



State of Tennessee
PUBLIC CHAPTER NO. 251

HOUSE BILL NO. 301

By Representatives Curtiss, Gilmore, Hardaway, Todd, Moore

Substituted for: Senate Bill No. 488

By Senators Ketron, Marrero, Ford, Tate, Burks

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 substantially interferes with a student's educational benefits, opportunities or performance; and:

(A) If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop, the act has the effect of:

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

(ii) Knowingly placing a student or students 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; or

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(B) If the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.

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

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PASSED: May 9, 2011



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 23rd day of May 2011



BILL HASLAM, GOVERNOR