

## Vermont Statutes for Health Education

Legislation enacted in Vermont requires that comprehensive health education include lessons in prevention of depression and suicide, bullying & harassment, sexual violence, and the use and abuse of alcohol, tobacco and other drugs. These laws are:

**H. 630 16 V.S.A. § 131:**

*Depression and Suicide Prevention Education*

**H. 629, H.113: 16 V.S.A. § 570a, b, c**

*Bullying, Harassment, Hazing Education*

**S.13: 16 V.S.A. § 131**

*Sexual Violence Prevention Education*

**Sec. 9 16 V.S.A. § 563**

*Orientation, Information, or Instruction on the Prevention, Identification and Reporting of Child Sexual Abuse*

**16 V.S.A. § 909 (Supported by 4200);**

**H. 711 amended Sec. 8 16 V.S.A. § 909 (b) #1 (Previously Act 51)**

*Tobacco Use, Alcohol and Drug Abuse Prevention Education*

See below for specific statutes requirements related to each critical health topic.

Center for Health and Learning, in partnership with the federal government's agency Health and Human Services and Vermont state Departments of Health, Mental Health and Education has responded to this legislation to provide professional development to Vermont schools and technical assistance to facilitate the implementation of health education to Vermont school children. Changes in laws and funding has made this task a challenging one. Policies at the local, state and federal level can help ensure continued focus on these and other important school health topics.

Schools needing assistance in developing policies, protocols and health education can contact Center for Health and Learning in Brattleboro, the Vermont Department of Education or the Vermont School Boards Association.

Model policies can be found on the Vermont Department of Education website:

[http://education.vermont.gov/new/html/resources/model\\_policies.html](http://education.vermont.gov/new/html/resources/model_policies.html) and the Vermont School Board Association website: <http://www.vtvsba.org/policies.html>

Critical Health Topic	Legislative Requirement	Policy	Staff Training	Curriculum/ Student Training	Parental Education or Involvement
Bullying & Harassment	Act 117-Bullying Prevention Procedures (H. 629) Act 91-Harassment (H.113) Act 120-Hazing	Sec. 4. 16 V.S.A. § 565 repealed to : 570a-Harassment 570b-Hazing 570c-Bullying	16 V.S.A. § 570a (a)(6) and 570c (6)		
Sexual Violence Prevention	Act 1-Sexual Violence Prevention		Section. 9 16 V.S.A. § 563	Section 3 16 V.S.A. § 131	Section 9 16 V.S.A. § 563 Provide opportunities for information
Suicide Prevention	Act 114 – Suicide Prevention Law (H. 630)			Section. 1 16 V.S.A. § 131	
Alcohol, Tobacco & Other Drugs	H.711 (Supersedes Act 51 and State Board Rule 4200 specific to ATOD training for staff) School Board Rule-Student Safety 4212-Policy 4213- Education 4214-Community Involvement	16 V.S.A. § 1165	H. 711	Section 1 16 V.S.A. § 131 State Board Rule 4213.1	State Board Rule 4214
Parental Involvement	Title I- Part A Section 1118 20USC § 6318	16 V.S.A. § 144b 20USC § 6318			20 USC § 6318

**Note:**

V.S.A. = Vermont Statutes Annotated

## Model Policies

### Bullying, Harassment and Hazing

#### **Act 117: Bullying**

#### **Act 91: Harassment**

#### **Act 120: Hazing**

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

#### **570a-Harassment**

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=16&Chapter=009&Section=00570a>

The harassment prevention policy required by section 570 of this title and its plan for implementation shall include:

- 1) A statement that harassment, as defined in subdivision 11(a)(26) of this title, is prohibited and may constitute a violation of the public accommodations act as more fully described in section 14 of this title.
- 2) Consequences and appropriate remedial action for staff or students who commit harassment. At all stages of the investigation and determination process, school officials are encouraged to make available to complainants alternative dispute resolution methods, such as mediation, for resolving complaints.
- 3) A procedure that directs students, staff, parents, and guardians how to report violations and file complaints.
- 4) A description of the circumstances under which harassment may be reported to a law enforcement agency.
- 5) A procedure for investigating reports of violations and complaints. The procedure shall provide that, unless special circumstances are present and documented by the school officials, an investigation is initiated no later than one school day from the filing of a complaint and the investigation and determination by school officials are concluded no later than five school days from the filing of the complaint with a person designated to receive complaints under subdivision (7) of this section. All internal reviews of the school's initial determination, including the issuance of a final decision, shall, unless special circumstances are present and documented by the school officials, be completed within 30 days after the review is requested.
- 6) A description of how the school board will ensure that teachers and other staff members receive training in preventing, recognizing, and responding to harassment.
- 7) Annual designation of two or more people at each school campus to receive complaints and a procedure for publicizing those people's availability.
- 8) A procedure for publicizing the availability of the Vermont human rights commission and the federal Department of Education's Office of Civil Rights and other appropriate state and federal agencies to receive complaints of harassment.

- 9) A statement that acts of retaliation for the reporting of harassment or for cooperating in an investigation of harassment are unlawful pursuant to 9 V.S.A. § 4503.

### **570b-Hazing**

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=16&Chapter=009&Section=00570b>

The hazing prevention policy required by section 570 of this title and its plan for implementation shall include:

- 1) A statement that hazing, as defined in subdivision 11(a)(30) of this title, is prohibited and may be subject to civil penalties pursuant to subchapter 9 of chapter 1 of this title.
- 2) A procedure that directs students, staff, parents, and guardians how to report violations and file complaints.
- 3) A procedure for investigating reports of violations and complaints.
- 4) A description of the circumstances under which hazing may be reported to a law enforcement agency.
- 5) Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.
- 6) A description of how the school board will ensure that teachers and other staff members receive training in preventing, recognizing, and responding to hazing.
- 7) Annual designation of two or more people at each school campus to receive complaints and a procedure for publicizing those people's availability. (Added 2011, No. 129 (Adj. Sess.), § 12, eff. May 11, 2012.)

### **570c-Bullying**

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=16&Chapter=009&Section=00570c>

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

- 1) A statement that bullying, as defined in subdivision 11(a)(32) of this title, is prohibited. A procedure that directs students, staff, parents, and guardians how to report violations and file complaints.
- 2) A procedure for investigating reports of violations and complaints.
- 3) A description of the circumstances under which bullying may be reported to a law enforcement agency.
- 4) Consequences and appropriate remedial action for students who commit bullying.
- 5) A description of how the school board will ensure that teachers and other staff members receive training in preventing, recognizing, and responding to bullying.
- 6) Annual designation of two or more people at each school campus to receive complaints and a procedure both for publicizing the availability of those people and clarifying that their designation does not preclude a student from bringing a complaint to any adult in the building. (Added 2011, No. 129 (Adj. Sess.), § 12, eff. May 11, 2012.)

### **Sexual Violence Prevention**

## Act 1: Sexual Violence Prevention

Full Act 1/ S.13 bill: <http://www.leg.state.vt.us/docs/2010/Acts/Act001.pdf>

Act 156 : <http://www.leg.state.vt.us/docs/2012/Acts/ACT156.pdf>

**Sec. 3 16 V.S.A. §131** All Vermont schools are required to provide instruction about; How to recognize and prevent sexual abuse and sexual violence, including developmentally appropriate instruction about promoting healthy and respectful relationships, developing and maintaining effective communication with trusted adults, recognizing sexually offending behaviors, and gaining awareness of available school and community resources.

**Sec. 3 16 V.S.A. § 131** amended Act 1 to include: An employee of the school shall be in the room during the provision of all instruction or information presented under this supervision.

**Sec. 9 16 V.S.A. §563** The school board of a school district shall ensure that adults employed in the schools maintained by the district receive orientation, information, or instruction on the prevention, identification, and reporting of child sexual abuse, as defined in subdivision 4912(8) of Title 33, and sexual violence. This shall include information regarding the signs and symptoms of sexual abuse, sexual violence, grooming processes, recognizing the dangers of child sexual abuse in and close to the home, and other predatory behaviors of sex offenders. The school board shall also provide opportunities for parents, guardians, and other interested persons to receive the same information. The department of education and the agency of human services shall provide materials and technical support to any school board that requests assistance.

## Suicide Prevention

### **Act 114: Suicide Prevention**

AN ACT RELATING TO TEACHING ABOUT SIGNS OF AND RESPONSES TO DEPRESSION AND RISK OF SUICIDE IN PUBLIC SCHOOLS

**131: Definitions:** "Comprehensive health education" means a systematic and extensive elementary and secondary educational program designed to provide a variety of learning experiences based upon knowledge of the human organism as it functions within its environment. The term includes, but is not limited to, a study of:

(5) Family health and mental health, including instruction which promotes the development of responsible personal behavior involving decision making about sexual activity including abstinence; skills which strengthen existing family ties involving communication, cooperation, and interaction between parents and students; and instruction to aid in the establishment of strong family life in the future, thereby contributing to the enrichment of the community; **and which promotes an understanding of depression and the signs of suicide risk for a family member or fellow student that includes how to respond appropriately and seek help and provides an awareness of the available school and community resources such as the local suicide crisis hotline;**

## Alcohol, Tobacco and Other Drug Abuse Prevention

### **H.711 Alcohol, Tobacco and Other Drug Prevention**

"Each superintendent shall determine the content, duration, and frequency of training on issues

concerning alcohol and drug abuse for the districts in his or her SU”

**§ 1165: Alcohol and drug abuse**

(a) The state board, in consultation with local school boards, the alcohol and drug division, the law enforcement authorities and the juvenile court system shall formulate a general policy for the education, discipline and referral for rehabilitation of students who are involved with alcohol or drug abuse on school property or at school functions.

(b) The state board shall adopt guidelines pursuant to 3 V.S.A. chapter 25 for all school districts. The guidelines shall include standards consistent with due process of law for discipline, suspension or dismissal of students and recommended procedures for education, and for referral for treatment and rehabilitation.

(c) Each school district shall adopt its own policy consistent with the state board's guidelines setting forth: recommended procedures for education; referral for treatment, counseling and rehabilitation; and standards consistent with due process of law for discipline, suspension or dismissal of students in accordance with section 1162 (suspension and expulsion of students). Nothing contained herein is intended to mandate local school districts to employ counselors for treatment or rehabilitation.

**State Board Rule 4212.2**

Education Program: The policy shall define an educational program consistent with the Vermont Alcohol and Drug Education Curriculum Plan.

**State Board Rule 4213.1**

Schools shall develop a sequential K-12 alcohol and drug abuse prevention education curriculum as defined in Vermont State Alcohol and Drug Education Curriculum Plan and in Health Education and Traffic Safety and Driver Education requirements of the Standards for Approving Vermont’s Public Schools.

**State Board Rule 4213.2**

Schools should provide training of school staff such that teachers and health and guidance personnel have a sufficient level of professional development to enable them to competently teach or provide other services in the school’s alcohol and drug abuse prevention education program. A minimum training program should be directed toward the following areas: Pharmacology, Chemical Use, Abuse & Dependence, Chemical Dependence & the Family, Societal & Personal Attitudes, Policy & Legal Issues, Support & Referral Systems for Students in Distress, Curriculum Development, Methods & Classroom Issues, School Climate, and Drinking & Driving. In addition there shall be an orientation for the entire school community on the program, its intent, and alcohol and drug issues in general.

**State Board Rule 4214**

Community Involvement: Schools shall provide for a program to inform the community about the school’s alcohol and drug prevention education program, alcohol and drug abuse prevention issues, and community-wide responsibility for effective alcohol and drug abuse

prevention.

### **Parental Involvement**

#### **Title I- Part A-Section 1118- Parent Involvement**

##### **(a) LOCAL EDUCATIONAL AGENCY POLICY-**

(1) IN GENERAL- A local educational agency may receive funds under this part only if such agency implements programs, activities, and procedures for the involvement of parents in programs assisted under this part consistent with this section. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children.

(2) WRITTEN POLICY- Each local educational agency that receives funds under this part shall develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy. The policy shall be incorporated into the local educational agency's plan developed under section 1112, establish the agency's expectations for parent involvement, and describe how the agency will —

(A) involve parents in the joint development of the plan, and the process of school review and improvement;

(B) provide the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance;

(C) build the schools' and parents' capacity for strong parental involvement

(D) coordinate and integrate parental involvement strategies under this part with parental involvement strategies under other programs, such as the Head Start program, Reading First program, Early Reading First program, Even Start program, Parents as Teachers program, and Home Instruction Program for Preschool Youngsters, and State-run preschool programs;

(E) conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy in improving the academic quality of the schools served under this part, including identifying barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background), and use the findings of such evaluation to design strategies for more effective parental involvement, and to revise, if necessary, the parental involvement policies; and

(F) involve parents in the activities of the schools served under this part.