



Supporting Learners & Leaders

Vermont Principals' Association
Two Prospect Street, Suite 3
Montpelier, Vermont 05602-3555
Telephone: 802-229-0547 – Fax: 802-229-4801
<http://www.vpaonline.org>

PRESIDENT: Beth O'Brien

PRESIDENT ELECT: Erica McLaughlin

PAST-PRESIDENT: Bob Thilbault

EXECUTIVE DIRECTOR
Jay Nichols
jnichols@vpaonline.org

ASSOCIATE EXECUTIVE DIRECTOR
Bob Johnson
bjohnson@vpaonline.org

ASSISTANT EXECUTIVE DIRECTOR
Mike McRaith
mmcraith@vpaonline.org

To: Senate Education

From: Jay Nichols/VPA

Subject: S. 139 Mascots & Culture/behavior at athletic events

Date: January 25, 2022

As a preface to my testimony today, I want to remind the committee that the VPA has leaned heavily into the issue around racist symbols and mascots in schools. We provided a press statement that has been utilized in a number of school board discussions and has helped lead to the change in names of some mascots. Further, we have taken strong steps to educate the public, student athletes, spectators, coaches, officials, and site administrators as to how best to address behavior at school events. I will provide a little testimony on these two issues and gladly answer any questions the committee might have to the best of my ability.

S. 239 the Bill:

First of all, we appreciate the sentiment of Senator McCormack in S. 139 as well as the House bill with the same language. The VPA stands by our statement that, “

https://drive.google.com/file/d/10_Wkp8I-UEcL_cCxRPhyxVJgWnyjGoS/view?usp=sharing”

However, although we agree with the sentiment of the bill, we have two concerns as articulated by our Executive Council at their meeting on January 21, 2022.

1. We don't believe that legislating from Montpelier is the best way to deal with this issue. It is important for schools and communities to have these conversations together and try to reach a mutually agreed upon solution. Should the legislature determine that this issue rises to a level of a compelling state interest we would understand but worry about this potentially being a legislative overstep.
2. The last sentence in the bill states a provision that we vehemently are opposed to. The bill states, “ Any public school not in compliance three years after passage of this act shall be ineligible to compete in Vermont Principals' Association – sanctioned events.” The Vermont Principals' Association is a private member-driven organization. As such, the VPA is not under the direction of the legislature in terms of VPA rules and regulations. And, most importantly, we worry about a small group of adults (e.g. board

members) making a decision to keep an inappropriate mascot requiring ultimately the punishment of school athletes from that school by denying participation in VPA sanctioned events.

Behavior at Athletic Events:

It is important to recognize that schools are a microcosm of society itself. Just as with racism, if there is inappropriate conduct in society at large there will be inappropriate behavior in schools and at extracurricular events. This fall we had several high profile events that in a couple of cases also involved alleged and substantiated allegations of racist behavior.

This led the VPA to take several actions. First of all, with support of our Diversity Equity an Inclusion committee and the approval of our Activity Standards Committee we drafted an announcement to be read prior to school sporting events beginning in the Winter Season.

That statement is attached with this testimony and reads as follows:

Read Statement for School Sponsored Activities.

https://drive.google.com/file/d/1Alw5rzg8ZU4_6LIWuR22RVEdVOhY0aBG/view?usp=sharing

The VPA has also implemented required implicit bias training for high school officials. It is our understanding that we are the only sports association at the state level in the United States that has made this a requirement. And, through our partnerships with the Center for Creative Leadership and the National Federation of High Schools, we have been able to provide these trainings at no costs to the officials themselves.

Additionally, we have added a third party investigation option should a situation occur at an event in which the two schools involved can't come to agreement on what occurred. With concurrence from the school districts, the VPA assigns a third party investigator who investigates the incident, develops a report with findings of fact and recommendations for the two school districts as well as the VPA.

Finally, we have implemented an online live link on our website that allows anyone to report a concern to the VPA that occurs at any event. It is a very simple form that I can show a PDF of by sharing my screen if the committee would like me to do so. And I will send that PDF along with my written testimony to the committee via Daphne.

How has it gone so far this winter? Well as always, we have had our issues. In one case, we had a parent arrested and removed by police in handcuffs because he refused to wear a mask at a junior varsity basketball game. However, that issue and others have been handled at the local level. Athletic directors and coaches have both said reading the statement has helped to make people realize that we are willing to pause or even cancel the game if necessary.

I could say a lot more on this subject but I think at this point it would probably be more appropriate to respond to any questions the committee might have.