

Hunter Education Policies Centered Around Safety

Compiled 6/21/2023 by Nicole Meier

- 1) **From statute:** The commissioner shall provide for a course of basic instruction in the safe handling of firearms, survival training, and first aid training. For this purpose the commissioner may cooperate with any reputable association, organization, or agency and he may designate any person found by him to be competent to give such instruction. A person so designated shall give such instruction and upon the successful completion thereof shall issue to a person satisfactorily completing the course of instruction a certificate in evidence thereof. No fee may be charged for taking a course of instruction provided for under this subsection.
- 2) **Instructors shall meet the following requirements:**
 - a. Be at least 18 years of age;
 - b. Have no felony convictions;
 - c. Have no misdemeanor convictions within the past three (3) years;
 - d. Have no Fish & Wildlife convictions that resulted in the revocation of hunting or trapping license privileges within the last five (5) years; other violations of the Fish & Wildlife code are subject to review and may result in the rejection of any application.
 - e. Pass the background investigations;
 - f. Be a graduate of a student-level hunter education course; the student-level course must be within the specific course of instruction in which the individual desires certification;
 - g. Assist with the instruction of a student-level hunter education course within an 18-month period prior to or after the date of application;
 - h. Be experienced in hunting, trapping, or the related subjects taught in the specific course of instruction for which the individual desires certification;
 - i. Complete successfully a Department training workshop for new instructors for the specific course in which the individual desires certification;
 - j. Assist a Chief Instructor in one (1) or more class demonstrations until gaining the Chief Instructor's endorsement for certification. If a Chief Instructor is not available or conveniently accessible, an applicant can assist another Hunter Education Instructor after receiving prior approval from Hunter Education staff. An applicant should contact Hunter Education staff if they have concerns with or feel aggrieved by the mentoring Chief Instructor or approved Hunter Education Instructor.
 - k. Not be a defendant in a Relief from Abuse Order or Domestic Relations Order from any state, after a final hearing has been held.
- 3) **Rejection of applications:** Certified Hunter Education Program Instructors serve at the discretion of the Commissioner. As a result, the Vermont Department of Fish & Wildlife reserves the right to reject any application submitted by any applicant who does not meet the minimum requirements as outlined by this policy. The Department also reserves the right to accept the application of any applicant who does not meet the minimum requirements and also reject the application of anyone who does meet the minimum requirements. Those rejected applicants will be notified in writing.
- 4) **Liability policy:** While teaching an official and approved Hunter, Bowhunter, or Trapper Education class, all volunteers are covered under the same liability insurance as State of Vermont employees. This only applies if all policies and procedures presented in this manual are followed and volunteers are not guilty of any acts of negligence.
- 5) **Instructor certification renewals:** To maintain certification in the Hunter Education Program, Hunter Education Instructors must:

- a. Teach or assist with the instruction of at least one (1) course within their specific certification type every two (2) years; or
- b. Attend and successfully complete at least one (1) instructor Professional Development event every two (2) years.
- c. Instructor activity will be monitored annually through submitted reports. Instructors who fail to meet the minimum activity requirements outlined above will be notified. They will be removed from the list of active instructors unless they can provide reasonable justification for the temporary inactivity. Reasons could include military deployment, illness, or other life situation changes.
- d. Any instructor who voluntarily resigns or who is removed due to inactivity may reapply within two (2) years of the date of their resignation or termination. Upon approval by the Department, the individual may be recertified following completion of the required application. A new background check and New Instructor Training course might be necessary. Any instructor whose certification was recalled for any reason other than inactivity may not reapply; the Department will not accept an application.
- e. An instructor who has resigned or who is removed due to inactivity may continue to assist with classes as a Non-Certified Volunteer. An instructor who has been removed for any other reason may not assist in a course in any capacity.

6) Recall of instructor certification: The Department reserves the right to recall the certification of any instructor, at any time, based upon established guidelines, as outlined below. Any instructor whose certification has been recalled will be notified of the recall in writing. Instructor certifications may be recalled if the instructor is:

- a. Convicted of any felony or misdemeanor crimes.
- b. Convicted of any Fish & Wildlife violations.
- c. Involved in any child abuse incidents.
- d. Responsible for any unsafe act or actions that may or did result in serious injury to others during a Hunter Education Training Program.
- e. Considered to be in violation of any Hunter Education Program policies.
- f. Considered to be violating the Code of Conduct.
- g. Considered to be acting in a manner that is a liability to the overall positive function of the Hunter Education Program.
- h. Considered to teaching outside of the established curriculum.

An instructor whose certification is recalled may be (1) permanently removed from the program, or (2) placed on a period of suspension. Any allegations of the above, and charges resulting from those allegations, may also result in a period of suspension. If the charges are dropped or the individual is found not guilty, the Department will review the information but reserves the right to recall the certification regardless of the outcome. Terms of any suspension will be outlined, including the duration period of the suspension and conditions for the renewal of an instructor's certification. The information the Department uses to make these determinations is confidential and not available to the instructor.

7) Instructor classroom conduct: Instructors presenting a professional image is a very important part of all of the Department's education programs. Always remember that you are an ambassador for the Department, and you may be the first exposure your students have to the Department. While involved in hunter education activities, instructors are strictly prohibited from:

- a. Using drugs or alcohol before or during any class.
- b. Smoking or using chewing tobacco during any class.

- c. Using foul or abusive language; using profanity or making any racial, ethnic or religious slur; or any demeaning reference to physical or mental disability, gender, age, or sexual orientation.
 - d. Engaging in political or commercial speech.
 - e. Expressing opinions or comments contrary to those of any established programs or policies of the Vermont Department of Fish & Wildlife.
 - f. Wearing or carrying personal firearms.
 - g. Selling products or services.
 - h. Receiving or accepting gratuities or gifts
- 8) **Youth Protection and Sexual Harassment:** To protect students from being victimized, and to protect instructors from unwarranted allegations of abuse or harassment, all instructors must adhere to the following:
- a. **Two-Deep Instruction:** Two Certified Hunter Education Instructors or one Certified Instructor and a parent or other adult student, who is be 18 years of age or older, must be present for all portions of a hunter education class. The only exception is a course taught by a school teacher acting as a Certified Hunter Education Instructor in school, whether during regular school hours or as an after-school program.
 - b. **No One-on-One Touching:** One-on-one contact between an instructor and a student is prohibited. In situations that require personal conferences, special testing, test reviews, instruction, and so on, these contacts shall be conducted in full view of others. Instructors are not permitted to meet with students alone before, during, or after class.
 - c. **Use of Appropriate Contact:** In those instances where physical contact with a student may be required as part of the instruction (live-fire activities, firearm handling, and so on), physical contact shall be made in full view of others. Instructors should request the student's permission before touching the student. As part of the instruction, physical contact should be limited to the back, arms, and shoulders.
 - d. **Respect of Privacy:** Instructors must respect the privacy of students in situations such as restroom breaks and should only intrude in the event of an emergency. Instructors should protect their privacy in a similar fashion..
 - e. **No Hazing:** Physical or mental hazing for any reason is prohibited. Secret organizations or activities are also prohibited. All aspects of the Hunter Education Program shall be open to public view at all times.
 - f. **No Bullying:** Physical aggression or mental intimidation of any kind, by anyone participating in a Vermont Hunter Education Program course or event, is prohibited.
 - g. **Use of Discipline:** Corporal punishment is prohibited. Discipline used in hunter education shall be constructive and reflect the values of the program.
 - h. If an instructor is suspected of engaging in any of the acts listed above, the instructor is subject to suspension or revocation of certification.
- 9) **Reporting Requirements:** Due to their sensitive nature, alleged abuse situations should not be investigated by instructors. Whenever an instructor suspects or receives a report of an alleged child abuse or sexual abuse situation, the instructor shall immediately notify the Hunter Education staff, who in turn, will notify the Family Services Division (FSD) of the Vermont Department of Children and Families. The Hunter Education Program is a mandatory reporter. If any instructor is alleged to be involved in a situation involving abuse or harassment, the instructor shall be immediately suspended, pending further investigation. In the event the investigation reveals the instructor's innocence, the instructor may be reinstated, at the discretion of the Department. If an investigation results in the prosecution and conviction of an

instructor, the instructor's certification will be recalled immediately and the instructor will be prohibited from any future participation in any Department education program.

- 10) **Student Conduct and Discipline:** Hunter education students generally come to class eager to learn. However, on occasion, a student may not have the interest or be mature enough to be fully attentive or involved in the learning process. To minimize class disruptions and provide for effective and appropriate student discipline, instructors shall follow the policy described below:
 - a. **Student Conduct:** Students are responsible for their own behavior and for the consequences of any misbehavior. Horseplay or disruptions shall not be tolerated at any time.
 - i. Explain class rules to the students at the beginning of class. While instructors are free to set their own rules, student input and discussion is encouraged, within reason, to increase ownership.
 - ii. Explain class rules again to any student who is disruptive.
 - iii. If they continue to disobey the rules, students should be expelled from the course before the final examination.
 - iv. When a student is expelled for disciplinary reasons, the instructor must document in writing the reasons why and the events that led up to the dismissal; in the case of a juvenile student, the parents or guardian should be notified before the next class or as soon as possible.
 - v. Under no circumstances, shall an instructor strike or otherwise physically discipline a student. In the event of extreme disruption, local law enforcement authorities should be called for assistance.
 - b. **Discipline Techniques:** Instructors can use many techniques to gain students' attention and maintain classroom order. Recommended techniques include:
 - i. Calling on a disruptive student by name and asking a question about the topic you are presenting.
 - ii. Pausing and waiting in silence to focus attention on the disrupter.
 - iii. Separating the offender from the rest of the group and having the student sit close to the instructor.
 - iv. Removing the disruptive student from the class and discussing the situation and your concerns with the student and a parent or guardian.
 - v. If these techniques are not successful, further discipline may be required. Firm and decisive action will ensure compliance and help the class progress smoothly.
 - c. Hunter Education Instructors shall:
 - i. Be courteous, but firm in following through on the stated class rules.
 - ii. Be careful not to embarrass the offending student in front of the class — use discretion.
 - iii. Have authority to fail students based upon behavior or expel continually disruptive students who refuse to follow class rules or ignore any attempts to correct their disruptive behavior.
- 11) **Equal Opportunity, Accessibility, and Special Needs Requirements:** In accordance with Title VI of the Civil Rights Act of 1964, all Department education programs shall provide equal access to all persons desiring to participate in the program regardless of age, race, sex, color, religion, language, national origin, or physical ability.
 - a. During the first class meeting, a Hunter Education Instructor shall note that the Department intends to promote the success of every student in a hunter education course. As a result, assistance is available to meet the needs of all students, especially

those who have learning disabilities, reading problems, limited English proficiency, hearing or sight impairment, or physical disability. In addition, the instructor shall also note that requests for special assistance can be made discreetly.

- b. If possible, instructors may contact students ahead of time (via e-mail addresses provided on the Event Manager roster) to ask if students need any special accommodations. Students are also made aware that accommodations can be made when they sign up for the class on Event Manager. It is the student's responsibility to make the instructor or Department staff aware that accommodations are needed. Requests must be made with enough advanced notice to make the necessary adjustments.
 - c. Resources for students are available to them through the Vermont Assistive Technology Program. Students can access that information here:
<https://atp.vermont.gov/services/borrow-at>
 - d. **Students with disabilities; people with mobility impairments** — All class facilities utilized for hunter education purposes should be accessible to any person with a physical disability. Reasonable accommodation shall be made as may be required to meet the needs of such persons.
 - e. **Students who are Deaf, DeafBlind, or Hard of Hearing** — The Department shall provide, free of charge, any required interpretive services as may be needed.
 - f. **Students with learning and developmental disabilities** — Reasonable accommodation shall be made, as may be required, to meet the needs of such persons.
 - g. **Non-English speakers or limited English proficiency (LEP)** — The Department shall provide, free of charge, any required interpretive services that may be necessary to meet the needs of students who do not speak English.
- 12) **Curriculum Requirements:** To meet the agreed upon national standards for hunter education programs and to maintain program quality, instructors shall conduct all hunter education programs in accordance with established minimum curriculum for that program. Instructors shall utilize the lesson plans, teaching aids, and materials as outlined in the instructor's guide to meet stated learning objectives. Instructors shall not intentionally delete or substitute portions of the curriculum. Curricula is based on the IHEA Hunter Education Standards, IHEA/NBEF Bowhunter Education Standards, and AFWA Trapper Education Standards and Learning Objectives.
- 13) **Live Fire Exercises:** Live-fire activities are mandatory for all Basic Firearm Hunter Education courses. These exercises are designed to reinforce the safe handling of firearms, to provide instruction in the basic steps of shooting, and to meet the specified learning objectives for the course of study. Live-fire exercises shall include one or more of the following: .22 rifle, 20-gauge shotgun, air gun, Laser Education Rifles, and Laser Shot Shooting Simulators. Instructors must make arrangements to pick up these items at least four (4) weeks before the designated range day. For more information, contact Hunter Education Program staff.
- a. **Other Considerations:**
 - i. Eye protection is required for all shooters, coaches, and range officers on firearm and air gun ranges. Ear protection is required for all persons at firearm ranges.
 - ii. **.22 rifles.** The Department will supply ten (10) rounds of .22 ammunition and one (1) target per student. .22 ammunition may be shipped via mail. Rifles are available at the Hunter Education main headquarters in Montpelier and can be delivered to instructors. Contact Hunter Education staff to ensure rifle availability.
 - iii. **Shotguns.** The Department will supply five (5) 20-gauge shot shells and five (5) clay birds per student. Shot shells may be shipped via mail, but clay birds must be

picked up. Shotguns are also available at the Hunter Education main headquarters in Montpelier. Use of 20ga shotgun satisfies live fire requirements.

- iv. **Muzzleloaders.** The Department has a limited number of muzzleloaders and associated gear available. Muzzleloader use satisfies live fire requirements and can be used for certifying convicted felons depending on their conditions. It is up to the student to know and abide by their conditions. (see "Felons and Persons Convicted... on page 71)
- v. **Air guns.** BB guns, and pellet rifles are available for indoor or outdoor live fire. Air gun use satisfies live fire requirements.
- vi. **Laser Shot Shooting Simulators.** Only one of these systems is available at the Hunter Education main headquarters. Call early to reserve the Laser Shot system. This can be added to your general class equipment request for delivery or pickup. This computerized, video projection system simulates live-fire and hunting situations. Use of this tool satisfies live fire requirements.
- vii. **Laser Education Kits.** These are converted BB rifles that project a laser dot; they can come with a shoot/don't shoot video. Use with the shoot/don't shoot video to teach shot placement, safety, and ethics. They can also be used to aid sight alignment and to teach marksmanship on paper targets. Please give plenty of advanced notice for these kits as they take time to get together. Use of this tool in class satisfies live fire requirements.
- viii. **.22 Revolvers.** As any hunter in Vermont may use a handgun in place of a rifle, we do have .22 revolvers. These shall not be used as a primary means of satisfying the live fire requirements
- ix. If any instructor finds any defect or malfunction with Department issued firearms it must be reported immediately after the course is completed.

b. Range Requirements and Procedures

- i. Live-fire activities will be only conducted at safe and suitable areas as designated by the certified instructor.
- ii. Students are prohibited from bringing and using their own firearms and ammunition.
- iii. One instructor shall be designated as the "Range Officer" and will be responsible for the overall operation of the training session.
- iv. The student to instructor ratio should not exceed 3 to 1, except when using the Laser Education Kits and the Laser Shot Shooting Simulator.
- v. The Range Officer shall inspect the range facilities to ensure they are safe and acceptable. Any unsafe conditions must be corrected prior to student training and live fire.
- vi. An instructor shall inspect each Department-owned firearm or bow and related shooting equipment to ensure safety and reliability prior to each class.
- vii. Any firearm or bow or related shooting equipment deemed unsafe, shall not be used for live firing under any circumstances. Hunter Education Staff must be notified of any issues found.
- viii. The Range Officer shall remain on the range at all times during live-fire activities.
- ix. The Range Officer shall ensure that the student can safely and comfortably handle the firearm provided.
- x. At no time during live-fire activities will students be permitted to shoot at any target or other object unless directed or supervised by the Range Officer.

- xi. If a firearm or bow is dropped, an instructor must inspect the firearm or bow for damage prior to resuming shooting activity.
 - xii. No food or water is permitted on the range.
 - xiii. After live-fire activities have concluded, all participants shall wash their hands with soap in cool, not hot, water. Provide buckets with water, if necessary.
 - xiv. The Range Officer shall also provide a bucket with sand for misfires.
- c. **Student Responsibilities:** Instructors shall review the following responsibilities with students before each live-fire exercise:
- i. There should be no conversations or distractions, except as directed by an instructor.
 - ii. Horseplay or inappropriate behavior will not be permitted at any time during live-fire activities.
 - iii. Students may not possess live ammunition, except on the firing line, and only when issued to them by the instructor. Students may not possess broadhead tipped arrows at any time while in the range area.
 - iv. Students should inspect their firearm or bow and related shooting equipment for safety and reliability prior to any live fire exercise.
 - v. Students may only load firearms or nock arrows while on the firing line.
 - vi. While on the firing line, students must keep their firearms or bows with nocked arrows pointed downrange and in a safe direction.
 - vii. During live-fire exercises, any students who are unable to safely handle a firearm or bow or related shooting equipment; or who cause unnecessary disturbances; or in any way endanger themselves or others, shall be immediately asked to leave the range area by the Range Officer.
 - viii. Students will be required to wear suitable eye and ear protection while on the firing line.
- d. **Safety Problems:** Any person who observes an unsafe act or condition on the range or firing line, shall immediately call for a "cease fire" and notify the Range Officer. The Range Officer shall immediately call for a "cease fire." Only after the unsafe act or condition is corrected shall shooting resume.
- e. **Mechanical Problems:** Actions to take when mechanical problems arise during firing:
- i. The Range Officer should wait a minimum of 30–60 seconds before opening the action after experiencing a misfire, jammed action, or similar problem.
 - ii. Make sure everyone can recognize a "squib load," which is any load that does not propel the bullet through the muzzle. "Pop and no kick" is the standard description.
 - iii. Rounds that fail to fire, despite evidence that the firing pin struck the round, shall be placed in a five-gallon bucket filled with sand, with the projectile pointed down.
- f. **In Addition:**
- i. Students shall follow the commands of the Range Officer. The Range Officer shall use the range commands of "load," "fire," "cease fire," and "clear" as required.
 - ii. All firearms or bows with nocked arrows shall be pointed downrange and in a safe direction at all times.
 - iii. Shooters shall keep their fingers off the trigger until ready to fire.
 - iv. Any shooter who completes the firing sequence before the line is clear shall remain in place, keeping their unloaded firearm or bow pointed downrange and in a safe direction. Under no circumstances will a shooter be permitted to leave

the firing line or travel downrange until the firing line is considered safe and the Range Officer permits such travel.

- v. No one will be permitted downrange until the Range Officer has given the “clear” command to go forward to check target or retrieve arrows.
- vi. At no time will anyone be permitted to handle a firearm or nock an arrow while anyone is downrange.

14) **Use, Care, and Storage of Firearms:** Firearms are an integral part of hunter education training. Because of the potential for negligence or misuse and the dangers associated with such misuse, firearms are also highly regulated in society. To minimize the risks associated with firearms in hunter education, the following policies will apply.

- a. **Definition:** For the purpose of this policy, a “firearm” shall be defined as “Any device used in hunter education training, which propels a projectile from the explosion of a propellant resulting in the expansion of gases. It includes those devices commonly called rifles, shotguns, handguns, pistols, revolvers, and muzzleloaders.” It does not include BB guns, pellet rifles, and action set firearms. An action set firearm is one whose firing pin has been removed, making it unable to fire. These action set firearms consist of the five most common long rifle actions: pump, semi-automatic, break, bolt, and lever.
- b. **Use of Firearms:** Only firearms that have been thoroughly inspected by the Hunter Education Instructor and found to be safe may be used in a hunter education class.
- c. **Care and Maintenance of Firearms:** To ensure that all firearms used in hunter education training are safe and functional, the following shall apply:
 - i. All exterior metal parts of inert action firearms shall be wiped with a lightly oiled cloth immediately after the conclusion of each hunter education class and prior to being placed into storage. Internal cleaning and lubrication of these firearms should not be required, except for annual servicing by authorized agency personnel as noted below.
 - ii. All firearms shall be cleaned after each use and prior to being placed into storage. Cleaning shall include wiping all exterior metal parts with a lightly oiled cloth and the cleaning and lubricating of internal surfaces of the barrel and chamber areas.
 - iii. Firearm trigger assemblies shall not be adjusted, altered, removed, cleaned, or oiled at any time.
 - iv. Firearms should be visually inspected after each use. If any malfunction, damage, or defect is discovered with a Department-issued firearm, the firearm shall be immediately removed from service. Volunteer instructors shall notify the Department of the malfunction.
- d. **Storage of Firearms:** To maintain the quality of issued firearms and protect them from misuse or theft, the following shall apply:
 - i. All firearms that are being transported or stored shall be kept in a storage case.
 - ii. All firearms that are in storage shall be secured in a climate-controlled facility, whenever possible.
 - iii. All firearms shall be locked and kept in a secure location when not in use for classes. Instructors may use trigger or cable locks (supplied by the Department), keep firearms in a locked safe or gun cabinet, or otherwise be kept secure.
- e. **Loss or Theft of Firearms:** In the event of any loss or the theft of an issued firearm, the following shall apply:
 - i. The instructor responsible for the firearm shall immediately report the loss or theft to Hunter Education staff. Notification shall include pertinent information

about the circumstances of the loss or theft and identifying information about the firearm.

- ii. If required, a subsequent report shall be made to the appropriate law enforcement authority as well as Hunter Education Program staff regarding said loss or theft.