

The Vermont Statutes Online

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Title 16 : Education

Chapter 003 : State Board of Education

Subchapter 001 : General Provisions

(Cite as: **16 V.S.A. § 166b**)

§ 166b. Home study program

(a) Enrollment notice. A parent or legal guardian shall send the Secretary notice of intent to enroll the parent's or legal guardian's child in a home study program at least 10 business days prior to commencing home study. Such notice shall be submitted via a form developed by the Agency of Education. A notice under this subsection shall include the following:

(1) The name; age; and date, month, and year of birth of the child.

(2) The names, mailing addresses, e-mail addresses, town of legal residence, and telephone numbers of all parents or guardians with legal custody who are legally authorized to make educational decisions for the student.

(3) An attestation that the academic progress of each child enrolled in a home study program will be assessed at the end of each school year and that the parent or guardian will maintain the record of such assessments. Permitted means of assessment shall include:

(A) a standardized assessment, which may be administered by the local school district or a testing service or administered in a manner approved by the testing company;

(B) a review of the student's progress by an individual who holds a current Vermont teacher's certificate;

(C) a parent or guardian report and portfolio to include a summary of what the student learned during the school year and at least four samples of student work;

(D) grades from an online academy or school; or

(E) evidence of passing of the GED.

(4) For each child not previously enrolled in a Vermont public school or Vermont home study program, independent professional evidence regarding whether the child has a documented disability and how the disability may affect the student's educational progress in a home study program.

(5) An attestation that each child being enrolled in home study will be provided the equivalent of at least 175 days of instruction in the minimum course of study per year, specifically:

(A) for a child who is younger than 13 years of age, the subject areas listed in section 906 of this title;

(B) for a child who is 13 years of age or older, the subject areas listed in subdivisions 906(b)(1), (2), (4), and (5) of this title; or

(C) for students with documented disabilities, a parent or guardian must attest to providing adaptations to support the student in the home study program.

(6) [Repealed.]

(7) The signatures of all parents or guardians with legal custody who are legally authorized to make educational decisions for the student. In the alternative, the parent seeking enrollment may provide attestation of sole primary educational decision-making authority.

(b) Enrollment. Within 10 business days following submission of a complete enrollment notice, the Secretary or designee shall send the home study program a written acknowledgment of receipt, which shall constitute sufficient enrollment verification for purposes of section 1121 of this title.

(1) [Repealed.]

(2) [Repealed.]

(c) Withdrawal. The parent or guardian shall notify the Secretary in writing within 10 business days following the date that any student is withdrawn from the student's home study program.

(d) [Repealed.]

(e) [Repealed.]

(f) [Repealed.]

(g) [Repealed.]

(h) [Repealed.]

(i) [Repealed.]

(j) Waiver. After the filing of the enrollment notice, if the home study program is unable to comply with any specific requirements due to deep religious conviction shared by an organized group, the Secretary may waive such requirements if the Secretary determines that the educational purposes of this section are being or will be substantially met.

(k) Annual notice. A parent or guardian who has provided a complete enrollment notice as described in subsection (a) of this section shall notify the Secretary on or before the start of each following year of the parent's or guardian's intention to continue to provide instruction through a home study program via a form provided by the Agency of Education. This notice shall be provided at least 10 business days prior to the intended start date of the home study program.

(l) [Repealed.] (Added 1987, No. 97, § 3, eff. June 23, 1987; amended 1989, No. 44, § 6, eff. June 1, 1990; 1989, No. 118, § 3; 1991, No. 24, § 11; 1995, No. 100 (Adj. Sess.), § 1; 2005, No. 107 (Adj. Sess.), § 1; 2013, No. 92 (Adj. Sess.), § 14, eff. Feb. 14, 2014; 2019, No. 131 (Adj. Sess.), § 55; 2023, No. 66, § 5, eff. July 1, 2023.)