

H.769

Introduced by Representatives Dobrovich of Williamstown, Arsenault of  
Williston, Bosch of Clarendon, Burt of Cabot, Coffin of  
Cavendish, Galfetti of Barre Town, Goslant of Northfield,  
Hunter of Manchester, Morgan, M. of Milton, Nugent of South  
Burlington, and Tagliavia of Corinth

Referred to Committee on

Date:

Subject: Human services; abuse or neglect of children

Statement of purpose of bill as introduced: This bill proposes to establish that  
permitting a child to engage in independent activities without supervision,  
provided the activities are appropriate based on the child's age, maturity, and  
physical condition, does not constitute neglect. It also proposes to make  
miscellaneous changes to the standards for substantiating a parent or guardian  
for child abuse or neglect.

An act relating to child welfare and appropriate independent childhood  
activities

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The General Assembly finds that:

1           (1) Fostering age-appropriate independence in children promotes  
2           resilience, self-confidence, and community engagement essential for children's  
3           well-being and development.

4           (2) Parental rights to make reasonable decisions about their children's  
5           activities should be protected, provided such decisions do not endanger the  
6           child's health, safety, or welfare.

7           (3) Clarifying the definition of neglect ensures parents are not unfairly  
8           penalized for allowing safe, independent activities appropriate to a child's age  
9           and maturity.

10           (4) Supporting family autonomy aligns with Vermont's commitment to  
11           child welfare while preventing unnecessary State intervention.

12       Sec. 2. 33 V.S.A. § 4912 is amended to read:

13       § 4912. DEFINITIONS

14       As used in this subchapter:

15           (1) "Abused or neglected child" means a child whose physical health,  
16       psychological growth and development, or welfare is harmed or is at  
17       substantial risk of serious harm by the acts or omissions of ~~his or her~~ the  
18       child's parent or other person responsible for the child's welfare. An "abused  
19       or neglected child" also means a child who is sexually abused or at substantial  
20       risk of sexual abuse by any person and a child who has died as a result of abuse  
21       or neglect. An "abused or neglected child" does not include a child who has

1 been permitted to engage in independent activities without supervision,  
2 provided the activities are appropriate based on the child's age, maturity, and  
3 physical condition.

4 \* \* \*

5 (18) "Independent activities" includes:

6 (A) traveling to and from school or nearby locations by walking,  
7 running, or bicycling;

8 (B) traveling to nearby commercial, recreational, or community  
9 facilities;

10 (C) engaging in outdoor play;

11 (D) remaining at home unattended for a reasonable period of time;

12 (E) remaining in a vehicle if the temperature is not dangerously hot  
13 or cold, except as prohibited by law; and

14 (F) engaging in similar activities alone or with other children.

15 Sec. 3. 33 V.S.A. § 4915b is amended to read:

16 § 4915b. PROCEDURES FOR INVESTIGATION

17 \* \* \*

18 (f) The Department shall not substantiate cases in which neglect is caused  
19 solely by the lack of financial resources of the parent or guardian or specific  
20 information that a reasonable parent or guardian with the education and from

1 the culture of the parent or guardian would not have known, understood, or  
2 practiced.

3 Sec. 4. 33 V.S.A. § 5102(3) is amended to read:

4 (3) “Child in need of care or supervision (CHINS)” means a child who:

5 (A) Has been abandoned or abused by the child’s parent, guardian, or  
6 custodian. A person is considered to have abandoned a child if the person is  
7 unwilling to have physical custody of the child; unable, unwilling, or has failed  
8 to make ~~appropriate~~ arrangements for the child’s care; unable to have physical  
9 custody of the child and has not arranged or cannot arrange for the safe and  
10 appropriate care of the child; or has left the child with a care provider and the  
11 care provider is unwilling or unable to provide care or support for the child, the  
12 whereabouts of the person are unknown, and reasonable efforts to locate the  
13 person have been unsuccessful.

14 (B) Is without ~~proper~~ parental care or subsistence, education,  
15 medical, or other care necessary for ~~his or her~~ the child’s well-being.

16 (C) Is ~~without or~~ beyond the control of ~~his or her~~ the child’s parent,  
17 guardian, or custodian.

18 (D) Is habitually and without justification truant from compulsory  
19 school attendance.

1       Sec. 5. IMPLEMENTATION

2           (a) On or before January 1, 2027, the Department for Children and Families  
3       shall update any policies to reflect changes included in this act and conduct  
4       public outreach to inform families and the community about the protections in  
5       law for reasonable childhood independence.

6           (b) On or before July 1, 2027, the Department for Children and Families  
7       shall conduct training for appropriate staff regarding the changes included in  
8       this act and any updated policies.

9       Sec. 6. EFFECTIVE DATE

10       This act shall take effect on July 1, 2026.