
TESTIMONY

Testimony To: Senate Committee on Education
Respectfully Submitted by: Emily Simmons, General Counsel
Subject: Agency of Education Home Study Proposal
Date: April 4, 2023

Background:

Every state has a slightly different approach to home schooling or home study. In Vermont, compared to our neighbors, our home study policy is more complex and includes more process. The AOE proposes we simplify Vermont's home study policy to make it more similar to that of other northern New England states. This shift would change the role of the agency from an oversight role to more of a support role.

The AOE is seeking to prioritize those processes that are most closely aligned with the State's interest in home study. Those interests are ensuring that children enrolled in home study are provided instruction in the minimum course of study, that their progress is assessed at the end of each school year, and that the most vulnerable students are protected.

We have identified several existing processes that do not closely align with those interests, and believe they are burdensome on both the AOE's capacity and the home study community. For example, the current law requires an annual report and assessment for each year, for each child enrolled in home study. The annual report is a detailed outline or narrative describing the content provided in each subject area. A progress assessment is required for each child who was enrolled in home study the previous year. The law exempts certain students from the requirement to provide an annual report, determined by two consecutive years of successful completion of home study with any enrolled child. Determination of successful completion is based on compliance with all requirements of the law and documented student progress commensurate with age and ability in all subject areas of the minimum course of study. The exemption then applies to all enrolled children in the same program.

The following proposal eliminates the AOE approval of an annual enrollment application. A parent or guardian would send a notice of home study enrollment to the AOE, but the AOE would not review and approve the content of the notice. AOE would ensure the notice is procedurally complete and send acknowledgement of receipt, which would constitute enrollment. To continue enrollment in home study for subsequent years, a parent or guardian would notify the AOE of intent to continue prior to the start of the school year.



The annual notice would include a series of attestations related to: adaptations for any documented disabilities, instruction to be provided, instructional time, and annual assessment of progress. A parent or guardian would have responsibility for carrying out these obligations consistent with the attestations. AOE would not receive or review evidence of compliance.

Requested Amendments to H.461 Sec. 5:

- Clarify terminology for initial enrollment notice and annual notice.
 - On page 4, in section (a), which describes the required documentation when a student is initially enrolled in a home study program, the words “annual notice” should be amended to remove “annual.”
 - In section (k) the words “annual notice” should remain as-is.
- Clarify that standardized testing may be administered either by a school district, by a testing service, or consistent with the methodology required by a standardized test’s own guidelines.
 - On page 5, in section (a)(3)(A), add “or administered in a manner approved by the testing company” at the end of the sentence.
- Clarify the requirement for a home study program to provide 175 days of instruction, considering that not all home study programs operate on the same schedule as a traditional school year.
 - On page 6, in section (a)(5), after “175 days of instruction in the minimum course of study” add “per year” before the word “specifically.”
- The AOE supports the effective date of July 1, 2023 as currently drafted.