

S.271

Introduced by Senators Vyhovsky, Major and White

Referred to Committee on

Date:

Subject: Education; harassment, hazing, and bullying; Agency of Education;  
curriculum; professional development

Statement of purpose of bill as introduced: This bill proposes to (1) require the Agency of Education to develop and issue guidance and training for school districts for distinguishing between protected political expression and unlawful harassment of protected classes; (2) add members to the Harassment, Hazing, and Bullying Prevention Advisory Council; and (3) require the Agency to develop a freedom of expression curriculum for public elementary and secondary schools that provides students with age-appropriate foundational knowledge of the protections offered by the First Amendment to the U.S. Constitution and Chapter I, Article 13 of the Vermont Constitution.

An act relating to protecting political expression and promoting civil rights in education

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

Sec. 1. FINDINGS

The General Assembly finds that:

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

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

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 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;

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On or before January 1, 2027, the Agency of Education shall develop the 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.