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Child Welfare Experts Call for Increased Regulation of Homeschooling, Including Background Checks

At a meeting hosted at Harvard Law School, scholars and activists decry lack of safeguards to protect children

Harvard Law School's [Child Advocacy Program](#) (CAP) held a Summit on Homeschooling, on June 9-11. A total of 85 people participated, including more than 20 speakers. The summit was co-sponsored by the nation's leading organizations addressing child maltreatment, including the American Professional Society on Abuse of Children. Featured as speakers were the nation's leading experts on homeschooling, as well as many who were homeschooled as children.

Speakers addressed the absence of any meaningful regulation ensuring that homeschooled children are protected against abuse, or provided even the basics of an education. [James Dwyer](#), one of the nation's foremost child rights thinkers and a co-organizer of the summit, characterized the homeschooling regime in the United States as follows:

"There is no question that states constitutionally may impose conditions for homeschooling reasonably designed to ensure children's physical wellbeing and academic development," said Dwyer, the Arthur B. Hanson Professor of Law at William and Mary Law School. "Yet the current state of regulation amounts to complete abdication of government responsibility in nearly all states."

Speakers discussed the evidence that a significant subset of homeschooled children are at risk both of maltreatment and of missing out on an education preparing them for life in society.

[Elizabeth Bartholet](#), Faculty Director of Harvard Law School's Child Advocacy Program and co-organizer of the summit, emphasized the importance of the issues, noting that the "parent rights absolutism" of the homeschooling regime is characteristic of a broader problem in the U.S., where "child rights are regularly trumped by adult rights." Bartholet, the Morris Wasserstein Public Interest Professor of Law, contrasted this to attitudes in almost all other countries, where child rights are given equal value with adult rights, child rights to education and protection are guaranteed by national constitutions, and homeschooling is carefully regulated.



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Participants agreed on the importance of reform in this area. Many argued that, at a minimum, background checks should be conducted to determine whether prospective homeschooling parents had a record of child maltreatment before they were allowed to withdraw their children from school. Many argued for additional regulation designed to ensure that homeschooled children received the basics of an education.

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