the school district and provides a substantial amount of after-school care for the person as determined by the board.

SECTION 2. Amends Subchapter B, Chapter 25, Education Code, by adding Section 25.0341, as follows:

Sec. 25.0341. TRANSFER OF VICTIMS OF BULLYING. (a) Defines "bullying."

(b) Requires, on the request of a parent or other person with authority to act on behalf of a student who is a victim of bullying, the board or its designee to transfer the student to certain other educational settings.

(c) Requires the board or its designee to verify that a student has been a victim of bullying before transferring the student under this section.

(d) Authorizes the board or its designee to consider past student behavior when identifying a bully.

(e) Provides that the determination by the board or its designee is final and is prohibited from being appealed.

(f) Provides that a school district is not required to provide transportation to a student who transfers to another campus under Subsection (b)(2).

(g) Provides that Section 25.034 does not apply to a transfer under this section.

SECTION 3. Amends Section 37.001, Education Code, by amending Subsection (a) and adding Subsections (b) and (b-1), as follows:

(a) Makes modifications to requirements for a student code of conduct.

(b) Defines "harassment" and "hit list."

(b-1) Requires certain methods for management and discipline to provide that a student who is enrolled in a special education program is prohibited from being disciplined for certain prohibited conduct until an admission, review, and dismissal committee meeting has been held to review the conduct.

SECTION 4. Amends Section 37.083(a), Education Code, to require a discipline management program to provide for prevention of and education concerning unwanted physical or verbal aggression, sexual harassment, and other forms of bullying in school, on school grounds, and in school vehicles.

SECTION 5. Effective date: upon passage or September 1, 2005.