



Vermont Home Education Network
Legislative changes to home study
May 7, 2024

Dear Homeschooling Parents,

The home study statute is about to change ... again.

I know this is long. **Bottom line: the enrollment process was NOT changed by the legislature.** There is still time for them to mess with this process but they want to go home for the summer. So, it is unlikely, but here is what they did do:

This past winter (2024), Senate Education wanted to amend the home study law they passed the previous year (2023). They were concerned they moved too quickly on the new changes and removed safety nets for home study students if “educational neglect” should occur.

For context, you need to understand what “educational neglect” is as set out in law and explained by the Department of Children and Families (DCF). It is all about enrollment and attendance and not actual learning of anything. [You can hear DCF explaining this here.](#) This is why you can't sue the public schools for not actually teaching your kids to read, write, or use numbers. But when people talk about “educational neglect” in homeschooling they invariably mean no learning is taking place. [You can listen to my testimony to House Education here](#) explaining what the law says about all this. Moving on

The Agency of Education's (AOE) solution to Senate Ed's concern was to put back submission of the assessments to the state, which most homeschoolers do not want. The reasons for the AOE wanting to get rid of this in the first place, has not changed. So, I countered that option by suggesting to the committee to put back the hearings after enrollment that used to be in 166b. Even if the assessments were once again submitted to the AOE there still no way for them to challenge a home study program. So, Senate Ed voted 3-2 to do exactly what I suggested and not what AOE suggested.

This change, hearings after enrollment, was put in to the Senate Ed's misc. ed bill, S.167, which then went over to the House Education Committee where they were concerned that

the hearings after enrollment did not have enough guidelines for the hearing officer and asked me if I could suggest additional language.

I said yes and went home to look at the words and concepts in the old law. I worked up some familiar concepts and gave that to the House Education Committee for inclusion in the changes. I submitted this:

1. For the parents: “The instruction provided shall be adapted in each of the minimum courses of study to the age and ability of each child, as well as the disability of each child, as applicable. Nothing in this section shall be construed to require a home study program to follow the program or methods used by public schools” (almost exactly what was in the old statute).
2. For the hearing officer: [a determination that] “the home study program has failed to show progress commensurate with age and ability in the annual assessment maintained by the home study program.” (progress has always been a concept in the home study statute).

If a family has been providing “learning experiences” or “instruction” in the minimum course of study as their attestation says they will do, then showing progress commensurate with age and ability should be very easy to document in an assessment.

[You can read these two changes in context here.](#)

In all of this and in order to address legislators’ concerns, I tried to keep my conversation to the concept of how the safeguard of hearings after enrollment worked in the old law, that they would work the same way in the new law, so putting it back in should not be a problem. Lastly, please know that this type of hearing is rarely called and has been in the statute since 1987.

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