

1 H.615

2 Introduced by Representatives Headrick of Burlington, Cole of Hartford,

3 Greer of Bennington, McCann of Montpelier, and Pezzo of

4 Colchester

5 Referred to Committee on

6 Date:

7 Subject: Education; harassment, hazing, and bullying; Agency of Education;

8 curriculum; professional development

9 Statement of purpose of bill as introduced: This bill proposes to (1) require the

10 Agency of Education to develop and issue guidance and training for school

11 districts for distinguishing between protected political expression and unlawful

12 harassment of protected classes; (2) add members to the Harassment, Hazing,

13 and Bullying Prevention Advisory Council; and (3) require the Agency to

14 develop a freedom of expression curriculum for public elementary and

15 secondary schools that provides students with age-appropriate foundational

16 knowledge of the protections offered by the First Amendment to the U.S.

17 Constitution and Chapter I, Article 13 of the Vermont Constitution.

18 An act relating to protecting political expression and promoting civil rights

19 in education

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

2 Sec. 1. FINDINGS

3 The General Assembly finds that:

4 (1) Vermont has a compelling interest in protecting its residents,
5 especially students, educators, and public employees, from both antisemitism
6 and censorship.

7 (2) Antisemitism is a real and growing threat that must be clearly
8 defined to ensure accountability for bias-motivated acts, not conflated with
9 lawful expression.

10 (3) The First Amendment to the U.S. Constitution prohibits government
11 actors from favoring or disfavoring particular political viewpoints.

12 (4) In recent years, laws or policies in other states and institutions have
13 led to the suppression of lawful advocacy, particularly in support of Palestinian
14 human rights.

15 (5) Jewish, Muslim, Arab, and other communities in Vermont have
16 expressed concern about the use of vague or overly broad antisemitism
17 definitions that silence critical political discourse.

18 (6) Vermont reaffirms that educational institutions must be both safe
19 and intellectually open environments where civil rights and free speech
20 coexist.

1 Sec. 2. 16 V.S.A. § 570 is amended to read:

2 § 570. HARASSMENT, HAZING, AND BULLYING PREVENTION

3 POLICIES

4 (a) State policy. It is the policy of the State of Vermont that all Vermont
5 educational institutions provide safe, orderly, civil, and positive learning
6 environments. Harassment, hazing, and bullying have no place and will not be
7 tolerated in Vermont schools. No Vermont student should feel threatened or
8 be discriminated against while enrolled in a Vermont school.

9 (b) Prevention policies. Each school board shall develop, adopt, ensure the
10 enforcement of, and make available in the manner described under subdivision
11 563(1) of this title harassment, hazing, and bullying prevention policies that
12 shall be at least as stringent as model policies developed by the Secretary. Any
13 school board that fails to adopt one or more of these policies shall be presumed
14 to have adopted the most current model policy or policies published by the
15 Secretary.

16 (c) Notice. Annually, prior to the commencement of curricular and
17 cocurricular activities, the school board shall provide notice of the policy and
18 procedures developed under this subchapter to students, custodial parents or
19 guardians of students, and staff members, including reference to the
20 consequences of misbehavior contained in the plan required by section 1161a
21 of this title. Notice to students shall be in age-appropriate language and should

1 include examples of harassment, hazing, and bullying. At a minimum, this
2 notice shall appear in any publication that sets forth the comprehensive rules,
3 procedures, and standards of conduct for the school. The school board shall
4 use its discretion in developing and initiating age-appropriate programs to
5 inform students about the substance of the policy and procedures in order to
6 help prevent harassment, hazing, and bullying. School boards are encouraged
7 to foster opportunities for conversations between and among students
8 regarding tolerance and respect.

9 (d) Duties of the Secretary. The Secretary shall:

10 (1) ~~develop~~ Develop and, from time to time, update model harassment,
11 hazing, and bullying prevention policies; ~~and~~.

12 (2) In consultation with the Advisory Council and members of affected
13 communities, develop and issue guidance and training for school districts for
14 distinguishing between protected political expression and unlawful harassment
15 of protected classes to ensure that civil rights enforcement aligns with
16 constitutional standards. Such guidance shall ensure that staff members
17 responsible for carrying out the policies and procedures required under this
18 subchapter 5 have the resources needed to evaluate:

19 (A) the context and intent of speech;
20 (B) the difference between targeted harassment and generalized
21 political critique; and

1 (C) the risk of chilling student expression.

2 (2)(3) establish Establish an Advisory Council to review and coordinate
3 school and statewide activities relating to the prevention of and response to
4 harassment, hazing, and bullying. The Council shall report annually in January
5 to the State Board and the House and Senate Committees on Education. The
6 Council shall include:

7 (A) the Executive Director of the Vermont Principals' Association or
8 designee;

9 (B) the Executive Director of the Vermont School Boards
10 Association or designee;

11 (C) the Executive Director of the Vermont Superintendents
12 Association or designee;

13 (D) the President of the Vermont-National Education Association or
14 designee;

15 (E) the Executive Director of the Vermont Human Rights
16 Commission or designee;

17 (F) the Executive Director of the Vermont Independent Schools
18 Association or designee; and

1 (G) other members selected by the Secretary, as follows:

5 (ii) at least one civil liberties expert;

6 (iii) Jewish and Palestinian community leaders;

7 (iv) at least one kindergarten through grade 12 educator;

8 (v) at least one kindergarten through grade 12 administrator; and

9 (vi) at least one legal scholar with expertise in First Amendment

10 jurisprudence and antidiscrimination law

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§ 914. FREEDOM OF EXPRESSION

14 (a) The General Assembly finds that in order to encourage students to
15 become educated, informed, and responsible members of society, instruction
16 on the First Amendment to the U.S. Constitution and Chapter I, Article 13 of
17 the Vermont Constitution shall be provided in public schools.

18 (b) The Agency of Education shall develop a freedom of expression
19 curriculum for public elementary and secondary schools that provides students
20 with age-appropriate foundational knowledge of the protections offered by the
21 First Amendment to the U.S. Constitution and Chapter I, Article 13 of the

1 Vermont Constitution that enables students to distinguish between political
2 advocacy and bias-based harassment such as antisemitism, Islamophobia, and
3 other forms of religious bias.

4 Sec. 4. CURRICULUM IMPLEMENTATION

5 On or before January 1, 2027, the Agency of Education shall develop the
6 freedom of expression curriculum required pursuant to Sec. 3 of this act, and
7 supervisory unions shall include such instruction in their supervisory
8 unionwide curriculum beginning with the 2027–2028 school year.

9 Sec. 5. EFFECTIVE DATE

10 This act shall take effect on July 1, 2026.