

Comparison of 2011 Proposals			
	NH Parent's First Proposal  LSR 755	HSLDA's Proposal  LSR 827	Amending Compulsory Attendance law  LSR 828
<b>Sponsors</b> <i>(* home schoolers)</i>	*Rep. <i>Laura Jones</i> *Rep. <i>Andrew Manuse</i> Rep. Seth Cohn Rep. Al Baldasaro Rep. Carol Vita Rep. Harry Accornero Rep. Kevin Avard Rep. Stephen Palmer Rep. Tyler Simpson	*Rep. <i>Jim Parison</i> Rep. Paul Mirski Rep. Charles Sova	*Rep. <i>J.R. Hoell</i>
	Sen. Jim Forsythe Sen. Ray White Sen. Jim Luther	Sen. Ray White Sen. Sharon Carson	
<b>Parental duty to instruct child</b>	Recognizes "parental-directed" instruction	State <b>approval</b> required to "home educate" a child ----- Notification & Acknowledgement process to obtain state approval	Recognizes parental instruction
<b>Underground and unschoolers</b>	No problem	Unless these parents "prove their innocence," they are guilty of a criminal offense.	No problem
<b>Compulsory education</b>	No; requirement to instruct	Yes; proof of educational progress can be required of parents	No; requirement to instruct
<b>Due Process</b>	Equal treatment with public and private schools ----- Innocent until proven guilty	Requires " <b>affirmative defense</b> " ----- Parent is guilty until proven innocent	Equal treatment with public and private schools ----- Innocent until proven guilty
<b>Unjust requirements</b>	None	Inequitable treatment: parents held to a higher standard than public or private school teachers, including <b><i>criminal prosecution</i></b> ----- Requires " <b>affirmative defense</b> "; parent is guilty until proven innocent ----- Ways to demonstrate "progress towards literacy and self-sufficiency commensurate with the child's age or ability": ----- 1. 15 <sup>th</sup> percentile on standardized achievement test ----- 2. Letter from "credentialed" teacher ----- 3. Educational materials ----- 4. Other relevant evidence	None
<b>Compulsory attendance law</b>	No change	No change	Voluntary attendance 6-16; ----- <i>Education is a privilege, not a right</i>
<b>Truancy</b>	Exempt	Exempt	Parents instructing their children exempt; ----- Truancy: requires a warrant to take and place a child in a public school.
<b>Home</b>	Eliminates	Amends	Ignores

<b>Education law</b>			
<b>Prosecution</b>	Superior Court	Superior Court	Unspecified, implies Superior Court
<b>Jurisdiction</b>	Civil	Criminal	Civil
<b>Charges</b>	Violation	1 <sup>st</sup> offense is a violation; 2 <sup>nd</sup> offense is a class B misdemeanor	Violation
<b>Fines</b>	None specified	\$1200 fine on the second offense	None specified
<b>Child Protection Act Educational neglect</b>	Exempt	Exempt	Exempt
<b>Endangering the Welfare of a Child or Incompetent</b>	No change	Criminal act: "purposefully fails to provide" an education for the child ----- Any curriculum that doesn't meet state standards will be construed as "purposefully" failing to provide an education. The curriculum establishes intent; a lack of curriculum establishes criminal intent. ----- Unschoolers will need to remain underground.	No change
<b>Subject listed</b>	Subjects to be instructed listed as a reassurance that parents understand the broad scope of the task they undertake; limited to those found in NH Const. Pt. II Art. 83	No explicit list of subjects to be instructed, yet criminal penalty for "failure to educate," not just "instruct" the child like public or private teachers.	No list
<b>Statement of Purpose</b>	It is the natural right and duty of parents to determine and direct the instruction of their children for their education.	It is the natural <b><i>and fundamental</i></b> right and duty of parents to determine and direct the education of their children.	No statement
	The general court acknowledges that the primary and natural <b><i>instructor</i></b> of a child is the parents, and the general court guarantees the right and duty of parents to provide for the <b><i>instruction</i></b> of their children.	The general court acknowledges that the primary and natural <b><i>educator</i></b> of a child is the family, and the general court respects the inalienable right and duty of parents to provide for the <b><i>education</i></b> of their children.	
	Parents shall be free to provide this instruction in the manner and at the location of their choosing, including their homes or in private schools or in schools recognized or established by their resident school district or by the state <b><i>or in other places where instruction can be given.</i></b>	Parents shall be free to provide this education in the manner and at the location of their choosing including their homes or in private schools or in schools recognized or established by their resident school district or by the state.	