

May 27, 2025

To: House Education Policy and Administration Committee

From: Michelle Levell on behalf of Granite State Home Educators

Re: amendment #2025-2234h to SB 57 regarding the Home Education Advisory Council (HEAC)

My name is Michelle Levell and I am the director of Granite State Home Educators, a 501c4 all-volunteer support organization for home education families, those that follow the independent, RSA 193-A pathway. We have roughly 15,000 members across the state.

As a 20-year advocate for this community, I generally support the dissolution of the Home Education Advisory Council, with a suggested improvement.

The original purpose of HEAC, established 35 years ago, was to be a communication bridge between the home ed community and the DOE as well as other educational pathway organizations including the NH School Board Association, School Administration Association, Association of School Principals, and the nonpublic school advisory council. With favorable deregulation in recent years, several responsibilities of HEAC no longer apply.

Over the past several years, various home ed support organizations worked together to make HEAC more functional and effective, to better meet the purpose of the council. We have a vibrant and engaged home education community.

Unfortunately, these efforts have been stifled, I believe, by the DOE's unwillingness to be attentive to the concerns and issues HEAC raised in meetings as well as annual reports. Although HEAC is statutorily focused on 193-A home education, some appointed members continued to conflate the Education Freedom Account with independent home education. This was exacerbated when the Commissioner appointed an EFA vendor to the council this fall.

However, simply dissolving HEAC addresses only part of the problem. If the legislature chooses to dissolve HEAC, I recommend also eliminating the entire section RSA 193-A:3, the NH Board of Education's rule-making authority, and Ed 315 regarding home education. Reviewing the BOE's rules re home education is HEAC's most important function in current law.

This is consistent with Commissioner Edelblut's efforts to have rules not go beyond law. It is unusual for states to have home education rules in addition to statutes, so this would align New Hampshire with other states, and our statutes are direct. This is also in line with last year's US Supreme Court *Loper Bright* ruling overturning the Chevron doctrine (which allowed federal rules to have the force of law). Finally, this would affirm that parents have the right to direct their children's education.

I urge the committee to use this opportunity not just to eliminate an out-of-date council, but to embrace true educational freedom by removing unnecessary regulatory layers that serve no purpose beyond what our clear statutes already provide.