

1 H.648

2 Introduced by Representative Peltz of Woodbury

3 Referred to Committee on

4 Date:

5 Subject: Education; harassment; independent colleges

6 Statement of purpose: This bill proposes to require independent colleges in the
7 state to adopt and ensure enforcement of harassment and hazing policies, as the
8 Vermont state colleges and the University of Vermont are required to do,
9 rather than be governed by the procedural requirements that apply to
10 elementary and secondary schools.

11 An act relating to harassment and hazing policies at independent colleges

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

13 ~~Sec. 1. 16 V.S.A. § 565a is added to read:~~

14 ~~§ 565a. HARASSMENT AND HAZING PREVENTION POLICIES;~~

15 ~~INDEPENDENT COLLEGES~~

16 ~~(a) The board of trustees or other governing body of each independent~~

17 ~~postsecondary school operating in Vermont shall adopt and ensure~~

18 ~~enforcement of a policy establishing that harassment as defined in subdivision~~

19 ~~11(a)(26) of this title is a form of unlawful discrimination and therefore~~

20 ~~prohibited. The board shall also ensure the establishment of procedures to~~

1 address complaints of discriminatory harassment and to initiate educational
2 programs designed to prevent such conduct.

3 (b) The board of trustees or other governing body of each independent
4 postsecondary school operating in Vermont shall adopt and ensure
5 enforcement of a policy prohibiting hazing, which shall define hazing in a
6 manner that is at least as stringent as the definition contained in subdivision
7 11(a)(30) of this title. The policy shall include penalties or sanctions or both
8 for organizations that or individuals who engage in hazing; revocation or
9 suspension of an organization's permission to operate or exist within the
10 institution's purview if that organization knowingly permits, authorizes, or
11 condones hazing; and clear delineation of circumstances under which hazing
12 will be reported to a law enforcement agency. A summary of the policy shall
13 be distributed to all students at least annually.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on passage. The educational institutions shall
16 develop and adopt the policies and procedures required by this act no later than
17 July 1, 2010.

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. 16 V.S.A. § 178a is added to read:~~

~~§ 178a. POSTSECONDARY SCHOOLS; HARASSMENT, HAZING, AND BULLYING; STATE POLICY~~

~~It is the policy of the state of Vermont that all Vermont postsecondary schools provide safe, orderly, civil, and positive learning environments. Harassment, hazing, and bullying have no place and will not be tolerated in Vermont schools. No Vermont postsecondary student should feel threatened or be discriminated against while enrolled in a Vermont postsecondary school.~~

~~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.~~

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Sec. 4. EFFECTIVE DATE

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