

No. 106. An act relating to harassment and hazing policies at independent colleges.

(H.648)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 16 V.S.A. § 178 is added to read:

§ 178. HARASSMENT AND HAZING PREVENTION POLICIES:

POSTSECONDARY SCHOOLS

(a) The board of trustees or other governing body of each postsecondary school, as defined in subdivision 140a(1) of this title, operating in Vermont shall adopt and ensure enforcement of a policy establishing that harassment as defined in subdivision 11(a)(26) of this title is a form of unlawful discrimination and therefore prohibited. The board shall also require the establishment of procedures to address complaints of discriminatory harassment and to initiate educational programs designed to prevent such conduct.

(b) The board of trustees or other governing body of each postsecondary school, as defined in subdivision 140a(1) of this title, operating in Vermont shall adopt and ensure enforcement of a policy prohibiting hazing, which shall define hazing in a manner that is at least as stringent as the definition contained in subdivision 11(a)(30) of this title. The policy shall include penalties or sanctions or both for organizations that or individuals who engage in hazing; revocation or suspension of an organization's permission to operate or exist

within the institution's purview if that organization knowingly permits, authorizes, or condones hazing; and clear delineation of circumstances under which hazing will be reported to a law enforcement agency. A summary of the policy shall be distributed to all students at least annually.

Sec. 2. REPEAL

The following sections in Title 16 are repealed:

(1) 16 V.S.A. § 2182 (harassment and hazing prevention policies; Vermont state colleges).

(2) 16 V.S.A. § 2284 (harassment and hazing prevention policies; University of Vermont).

Sec. 3. 16 V.S.A. § 565(b) is amended to read:

(b) Each school board shall develop, adopt, ensure the enforcement of, and make available in the manner described under subdivision 563(1) of this title harassment and hazing prevention policies which shall be at least as stringent as model policies developed by the commissioner. In this section, the definitions of ~~educational institution~~, organization, pledging, and student shall be the same as those in ~~section 140a~~ subdivisions 140a(2), (3), and (4) of this title. In this section, educational institution means public schools and independent schools as defined in section 11 of this title.

* * *

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage. Postsecondary schools shall develop and adopt the policies and procedures required by this act no later than July 1, 2010.

Approved: May 13, 2010