

1 S.157

2 Introduced by Senator Hashim

3 Referred to Committee on

4 Date:

5 Subject: Education; harassment, hazing, bullying; public accommodations;

6 Human Rights Commission

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Secretary of Education to include the names, addresses, and contact
9 information for State and federal agencies responsible for enforcement of
10 antidiscrimination laws, such as the Vermont Human Rights Commission and
11 the Office for Civil Rights of the U.S. Department of Education, in the model
12 harassment, hazing, and bullying prevention policies required under 16 V.S.A.
13 § 570. This bill also proposes to allow a claim to be brought under the Fair
14 Housing and Public Accommodations Act prior to exhaustion of the
15 administrative remedies available to the students under the model policy if the
16 student has filed a claim with a State or federal agency responsible for
17 enforcement of antidiscrimination laws, such as the Human Rights
18 Commission or the Office for Civil Rights of the U.S. Department of
19 Education.

20 An act relating to harassment, hazing, and bullying prevention in schools

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

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

3 § 570. HARASSMENT, HAZING, AND BULLYING PREVENTION
4 POLICIES

5 * * *

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

7 (1) develop and, from time to time, update model harassment, hazing,
8 and bullying prevention policies, which shall include the names, addresses, and
9 contact information for State and federal agencies responsible for enforcement
10 of antidiscrimination laws, such as the Vermont Human Rights Commission
11 and the Office for Civil Rights of the U.S. Department of Education; and

12 * * *

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

14 § 570f. HARASSMENT; NOTICE AND RESPONSE

15 * * *

16 (b) A claim may be brought under the Fair Housing and Public
17 Accommodations Act pursuant to 9 V.S.A. chapter 139 only after the
18 administrative remedies available to the claimant under the policy adopted by
19 the educational institution pursuant to subsection 166(e) or section 570 of this
20 title or pursuant to the harassment policy of a postsecondary school have been

1 exhausted. Such a showing shall not be necessary where the claimant
2 demonstrates that:

3 (1) the educational institution does not maintain such a policy;

4 (2) a determination has not been rendered within the time limits
5 established under section 570a of this title;

6 (3) the health or safety of the complainant would be jeopardized
7 otherwise;

8 (4) exhaustion would be futile; ~~or~~

9 (5) requiring exhaustion would subject the student to substantial and
10 imminent retaliation; or

11 (6) the student has filed a claim with a State or federal agency
12 responsible for enforcement of antidiscrimination laws, such as the Vermont
13 Human Rights Commission or the Office for Civil Rights of the U.S.
14 Department of Education.

15 * * *

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect on July 1, 2023.