



## **Vermont Home Education Network**

**Legislative UPDATE**

March 1, 2024

Hello Retta,

These visits to the State House are full of detail and it is hard to give you all the detail. I hope I have not left too much out to get you an idea of where we are. The legislature is off next week and this will all pick back up the week of 3/10.

I went to the State House today. At lunch time. To the committee room. I was able to talk with Sen Champion, chair of Senate Ed. The latest draft of misc ed bill S.167 section 8 has the hearings before and after enrollment in it. They got it half right. I suggested to only add the hearing process after an enrollment took place. If you want to learn about what this means I may plan a Zoom meeting to explain it.

The AOE countered that the hearings be struck from S.167 and this sentence be added in its place to 166b (k) the Annual notice:

**The notice shall include a copy of the record of assessment required by (a)(3) above.**

**You read that correctly, the AOE is suggesting parents must once again submit an annual assessment for each child.**

I told Sen Champion that homeschoolers will not support that. He then included me on an email thread that he has with staff at the AOE so that I could "weigh in". I emailed the following to the AOE:

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"I would like to talk with you on the phone if possible, about this. Could we set up a call? This is better when discussed in person or in a meeting. But I will succinctly lay out my thoughts here:

I was in Senate Ed on 2/6. A grandmother had contacted Sen Hashim and was concerned over the homeschooling of her grandchildren and said there was no "entity" who could look into it as both the AOE and DCF refused to look into the grandmother's concerns. I explained to the committee that putting ONLY the hearings AFTER enrollment back into the statute would provide a mechanism for the state to look into the matter if warranted. In the 35 years since the home study statute has been in place, I think less than 10 of these have ever been called. And the cases were serious.

I see that the misc ed bill S.167 has the hearings BEFORE enrollment in it as well as the hearings AFTER enrollment. The hearings before enrollment should be removed from the misc ed bill. They are unnecessary. Hearings after enrollment is a mechanism the AOE has had for 35 years, as a safety net for children in home study programs. This hearing requires the burden of proof be on the state. In this case, if the grandmother had credible evidence that an education was not taking place the state could do something about it.

Adding back into 166b, albeit in a different place, (k) that families will once again have to submit an annual assessment to the state will not address the grandmother's concerns nor the concerns that I heard the committee voice. Submission of annual assessments is not a safety net. There will still be no mechanism to look into the possible educational neglect the grandmother is concerned about. You will once again tell her the enrollment notice is satisfactory and there is nothing in statute that allows you to do anything about it. Or you will tell her to call DCF who will tell her there is no educational neglect going on because the children are enrolled in home study. And again no one will look into it.

The only way to accomplish this is with the hearings AFTER enrollment as a mechanism that the AOE can use if warranted i.e. evidence based.

Having 3500+ assessments annually handed in so that a LOT of staff time can be consumed going over those assessments to meet a standard that the statute no longer defines defeats the AOE's reason for removing submission in the first place. That of time and staffing. Not to mention the parents of 3500+ home study students will not be supportive of the seemingly punitive action to make them all submit the assessments when one grandmother made a complaint about a situation, we do not even know the details of.

The only solution here for a safety net for children enrolled in home study is for AOE to have the capacity to call hearings AFTER enrollment and have the burden of proof in hand that shows probable cause to call such a hearing. This is the only mechanism and a solid guardrail that could provide a safety net for home study students. It can't just be because grandma does not like homeschooling - she has to produce evidence of neglect.”

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I will stop here as that is a lot of information. I wanted you all to know this is going on. We do not need to do anything just yet. But keep an eye on your email!

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