

HOUSE BILL 301

By Curtiss

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, Part 10, relative to school policies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Sections 49-6-1014 - 49-6-1019, are amended by deleting the language "harassment, intimidation or bullying" wherever it appears and by substituting instead the language "harassment, intimidation, bullying or cyber-bullying."

SECTION 2. Tennessee Code Annotated, Section 49-6-1014, is further amended by adding the following as a new, appropriately designated subdivision:

() The use of telephones, cellular phones or other wireless telecommunication devices, personal digital assistants (PDAs), computers, electronic mail, instant messaging, text messaging, and web sites by students in a manner that is safe and secure is essential to a safe and civil learning environment and is necessary for students to successfully use technology.

SECTION 3. Tennessee Code Annotated, Section 49-6-1015, is amended by deleting the section in its entirety and by substituting instead the following:

(a) As used in § 49-6-1014, this section and §§ 49-6-1016 through 49-6-1019:

(1) "Cyber-bullying" means bullying undertaken through the use of electronic devices;

(2) "Electronic devices" include, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, personal digital assistants (PDAs), computers, electronic mail, instant messaging, text messaging, and web sites;

(3) "Harassment, intimidation or bullying" means any act that:

(A) Substantially interferes with a student's educational benefits, opportunities or performance;

(B)

(i) Takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop; or

(ii) Takes place off of school property or outside of a school-sponsored activity, if the act is directed specifically at a student or students; and

(C) Has the effect of:

(i) Physically harming a student or damaging a student's property;

(ii) Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property

(iii) Causing emotional distress to a student or students; or

(iv) Creating a hostile educational environment.

SECTION 4. This act shall take effect July 1, 2011, the public welfare requiring it.