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SPECIAL SESSION

Act No. 5 (S.3) (Special Session). Education; protecting students from sexual exploitation

An act relating to sexual exploitation of students

This act:

(1) Adds cross references in Title 16 (Education) and Title 13 (Crimes and Criminal Procedure) to the existing statute in Title 21 (Labor) that prohibits confidential employment separation agreements from inhibiting the disclosure to prospective employers of factual information about a prospective employee's background that would lead a reasonable person to conclude that the prospective employee has engaged in conduct jeopardizing the safety of a vulnerable adult or minor. It also prohibits confidential employment separation agreements that inhibit these disclosures to responsible licensing entities.

(2) Requires that a board member, superintendent, or headmaster and employees of a supervisory union, school district, or recognized or approved independent school provide factually correct information concerning a former employee's employment record to a prospective employer of that individual if requested by the prospective employer. It grants immunity to the reporter from civil or criminal liability for disclosing this information if the reporter was acting in good faith.

(3) Creates the Committee for Protecting Students from Sexual Exploitation to recommend whether behaviors by an employee of, or contractor for, a public school or recognized or approved independent school that are designed to establish a romantic or sexual relationship with a child or a student (so-called "grooming behaviors") should be unlawful under Vermont law.

(4) Requires the Agency of Education to develop a model policy on electronic communications between school employees and students designed to prevent exploitation of children and that this policy be adopted by public schools and recognized and approved independent schools for the 2019–2020 school year and maintained for future school years.

Effective Date: June 19, 2018