

Update on home study legislation – H.461
Vermont Home Education Network
www.vhen.org
March 18, 2023

This is the link to the [current language as passed by the House](#). It starts on page 4, please read it and there is also a synopsis of the bill at the bottom of this email. The language is unchanged from what was introduced. It now goes to the Senate Education committee.

This past Thursday, I spoke with the chair of Senate Ed, Sen. Brian Campion, about testifying on H.461 and he agreed to have me come in in the next week or so. He remembers me from when he was on the House Education committee. I will introduce homeschooling to the committee, which has new members, and speak directly to the language of the bill.

There are two changes I have suggested to Sec. French, from the Agency of Education, and will ask for these changes from Sen Ed as well.

1. To provide more clarity to the Standardized testing as an assessment option, I have asked for the following phrase, that is in current statute, to be added: ***“administered in a manner approved by the testing company”***.

2. I have also asked that the two different types of enrollment notices in H.461 have more differentiation by making sure they have different “names”. At the moment they are both labeled “annual” when the initial notice is to be submitted only once with detail and the ‘annual’ with less detail. These notices are:

a. An ***initial complete notice*** that includes disability information and all the attestations. This document is more like an affidavit which is signed by the parent(s)/guardian(s) in which they agree to do certain things and keep them on file at home.

b. The second type is an ***annual notice*** and is confirmation that the child continues to be enrolled in home study and that the attestations are still in force.

Since the Agency brought this language to the committee and explained why they needed it, there seems to be little opposition to it from legislators. From the Agency’s point of view this really is all about less paperwork for them and frees up staff time to be spent elsewhere in the Agency of Education. Hence why it has been placed in the miscellaneous education bill, a bill that they pass every session for updates and corrections in education law.

In the near future, I plan to host some Zoom Meetings so that homeschoolers can learn about the language in greater detail and what the new enrollment process will look like. As always, please email me or call me if you have any questions.

Retta Dunlap
mountainfoldvt@gmail.com
802.472.5491

Here is a run down of what the language means for homeschooling families in Vermont.

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***Within 10 days of starting home study, a parent or legal guardian shall send in a notice of intent to enroll in home study. The Agency of Ed will create what this form looks like. This complete notice will contain:***

1. The **directory information** currently found in 166b and independent professional evidence regarding whether the child has a **documented disability** and how it may affect the student's educational progress. (This is different in that they **ONLY** want to know if there is a documented disability. They do not want to know if there is a suspected disability.)

2. **Attestations** that the parent(s)/guardian(s) will agree to do the following and keep the documentation on file at home. (This is different in that you will not be submitting this information to the state. An attestation is merely the parent agreeing to do these things.)

a. **ASSESSMENTS:** The parent(s)/guardian(s) agree they will have the child assessed for progress at the end of each school year and there are 5 options to choose from and that they will keep this assessment on file at home. **NO SUBMISSION** of assessment required. (The assessment options are: a standardized test, a teacher assessment, a parent prepared portfolio and report, grades from an online school, and evidence of passing a GED.)

b. **MINIMUM COURSE OF STUDY:** The parent(s)/guardian(s) agree they will provide at least **175 days of instruction** in the minimum course of study. **NO SUBMISSION** of a minimum course of study required and **NO SUBMISSION** of attendance required. (This is no problem for homeschoolers as every day is a day of instruction in a homeschooling setting.)

c. **SPECIAL NEEDS ADAPTATIONS:** The parent(s)/guardian(s) agree they will provide adaptations for students with documented disabilities. **NO SUBMISSION** of adaptations required. (This is only if there is a documented disability.)

3. **SIGNATURES REQUIRED** and there are two scenarios:

a. All parent(s)/guardian(s) with legal custody who are legally authorized to make educational decision for the student must sign **OR**

b. The parent seeking enrollment must attest they are the sole primary educational decision-making authority and sign.

***Within 10 days of receipt, the Sec of Education shall send a written acknowledgement of receipt, which will constitute sufficient enrollment verification.***

The Sec of Ed must be notified each year that you plan to continue in a home study program for this child. This **annual notice** does not have as much detail as the initial complete one. The Agency of Ed will create what this form looks like.

If you should stop homeschooling you need to formally withdraw from the program within 10 business days of ending home study.

Lastly, the religious waiver remains in place.

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