

## **BILL ANALYSIS**

C.S.H.B. 283  
By: Hope  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

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

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

CSHB 283 sets forth a definition for bullying. A victim of bullying is to be transferred upon a request from a parent or person with authority to act on behalf of the victimized student to another classroom or another campus within the school district. The board of trustees or the board's designee is required to transfer the victimized student upon request and is responsible for verifying the student is a victim of bullying prior to the transfer. Past student behavior may be consider when identifying the bully. A determination by the board or its designee is final and may not be appealed. The school district is not required to provide transportation to a student who transfers to another campus under this section.

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

CSHB 283 broadens the definition of bullying. The substitute allows the board of trustees or the board's designee to act in transferring a victim of bullying. The substitute allows past student behavior to be considered when identifying the bully and states determination by the board or the board's designee is final and may not be appealed. The substitute creates language that a school district is not required to provide transportation to a student transferring to another campus under this bill.