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H.297

Introduced by Representatives Strong of Albany, Batchelor of Derby,  
Gamache of Swanton, Gregoire of Fairfield, Morrissey of  
Bennington, and Quimby of Concord

Referred to Committee on

Date:

Subject: Education; bullying; school choice; tuition

Statement of purpose of bill as introduced: This bill proposes to create a  
process for a parent or guardian of a student, who believes that the student has  
been bullied and that the school has not taken appropriate action to protect the  
student from further instances of bullying, to have the school district pay  
tuition for the student to attend another school.

An act relating to protecting students from bullying

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

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

§ 570c. BULLYING

(a) The bullying prevention policy required by section 570 of this title and  
its plan for implementation shall include:

\* \* \*

1       (b)(1) If a parent or guardian of a student believes that the student has been  
2       bullied and that the school has not taken appropriate action to protect the  
3       student from further instances of bullying, then the parent or guardian may  
4       seek to have the school district pay tuition for the student to attend another  
5       school in accordance with section 828 of this title.

6       (2) A parent or guardian seeking this remedy shall submit a document to  
7       the board of the school district that:

8               (A) explains the reasons that the parent or guardian believes that the  
9       student has been bullied:

10              (B) explains the reasons that the parent or guardian believes that the  
11       school has not taken appropriate action to protect the student from further  
12       instances of bullying; and

13              (C) requests that the school district pay tuition for the student to  
14       attend another school in accordance with section 828 of this title.

15       (3) The school board shall meet with the parent or guardian and  
16       representatives of the school within 15 days after it receives the document  
17       submitted under subdivision (2) of this subsection.

18       (4) The school board shall grant the parent's or guardian's request  
19       unless it determines, based on all the evidence and beyond a reasonable doubt,  
20       that either the student has not been bullied or that the student has been bullied  
21       but the school has taken appropriate action to protect the student from further

1 instances of bullying. The school board shall issue notice of its decision in  
2 writing to the parent or guardian and representatives of the school within two  
3 days after the meeting with the parent or guardian and representatives of the  
4 school. The notice shall include the rationale for the decision.

5 (5) If the parent or guardian is dissatisfied with the decision, the parent  
6 or guardian may appeal the decision to the Secretary of Education by notifying  
7 the Secretary in writing, within 10 days after receipt of the notice of decision,  
8 of the reasons for the parent's or guardian's appeal.

9 (6) The Secretary shall meet with the parent or guardian and  
10 representatives of the school board within 15 days after he or she receives the  
11 appeal submitted under subdivision (5) of this subsection.

12 (7) The Secretary shall issue notice of his or her decision in writing to  
13 the parent or guardian and representatives of the school district within two  
14 days after the meeting with the parent or guardian and representatives of the  
15 school district. The notice shall include the rationale for the decision. The  
16 Secretary's decision shall be final.

17 (8) Tuition paid by a school district under this subsection (b) shall be  
18 paid in accordance with sections 823 and 824 of this title.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on passage.