



TO: Senate Education Committee

FROM: Sue Ceglowski, Executive Director, Vermont School Boards Association

RE: S.283 - Miscellaneous Education Bill (Section 2)

DATE: February 8, 2022

The VSBA supports equitable practices for all children, regardless of their educational setting, and thanks the Committee for proposing an amendment to 16 V.S.A. § 1162, which has resulted in a disparity among students under the age of eight. The disparity was created by limiting the prohibition of suspension and expulsion to only those students enrolled in public schools, thus providing no protections for students under the age of eight who are receiving their education in other settings.

Current law (16 V.S.A. § 1162(d)) reads:

(d) Notwithstanding anything to the contrary in this chapter, a student enrolled in a public school who is under eight years of age shall not be suspended or expelled from the school; provided, however, that the school may suspend or expel the student if the student poses an imminent threat of harm or danger to others in the school.

The current language in S.283 reads:

(d) Notwithstanding anything to the contrary in this chapter, a student enrolled in a public school, approved independent school, or prequalified private prekindergarten program who is under eight years of age shall not be suspended or expelled from the school; provided, however, that the school may suspend or expel the student if the student poses an imminent threat of harm or danger to others in the school.

The added protections for Vermont's youngest students in S.283 could be enhanced by requiring approved independent schools and prequalified private prekindergarten

programs to report all suspensions and expulsions to the Agency of Education as set out in the below proposed addition to S.283:

(d) Notwithstanding anything to the contrary in this chapter, a student enrolled in a public school, approved independent school, or prequalified private prekindergarten program who is under eight years of age shall not be suspended or expelled from the school or program; provided, however, that the school or program may suspend or expel the student if the student poses an imminent threat of harm or danger to others in the school or program. Furthermore, approved independent schools and prequalified private prekindergarten programs shall be required to report all suspensions and expulsions to the Agency of Education.

The reporting requirement added above is consistent with recommendations in the [Initial Report of the Task Force on Equitable and Inclusive School Environments](#), issued on February 3, 2022.