

Act 29 Overview for Independent Schools

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Considerations/Quick Definitions

- Hierarchies
 - State law (e.g. Act 29/Title 16)
 - Policies- passed by school boards (can be based on model policies developed by AOE/VSSC, other state entities)
 - Procedures- adopted by school boards or schools (can be based on model policies developed by AOE/VSSC, other state entities)
 - Guidelines and Best Practices- usually created by AOE/VSSC/other entities so support schools in implementing policies and procedures

Act 29: Overview

- Amends 16 V.S.A. § 1481
- Addresses:
 - Options-based response to violent intruder and Fire drills
 - All-hazards emergency operations plans
 - Access controls and visitor management policies
 - Behavior Threat Assessment Teams
 - Creates the Working Group on Student Protections from Harassment and Discrimination in Schools
- Earliest timelines for implementation began July 1, 2023

Section 1: Emergency Drills

- Each Independent School shall adopt a policy mandating options-based response to violent intruder and fire drills
- Policies must:
 - Require age-appropriate, trauma-informed, and options-based drills
 - Must follow the guidance issued by the VSSC and VTSCPT – may include additional requirements for fire drills issued by the National Fire Prevention Association
 - Requires notification to parents not later than one school day before a scheduled drill
- Must conduct options-based response to violent intruder drills in fall and spring semesters each year
- Must report completed drills to the AOE using Drill Reporting Tool

Required Actions: Drills

- ✓ Establish Drill Policy
- ✓ Conduct drills in accordance with guidance issued by AOE and Vermont School Safety Center: [Updated Guidance Regarding Egress Evacuation and Options Based Response Drills for the 2023-2024 Academic Year \(2023\)](#)
- ✓ Report completed drills using AOE's [Drill Reporting Tool](#)
- ✓ Effective August 1, 2023

Section 2: Emergency Operations Plans

- Each Independent School shall adopt and maintain an all-hazards emergency operations plan
- EOP must be reviewed and updated on an annual basis
- Must be at least as comprehensive as All-Hazards Emergency Operations Plan template provided by Vermont School Safety Center (under development)
- Must be developed and updated in collaboration with local emergency first responders and local emergency management officials

Required Actions: EOPs

- ✓ Coordinate with local emergency responders and local emergency management officials to develop all-hazards Emergency Operations Plan
 - ✓ [Emergency Management Director \(EMD\) Public Contact Information](#)
 - ✓ [Emergency Management Partners](#)
- ✓ Review VT School Safety Center template all-hazards EOP (pending updates): [School Safety Planning | Vermont School Safety Center](#)
- ✓ Effective July 1, 2024

Section 3: Access Control and Visitor Management

- Each Independent School shall adopt and maintain a written access control and visitor management policy
- Policy must, at a minimum, require that all school sites lock exterior doors during the school day
- Policy must require that all visitors sign in at a centralized location prior to gaining full access to the school or office site

*If a school recognizes a need to leave a specific structure unlocked as needed for **agricultural, recreational, or other reasonably practical purposes directly related to a school's mission or curriculum**, it may justify leaving that structure unlocked in its visitor policy.

Required Actions: Access Control

- ✓ Establish access control and visitor management policy
- ✓ Enforce compliance with policy
- ✓ Effective August 1, 2023

Section 4: Behavioral Threat Assessment Teams (Intent)

- Intended to prevent instances of severe and significant targeted violence against schools and school communities
- Goal of BTAT is to appropriately assess and respond to potential reported threats
- BTAT shall not contribute to increased school exclusion or unnecessary referrals to law enforcement or student discipline systems
- Shall not disproportionately impact students from historically marginalized backgrounds, including students with disabilities

Section 4: BTA Policy

- **Behavioral Threat Assessment** is defined by Act 29 as “a fact-based, systematic process designed to identify, gather information about, assess, and manage dangerous or violent situations”
- Each Independent School shall develop, adopt, and ensure implementation of policy and procedures for use by Behavioral Threat Assessment Teams
- Policy must be at least as comprehensive as model policy and procedures developed by the Agency of Education
- Behavioral Threat Assessments shall be structured and used in a way intended to minimize interaction with criminal justice system. Referral to law enforcement may only be appropriate in some cases.

Section 4: BTAT Training

- Each Independent School must ensure BTAT training, annually
- Must include best practices of conducting Behavioral Threat Assessments and bias training
- Training must include:
 - Rules governing exclusionary discipline
 - The purpose, use, and proper implementation of the manifestation determination review process
 - Civil Rights law including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990
 - Negative consequences of exclusion from school
 - Impact of trauma on brain development
 - Group bias training

Section 4: BTAT Data Reporting and Collection

- Each Independent School must report data related to completion of, and outcomes of, all Behavioral Threat Assessments and manifestation determination reviews
 - Includes determinations of no present threat
 - Specific reporting requirements defined in Act 29, including total number of assessments completed, student demographic information for student requiring the assessment, time out of school, whether the student was also subject to exclusionary discipline, law enforcement referrals, and the outcome of assessment
- Must be submitted annual in format prescribed by the AOE (under development)

Required Actions: BTAT

- ✓ Develop or update BTAT policy and procedures by SY24-25
- ✓ Establish BTA Teams by July 1, 2025
- ✓ Develop and implement annual BTAT training
- ✓ Complete data collection and reporting for BTA activity and outcomes beginning with SY23-24
- ✓ Provide education to school community on purpose and use of BTATs
- ✓ Effective July 1, 2025

Reminder: 2024 Act 29 Assurances Due

- Intended to allow respondents to certify their compliance with several key elements of Act 29.
- In acknowledgement that several of the effective dates included in Act 29 were challenging, if not impossible, for school systems to meet, the 2023-2024 assurances allow for respondents to certify their anticipated compliance with Act 29 requirements for the 2023-2024 School Year.
- Assurances due October 15, 2023

[Act 29 Assurances WebForm](#)

SOV Responsibilities

- Agency of Education (in consult with VSSC, DPS, and Office of Racial Equity):
 - Publish guidance related to Emergency Drills best practices
 - Develop model BTAT policy and procedures
 - [Public comment period is open through December 1, 2023](#)
 - Develop technical resources to support BTAT training
- Vermont School Safety Center:
 - Maintain and update Emergency Operations Plan template
 - Issue guidance on the best practices of behavioral threat assessment teams, including best practices on reducing incidents of bias

VSSC Resources

- [School Safety Act 29 Resources | Vermont School Safety Center](#)
 - Act 29 full text
 - Updated Drill Guidance Memo (SY2024)
 - Parent Letter Template for Options-Based Response to Violent Intruder Drills
- [Behavioral Threat Assessment Information | Vermont School Safety Center](#)
- [School Safety Anonymous Tip Line | Vermont School Safety Center](#)
- [Resources | Vermont School Safety Center](#)
- [Training | Vermont School Safety Center](#)

Points of Contact

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Questions?
