

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

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

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

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

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

15 (6) Vermont reaffirms that educational institutions must be both safe
16 and intellectually open environments where civil rights and free speech
17 coexist.

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

19 § 570. HARASSMENT, HAZING, AND BULLYING PREVENTION
20 POLICIES

6 (b) Prevention policies. Each school board shall develop, adopt, ensure the
7 enforcement of, and make available in the manner described under subdivision
8 563(1) of this title harassment, hazing, and bullying prevention policies that
9 shall be at least as stringent as model policies developed by the Secretary. Any
10 school board that fails to adopt one or more of these policies shall be presumed
11 to have adopted the most current model policy or policies published by the
12 Secretary.

13 (c) Notice. Annually, prior to the commencement of curricular and
14 cocurricular activities, the school board shall provide notice of the policy and
15 procedures developed under this subchapter to students, custodial parents or
16 guardians of students, and staff members, including reference to the
17 consequences of misbehavior contained in the plan required by section 1161a
18 of this title. Notice to students shall be in age-appropriate language and should
19 include examples of harassment, hazing, and bullying. At a minimum, this
20 notice shall appear in any publication that sets forth the comprehensive rules,
21 procedures, and standards of conduct for the school. The school board shall

1 use its discretion in developing and initiating age-appropriate programs to
2 inform students about the substance of the policy and procedures in order to
3 help prevent harassment, hazing, and bullying. School boards are encouraged
4 to foster opportunities for conversations between and among students
5 regarding tolerance and respect.

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

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

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

16 (A) the context and intent of speech;

17 (B) the difference between targeted harassment and generalized
18 political critique; and

19 (C) the risk of chilling student expression.

20 ~~(2)(3)~~ Establish an Advisory Council to review and coordinate
21 school and statewide activities relating to the prevention of and response to

1 harassment, hazing, and bullying. The Council shall report annually in January
2 to the State Board and the House and Senate Committees on Education. The
3 Council shall include:

4 (A) the Executive Director of the Vermont Principals' Association or
5 designee;

6 (B) the Executive Director of the Vermont School Boards
7 Association or designee;

8 (C) the Executive Director of the Vermont Superintendents
9 Association or designee;

10 (D) the President of the Vermont-National Education Association or
11 designee;

12 (E) the Executive Director of the Vermont Human Rights
13 Commission or designee;

14 (F) the Executive Director of the Vermont Independent Schools
15 Association or designee; and

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

17 (i) at least one ~~of whom shall be~~ a current secondary student who
18 has witnessed or experienced harassment, hazing, or bullying in the school
19 environment;

20 (ii) at least one civil liberties expert;

21 (iii) Jewish and Palestinian community leaders;

5 * * *

6 Sec. 3. 16 V.S.A. § 914 is added to read:

§ 914. FREEDOM OF EXPRESSION

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

19 Sec. 4. CURRICULUM IMPLEMENTATION

20 On or before January 1, 2027, the Agency of Education shall develop the
21 freedom of expression curriculum required pursuant to Sec. 3 of this act, and

1 supervisory unions shall include such instruction in their supervisory
2 unionwide curriculum beginning with the 2027–2028 school year.

3 Sec. 5. EFFECTIVE DATE

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