



## Memorandum

February 24, 2026

**To: Rep. Peter Conlon, Chair, House Education Committee  
Rep. Chris Taylor, Vice-Chair, House Education Committee**

**From: Oliver Olsen, on behalf of the Vermont Independent Schools Association**

VISA appreciates the Committee's continued work on Drafting Request 26-777, V1.1, and offers the following additional comments to help ensure clarity and appropriate implementation across Vermont's public and approved independent schools.

### **Definition of "Absence"**

We recommend a technical revision to the definition of "absence," specifically the provision stating that a student is not absent when receiving "educational services or programming elsewhere."

As currently drafted, this language appears tied to approval by "the district." While this is appropriate for students enrolled in public schools, it does not clearly account for students enrolled in approved independent schools, where the district does not serve as the governing or supervisory authority.

Examples of "educational services or programming elsewhere" could include everything from an internship as part of a personalized learning plan, a school trip or exchange program, or some experiential learning opportunity. Just like public schools, independent schools (both regular education and therapeutic) provide a variety of educational programs and services outside of the traditional classroom, and students would not be considered "absent".

To avoid ambiguity, we propose the following language as an alternative definition:

*"Absence" means a student who is, for at least half the school day when school is open, not physically on school grounds or who is not receiving educational, cocurricular, or athletic services or programming elsewhere pursuant to a program or plan approved by:*

- (a) the district, if the student is enrolled in a public school, or*
- (b) an approved independent school if the student is enrolled in an approved independent school.*

**Clarification of “Student” and “Legal Pupil” – Vermont Residency**

We also recommend clarifying that, for purposes of this chapter, the definitions of “student” and “legal pupil” apply only to students who are residents of Vermont.

Many approved independent schools serve students from outside Vermont, including boarding students and out-of-state placements. Without clarification, the chapter could inadvertently impose Vermont attendance reporting and enforcement obligations with respect to non-resident students.

We therefore recommend adding language to the definitions section clarifying that:

*“Student” and/or “legal pupil,” for purposes of this chapter, mean a student who is a resident of the State of Vermont and is subject to Vermont’s compulsory attendance laws.*

This clarification would ensure that attendance, truancy, and related reporting requirements are properly scoped to Vermont-resident students and would prevent unintended regulatory expansion beyond the State’s jurisdictional framework.

We appreciate the Committee’s consideration of these issues and would be happy to discuss further if there are any questions.

Respectfully submitted,  
Vermont Independent Schools Association (VISA)