

Sources of State Authority Related to Student Conduct at Extracurricular Events

Local Policies Required

- 16 V.S.A. 1161a requires each school district and approved independent school to adopt a local school discipline policy.
 - The policy must include a description of behaviors on and off school grounds that constitute misconduct, including harassment, bullying and hazing.

Duties of the State Board

- 16 V.S.A. 164(6)
 - “Adopt rules governing the attendance and records of attendance of all students and the deportment of students attending public schools.”

State Board Rules on Discipline

- Rule Series 4000 – Pupils
 - 4300 defines due process procedures for imposition of certain discipline.
 - 4313 defines procedures for children eligible for special education.

State Policy on the Prevention of Harassment, Hazing and Bullying

- 16 V.S.A. 570
 - articulates the policy of the State of Vermont that all Vermont educational institutions provide safe, orderly, civil and positive learning environments. No Vermont student should feel threatened or be discriminated against while enrolled in a Vermont school.
 - Requires every school board or independent school to adopt and ensure the enforcement of a policy for the prevention of harassment, hazing and bullying that is at least as stringent as the model policy developed by the Secretary.
 - [Model Policy on the Prevention of Harassment, Hazing and Bullying](#)
 - [Model Procedures](#)

Harassment, Hazing and Bullying

- Under the model policy and procedures, harassment, hazing and bullying behaviors can all take place outside of school hours.
- Reporting under the model policy:
 - Any student who believes that s/he has been hazed, harassed and/or bullied, or who witnesses or has knowledge of conduct that s/he reasonably believes might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
 - Any school employee who witnesses conduct that s/he reasonably believes might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee.
- Nothing in the model policy and procedures would prevent the joint investigation between two schools of a complaint of harassment, hazing or bullying.