

1 Introduced by Committee on Education

2 Date:

3 Subject: Education; miscellaneous

4 Statement of purpose of bill as introduced: This bill proposes to make
5 miscellaneous changes to education law.

6 An act relating to miscellaneous changes to education law

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

8 * * * Postsecondary Educational Institutions; Closing * * *

9 Sec. 1. 16 V.S.A. § 175 is amended to read:

10 § 175. POSTSECONDARY EDUCATIONAL INSTITUTIONS; CLOSING

11 (a) When an institution of higher education, whether or not chartered in this
12 State, proposes to discontinue the regular course of instruction, either
13 permanently or for a temporary period other than a customary vacation period,
14 the institution shall:

15 (1) promptly inform the State Board;

16 (2) prepare the academic record of each current and former student in a
17 form satisfactory to the State Board and including interpretive information
18 required by the Board; and

1 (g) The Association of Vermont Independent Colleges (AVIC) shall
2 maintain a memorandum of understanding with each of covered college, which
3 are its member colleges and each college that was a member of AVIC within
4 the prior two years, under which each member covered college agrees to:

5 (1) upon the request of AVIC, properly administer the student records of
6 a member covered college that fails to comply with the requirements of
7 subsection (a) of this section; and

8 (2) contribute on an equitable basis and in a manner determined in the
9 sole discretion of AVIC to the costs of another AVIC member covered college
10 or other entity selected by AVIC maintaining the records of a member covered
11 college that fails to comply with the requirements of subsection (a) of this
12 section.

13 (h)(1) If an institution of higher education is placed on probation for
14 financial reasons by its accrediting agency, the institution shall:

15 (A) not later than five business days after learning that it has been
16 placed on probation, inform the State Board of Education of its status, and

17 (B) not later than 60 days after being placed on probation, submit an
18 academic record plan for students to the State Board for approval.

19 (2) The academic record plan shall include an agreement with an
20 institution of higher education or other entity to act as a repository for the

1 institution's records with funds set aside, if necessary, for the permanent
2 maintenance of the academic records.

3 (3) If the State Board does not approve the plan, the State may take
4 action under subsections (d) and (e) of this section.

5 * * * Task Force on Campus Sexual Harm; Report * * *

6 Sec. 2. TASK FORCE ON CAMPUS SEXUAL HARM; REPORT

7 (a) Creation. There is created the Task Force on Campus Sexual Harm to
8 examine issues relating to responses to sexual harm, dating and intimate
9 partner violence, and stalking on campuses of postsecondary education
10 institutions in Vermont.

11 (b) Membership. The Task Force shall be composed of the following

12 15 members:

13 (1) one current member of the House of Representatives, appointed by
14 the Speaker of the House;

15 (2) one current member of the Senate, appointed by the Committee on
16 Committees;

17 (3) two survivors of campus sexual assault, domestic violence, or
18 stalking incidents, appointed by Vermont Center for Crime Victim Services;

19 (4) the Executive Director of the Vermont Network Against Domestic
20 and Sexual Violence or designee;

1 (5) one representative of a community-based sexual violence advocacy
2 organization, appointed by the Vermont Network Against Domestic and
3 Sexual Violence;

4 (6) three Title IX Coordinators, one employed and appointed by the
5 University of Vermont, one employed and appointed by the Vermont State
6 Colleges, and one employed by a Vermont independent postsecondary
7 institution, appointed by the President of the Association of Vermont
8 Independent Colleges;

9 (7) one campus health and wellness or sexual violence prevention
10 educator working in a Vermont postsecondary education institution,
11 appointed by the Higher Education Subcommittee of the Prekindergarten–16
12 Council;

13 (8) one victim advocate working in a Vermont postsecondary
14 education institution, appointed by the Higher Education Subcommittee of
15 the PreK-16 Council;

16 (9) two students who are members of campus groups representing
17 traditionally marginalized communities, appointed by the Higher Education
18 Subcommittee of the Prekindergarten–16 Council;

19 (10) one community-based restorative justice practitioner, appointed
20 by the Community Justice Network of Vermont; and

21 (11) one representative appointed by the Pride Center of Vermont.

1 (c) Powers and duties. The Task Force shall study the following:

2 (1) The pathways for survivors of sexual harm in postsecondary
3 education institutional settings to seek healing and justice and
4 recommendations to increase or enhance those pathways.

5 (2) Issues with Vermont’s campus adjudication processes as identified
6 by survivors of sexual harm, dating and intimate partner violence, or stalking
7 in postsecondary education institutional settings, including the interface
8 between campus adjudication processes and law enforcement.

9 (3) Issues relating to transparency, safety, and accountability of
10 outcomes in campus conduct adjudication processes for sexual harm, dating
11 and intimate partner violence, or stalking, including:

12 (A) current and best practices relating to outcomes conveyed
13 through a student’s transcript record;

14 (B) the effectiveness of acts passed in New York in 2015 to address
15 campus sexual assault and in Virginia in 2015 to include a notation “on the
16 transcript of each student who has been suspended for, has been permanently
17 dismissed for, or withdraws from the institution while under investigation for
18 an offense involving sexual violence under the institution’s code, rules, or set
19 of standards governing student conduct”;

1 (C) the effectiveness of requiring that student transcript records
2 note expulsions or suspensions in order to trigger follow-up conversations
3 between the transferring and receiving schools; and

4 (D) consideration of concerns raised by the Association of Title II
5 Administrators with regard to transcript notation, in support of proposed
6 federal legislation known as the Safe Transfer Act (H.R.6523, 114th
7 Congress).

8 (4) How to improve survivor safety in campus adjudication processes.

9 (5) Any state policy changes that should be made in response to
10 Title IX changes at the federal level.

11 (6) How to enhance ties between postsecondary education institutions
12 and community organizations that focus on domestic and sexual violence.

13 (d) Assistance. For purposes of scheduling meetings and preparing
14 recommended legislation, the Task Force shall have the assistance of the
15 Office of Legislative Council.

16 (e) Report. On or before November 15, 2019, the Task Force shall submit
17 a written report to the House and Senate Committees on Education and
18 Judiciary with its findings and any recommendations for legislative action.

1 (f) Meetings.

2 (1) The Executive Director of the Vermont Network Against Domestic
3 and Sexual Violence or designee shall call the first meeting of the Task Force
4 to occur on or before July 15, 2019.

5 (2) The Committee shall select a chair from among its members at the
6 first meeting.

7 (3) A majority of the membership shall constitute a quorum.

8 (4) The Task Force shall cease to exist on November 16, 2019.

9 (g) Compensation and reimbursement.

10 (1) For attendance at meetings during adjournment of the General
11 Assembly, a legislative member of the Task Force serving in his or her
12 capacity as a legislator shall be entitled to per diem compensation and
13 reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than
14 six meetings. These payments shall be made from monies appropriated to the
15 General Assembly.

16 (2) Other members of the Task Force who are not otherwise
17 compensated for their service on the Task Force shall be entitled to per diem
18 compensation and reimbursement of expenses as permitted under 32 V.S.A.
19 § 1010 for not more than six meetings. These payments shall be made from
20 monies appropriated to the Agency of Education.

