

SENATE BILL 1124

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to harassment and bullying.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-1015(a), is amended by adding the following as a new, appropriately designated subdivision:

() "Disability" means any intellectual disability, hearing impairment, including deafness, speech or language impairment, visual impairment, including blindness, emotional disturbance, orthopedic impairment, autism, traumatic brain injury, other health impairment, specific learning disability, developmental delay, functional delay, being intellectually gifted, and any disability that meets the definition of a disability as defined by the Americans with Disability Act, 42 U.S.C. § 12131 et seq.;

SECTION 2. Tennessee Code Annotated, Section 49-6-1015(a), is further amended by designating all of the existing language in subdivision (a)(3) as subdivision (a)(3)(A) and adding the following as subdivision (a)(3)(B):

(B) "Harassment, intimidation, or bullying" also includes any written, verbal, or physical conduct that substantially interferes with a student's educational benefits, opportunities, or performance, and that is based, all or in part, on the actual or perceived race, color, religion, national origin, ancestry, ethnicity, academic achievement, sexual orientation, disability, gender, gender identity, gender expression, or physical appearance of either the student or a person with whom the student has an actual or perceived association.

SECTION 3. Tennessee Code Annotated, Section 49-6-1016(b), is amended by deleting the word "and" at the end of subdivision (12), replacing the period "." at the end of subdivision (13) with the language "; and", and adding the following as a new subdivision (14):

(14) A statement that the policy prohibits harassment, intimidation, bullying, or cyber-bullying by students, school staff, and volunteers, and that employees of the LEA who engage in such behavior will be subject to discipline, up to and including termination of employment.

SECTION 4. Tennessee Code Annotated, Section 49-6-1017, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection:

(b) Each LEA is encouraged to review its policy prohibiting harassment, intimidation, bullying, or cyber-bullying at least once every three (3) years. Each LEA shall transmit a copy of any changes in its policy to the commissioner of education in a timely manner.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.