

For the Senate Education Committee - Tuesday, February 7, 2023
VSA/VSBA/VPA Testimony on School Safety Draft - Using Mark-Up

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Subject: Education; school safety

Statement of purpose of bill as introduced: This bill proposes to require 1) public and independent schools to adopt a policy mandating options-based response drills; 2) public schools to adopt all-hazards emergency operation plans; 3) public and independent schools to adopt an access control and visitor management policy; and 4) public and approved independent schools to create a behavioral threat assessment team.

An act relating to school safety

It is hereby enacted by the General Assembly of the State of Vermont: Sec. 1. 16 V.S.A. § 1481 is amended to read:

§ 1481. FIRE AND EMERGENCY PREPAREDNESS DRILLS 14

(a) Each ~~supervisory union or supervisory district~~ **school district board** that operates a school shall adopt a policy mandating ~~each school site to conduct~~ an options-based response drill **at each school site in the** ~~year in the~~ fall and spring of the academic year. The policy shall require that drills be conducted following the ~~template~~ **guidance issued** developed by the Vermont School Safety Center jointly with the Vermont School Crisis Planning Team. **In issuing the guidance the Vermont School Safety Center and the Vermont School Crisis Planning Team shall include trauma-informed best practices for implementing options-based drills.** A superintendent shall report

Commented [1]: We noticed that the statement of purpose does not match the content of the draft bill because the statement of purpose requires both public and independent schools to adopt policies while the language of the bill requires only public schools to adopt policies.

Commented [2]: School boards are the entity authorized by statute to adopt policies. See 16 VSA Section 563(1) and 16 VSA Sections 261a-262.

Commented [3]: Through discussions with Vermont School Safety Liaison Rob Evans and Superintendent Brooke Farrell-Olsen, who is a member the School Crisis Planning Team it was determined that drills are, and should be, conducted according to written guidance.

Commented [4]: VSBA, VSA and VPA, after considering the legislation and conferring with members, believe that the best practice guidance for implementing options-based best practices must be trauma informed.

completion of the bi-annual drills to the Agency of Education in a format approved by the Secretary.

(b) Each approved or recognized independent school or other educational institution, other than a university or college, shall conduct ~~an~~ options-based response drills each year in the fall and the spring of the academic year. Drills shall be conducted following the ~~template~~ ~~guidance issued~~ ~~developed~~ by the Vermont School Safety Center jointly with the Vermont School Crisis Planning Team. The head of school shall report completion of the biannual drills to the Agency of Education in a format approved by the Secretary.

(c) A school district, independent school, or educational institution whose administrative personnel neglect to comply with the provisions of this section shall be fined not more than \$500.00.

(d) Annually, the Vermont School Safety Center and Agency of Education shall review the reports submitted according to this section and shall ensure compliance and identify future planning and training needs.

Sec. 2. 16 V.S.A. § 1480 is added to read:

§ 1480. EMERGENCY OPERATIONS PLANS

(a) Each supervisory union or supervisory district shall ~~adopt~~ ~~maintain~~ an all-hazards emergency operations plan ~~for each school site~~ that is at least as comprehensive as the template ~~maintained~~ ~~provided~~ by the Vermont School ~~Safety Center~~ ~~Crisis Planning Team~~. The plan shall be ~~updated~~ ~~reviewed and updated~~ on an annual basis, ~~including in~~ collaboration with local emergency first responders and emergency management

Commented [5]: Unclear why a policy isn't required here. Other provisions of existing law require approved independent schools to adopt policies. For a few examples, see 16 VSA Section 570 (HHB Policy), Act 5 of 2018 (Policy on Electronic Communications), and 16 VSA Section 568 (School Branding/Mascots Policy).

Commented [6]: Are private PreK's considered educational institutions?

Commented [7]: We note that while school districts are required to maintain an all hazards emergency operations plan under this section, there is no similar requirement for approved or recognized independent schools. We assume that this is an oversight.

officials.

(b) The Vermont School ~~Safety Center Crisis Planning Team~~ shall maintain a template emergency operations plan and update the template as appropriate.

Commented [8]: It is the understanding of VSBA, VPA and VSA that all hazards emergency operations plans should be school site specific and developed according to a template provide by Vermont School Safety Center

Sec. 3. 16 V.S.A. § 1484 is added to read:

§ 1484. ACCESS CONTROL AND VISITOR MANAGEMENT POLICY

(a) ~~Each supervisory union, member district board or supervisory district board~~ shall adopt a policy that, at minimum, requires that all school sites and supervisory union and supervisory district offices lock exterior doors during the school day. The policy shall require that all visitors sign in at a centralized location prior to gaining full access to the school or office site.

Commented [9]: This suggestion is made for purposes of clarity

(b) ~~Each approved independent school shall adopt written procedures consistent with the requirements in subsection (a) of this section.~~

Commented [10]: Unclear why a policy isn't required here. Other provisions of existing law require approved independent schools to adopt policies. For a few examples, see 16 VSA Section 570 (HHB Policy), Act 5 of 2018 (Policy on Electronic Communications), and 16 VSA Section 568 (School Branding/Mascots Policy).

Sec. 4. 16 V.S.A. § 1485 is added to read:

§ 1485. BEHAVIORAL THREAT ASSESSMENT TEAMS

(a) Each supervisory union or supervisory district and each approved independent school shall appoint a behavioral threat assessment team ~~following the guidance issued by the Vermont School Safety Center and the Vermont School Crisis Planning Team~~ (~~§ 1481~~) ~~to be comprised of, at a minimum, administrators, mental health professionals, a school counselor, a school nurse, and local law enforcement officials.~~ Members of the team shall be trained ~~at least~~ annually in best practices for conducting behavioral threat assessments. Superintendents and heads of

Commented [11]: With the requirement to follow guidance from the Vermont School Safety Center and the Vermont School Crisis Planning Team, it is not necessary to spell out in law the precise composition of the behavioral threat assessment team.

independent schools shall report data related to behavioral threat assessment results to the Agency in a format approved by the Secretary.

(b) Annually, each supervisory union, supervisory district, or approved independent school shall report the names of the members of its behavioral assessment team to the Agency of Education in a format approved by the Secretary.

Possible new section 5

Sec. 5. EFFECTIVE DATES

(a) This section shall take effect on July 1, 2023.

(b) Secs. 1 (16 V.S.A. § 1481) and 3 (16 V.S.A. § 1484) shall take effect on August 1, 2023.

(c) Secs. 2 (16 V.S.A. § 1480) and 4 (16 V.S.A. § 1485) shall take effect on July 1, 2024.

Commented [12]: We are confused by this first reference because (b) below addresses sections (1) and (3) and (c) below addresses sections (2) and (4).