



To: House Committee on General and Housing
From: Sue Ceglowski, Executive Director
Re: S.103 Draft 2.1 Committee Discussion - Correcting the Record
Date: May 2, 2023

This memorandum is submitted as an official request to correct the April 27, 2023 record of the House General and Housing Committee regarding committee discussions on [draft 2.1 of S.103](#).

The House Committee on General and Housing discussed draft 2.1 of S.103 on April 27 at 11:00 a.m. and again in the afternoon session. During [the morning discussion at 27:42](#), a committee member stated that the Agency of Education's model policy on the Prevention of Hazing, Harassment and Bullying (HHB) is optional and not mandated. The committee member also stated that there are many school boards in the state that do not have the willingness to adopt an HHB prevention policy. The same committee member repeated this assertion during [the afternoon discussion at 53:43](#). Legislative counsel with knowledge of education laws was not present to correct this misinformation.

When making policy decisions, it is important for legislative committees to understand the current state of the law. Current law, [16 VSA Section 570\(b\)](#), states:

*"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, hazing and bullying prevention policies that shall be at least as stringent as model policies developed by the Secretary. Any school board that fails to adopt one or more of these policies shall be presumed to have adopted the most current model policy or policies published by the Secretary."* (emphasis added)

We are not aware of any school boards in Vermont that do not have an HHB policy in place. For the committee's information, here are the most current model HHB prevention [policy](#) and [procedures](#) published by the Secretary. Additionally, this [school board toolkit](#) provides a review of the HHB prevention duties and responsibilities of school boards. HHB toolkits applicable to superintendents, employees, building administrators, designated employees, and investigators are available [here](#). The Agency of Education published this [list of public school designated employees](#) for the 2022-2023 school year. The Agency of Education's website states that a list of private school designated employees for the 2022-2023 school year will be "available soon."

Thank you for posting this correction to the record.