



TO: Senate Education Committee
FROM: Sandra Cameron, Associate Executive Dir., Vermont School Boards Assoc.
RE: H.480 Education Miscellaneous Bill, draft 3.1
DATE: April 10, 2025

The Vermont School Boards Association (VSBA) respectfully requests that the Senate Education Committee consider the following amendments to H.480. This testimony addresses 1) **School Safety** and 2) **Selection of Library Materials**.

1) School Safety ([Act 29 of 2023](#))

This school safety legislation requires fire and emergency preparedness drills, emergency operations plans, access control and visitor management policies, and behavioral threat assessment teams. This testimony focuses on the behavioral threat assessment policy and procedures. Specifically, Section 4 (16 VSA § 1485(b)(2)(A)-(E) of the Act requires a model policy and procedures to address:

- (1) the criteria that shall be used to assess a student's threatening behavior;
- (2) the process for reporting threatening behavior;
- (3) the civil rights and due process protections to which students are entitled in school settings;
- (4) when and how to refer to or involve law enforcement in the limited instances when such referral is appropriate, which shall not include student behavior that is a violation of the school conduct code but that is not also a crime; and
- (5) the support resources that shall be made available, including mental health first aid, counseling and safety plans.

Further, Section 4 of Act 29 requires each school district and each approved or recognized independent school to develop, adopt and ensure implementation of a policy and procedures for use of behavioral threat assessment teams that is consistent with and at least as comprehensive as the model policy and procedures developed by the Secretary. Any school board or independent school that fails to adopt such a policy or procedures shall be presumed to have adopted the most current model policy and procedures adopted by the Secretary.

Although previous versions of the bill would have provided for some extensions on timelines, draft 3.1 does not extend the timeline for any component of this requirement, except data reporting and collection.

Section 5 of Act 29 required the Agency of Education to create a model policy under the following timeline:

- (1) On or before November 1, 2023, the Agency of Education shall issue for public comment a draft model policy and procedures for use by behavioral threat assessment teams required pursuant to 16 V.S.A. § 1485(b)(2).

(2) **On or before December 15, 2023**, the Agency shall issue, publicly post, and communicate to school districts and independent schools the **final model policy and procedures** required pursuant to 16 V.S.A. § 1485(b)(2).

As of this writing, we are not aware of model procedures being issued by the AOE. The AOE issued their model policy on February 11, 2025 and since then, we have received communication from several school districts with concerns that they are unable to adopt the model policy issued by the AOE. As issued, the model policy is difficult to understand and to implement due to the significant portions devoted to policy drivers and commentary which leave the actual obligations of school districts unclear.

The VSBA notified the AOE of expressed concerns on March 28, 2025. These included:

- 1) inability to use the AOE's model policy as issued;
- 2) concern about the tight deadline of July 1, 2025 for adoption of policy and procedures. Some boards want two meetings for policy adoption, so there would need to be a finalized and well-structured model policy available to boards within the next couple of weeks. We again requested to work collaboratively toward a model policy that can be understood by all stakeholders and can be implemented by all school districts.
 - a) As of today, there is no acceptable model policy and there are no model procedures. The current effective date is less than three months from now - the timeline does not work.
- 3) concerns outlined in the [initial feedback provided on Nov 8, 2023](#), stating that the AOE's model policy doesn't follow guidance issued by the Vermont School Safety Center (VSSC) on best practices in the use of behavioral threat assessment teams (required under 16 V.S.A. § 1485(b)(2)). VSSC's "Behavioral Threat Assessment and Management (BTAM) Best Practice Considerations for K-12 Schools." states that as Best Practices "The core BTAM team must include an administrator, at least one school mental health professional (e.g., school psychologist), and an SRO/law enforcement officer." The model policy does not comply with these requirements. It fails to incorporate the concept of a core team and permits including a law enforcement officer only "[w]here law enforcement referral is considered..." In fact, the model appears to envision ad hoc threat assessment teams, rather than establishing a core team and adding necessary team members as needed on a case-by-case basis, as detailed in the Best Practices.

Roles & Responsibilities: Draft 3.1 includes an amendment to 16 VSA 1485 (b)(3) by changing the term "school board" to "school district." This may be an effort to align with the use of "school district," which appears earlier in this paragraph, however it results in ambiguity regarding the responsibility for the policy and for the procedures. School boards adopt policies; superintendents develop and implement procedures.

- We respectfully request a technical correction such that the requirement for policy adoption is assigned to the school board and the requirement of procedure development is assigned to the superintendent (not to the school board).

It cannot be stressed enough that the school safety efforts highlighted in Act 29 of 2023 are critically important. Intentional implementation and support is imperative for this work to be done right. An appropriate sequence of actions helps to ensure that the intent of the law is realized, marked by the release of the model policy, procedures, and guidance; the training underway in local school districts and by the Agency of Education; and appropriate guidance related to data collection processes.

- We respectfully request an extended timeline so that the AOE can issue a revised model policy and issue the accompanying procedures, and then for school boards to adopt the policy.

2) Selection of Library Materials ([Act 150 of 2024](#))

Act 150 (2024) made several amendments to the laws governing public and school libraries. Section 7a (codified as 16 VSA § 1624(c) established a requirement for each school board and each approved independent school to develop, adopt, and ensure enforcement of a library material selection **policy and procedures** for the reconsideration and retention of materials “that affirms the importance of intellectual freedom, guided by the First Amendment of the US Constitution, the Civil Rights Act of 1964, Vermont laws prohibiting discrimination in places of public accommodation, **the American Library Association’s Freedom to Read Statement, Vermont’s Freedom to Read Statement**, and that reflect Vermont’s diverse people and history...”

Roles & Responsibilities: Policies are developed and adopted by boards and the VSBA has developed and issued a model policy to respond to this requirement. Procedures are developed and implemented by the superintendent and/or designee, not the board.

- We respectfully request a technical correction such that the requirement for procedures is assigned to the superintendent not to the school board as currently written.

Policy Framework: The association statements developed by the American Library Association (ALA) and Vermont’s Library Association and Vermont School Library Association are vulnerable to societal shifts over time. In fact, the ALA’s Statement has gone through several iterations: 1953, 1972, 1991, 2000 and 2004. Requiring a policy that includes statements from associations may result in school district compliance requirements that are subject to societal shifts over time and may not reflect the will of the State of Vermont or the local school board.

- While we appreciate consideration of the current statements in the intent of Act 150, we respectfully request that these association statements be date- and time-stamped to ensure that the intention of their inclusion remains constant.