



Homeschool Advocate Debates Controversial Call For "Presumptive Ban" On Homeschooling

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In a controversial piece published in the May-June issue of *Harvard Magazine*, a paper by Elizabeth Bartholet, Wasserstein public interest professor of law and faculty director of the Law School's Child Advocacy Program, called for a presumptive ban on homeschooling. The piece—and the paper it cited—garnered harsh criticism from homeschooling advocates, parents, and students who have defended their choices and experiences as homeschoolers.

To expand the discussion, the Cato Institute recently hosted an online panel titled *Homeschooling: Protecting Freedom, Protecting Children*. The event featured Wasserstein, Kerry McDonald, Cato Institute Adjunct Scholar, and author of *Unschooling: Raising Curious, Well-Educated Children Outside the Conventional Classroom*, Milton Gaither, author of *Homeschooling: An American History*, and moderator Neil McCluskey, Director, Cato Center for Educational Freedom.

The most intense parts of the conversation centered around both the freedom of parents to direct their children's education, as well as the safety of children at home. Wasserstein pushed for more government regulation of homeschoolers—including regular student testing, home well checks, some required public school classes, and more accountability matching the academic standards of local school districts.

But McDonald rebutted saying, “I pointed out that many parents choose homeschooling because they disapprove of the standards set by government schools.”

Wasserstein went on to say, “some parents can't be trusted to not abuse and neglect their children,” and that is why “kids are going to be way better off if both parent and state are involved.”

McDonald responded by stating, “The mission of Child Protective Services (CPS) is to investigate suspected child abuse and punish perpetrators... there is no compelling evidence that homeschooling parents are more likely to abuse their children than non-homeschooling parents, and some research to suggest that homeschooling parents are actually *less* likely to abuse their children.”

The homeschooling discussion has rapidly evolved since the beginning of the COVID-19 pandemic in mid-March. Families, local governments, and school administrators across the country first scrambled to transition to remote learning in the spring—with varying degrees of

success. Now they are considering what the school experience for students will be in the fall. But, for many parents, homeschooling is becoming a serious option.

Even Wasserstein acknowledged sound reasoning for homeschooling in her 80-page anti-homeschooling paper published in the *Arizona Law Review*, “Some choose homeschooling, as did the original progressive wing, because of the flaws they see in traditional education, such as an overemphasis on rote learning and testing. Some believe that they can provide their children a superior education because of the limitations of their local schools or because of the parents’ advanced qualifications, ability to engage superior tutors or access to online learning opportunities.”

The paper continued, “Many homeschooling parents work cooperatively with each other both to provide a quality education and to ensure that their children have significant contact with other children. Many make efforts to enable their children to participate in certain school programs such as sports. The majority are, however, descendants of the original conservative Christian wing. Estimates range, as discussed above, from a majority up to 90%.”

But, according to a 2019 report issued by the National Center for Education Statistics, a 2016 survey indicated that 33.8 percent of parents who homeschool did so because of “a concern about school environment, such as safety, drugs, or negative peer pressure (34 percent).

The two other reasons for homeschooling frequently cited as most important by students’ parents were dissatisfaction with the academic instruction at their schools (17 percent) and a desire to provide religious instruction (16 percent).”

Also, rapidly growing populations of homeschoolers were from families with children with special needs, and Hispanic and Black families— segments which cite lack of social support and academic opportunity for those students.

Approximately 3-4% of American children were being homeschooled before the pandemic struck. Now, parents are weighing the “pros” and “cons” of choosing a homeschooling path— maybe for a year or longer. But for now, the conversations are flowing, the research is being explored, and institutions and families are quickly adapting to try to meet the academic needs of students everywhere.