

Comments on Sections 17 and 18 of SB-874 (the anti-homeschooling provisions)

Comments by:

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The right to teach our children outside of the public schools has long been enshrined as a right of Connecticut parents in GS Section 10-184. This section gives parents the right to send their children to private school or to teach them at home. In fact, legislative support for the right to homeschool was strengthened in the 1990s by the enactment of Sections 10-184a and 10-184b.

Section 17 of SB-874 proposes that a parent who provides home instruction “personally appear annually at the school district office to sign a registration form . . .” This Section 17 and its companion Section 18 are not mild requirements. They are an insidious body blow to the right to homeschool – a right that has long been embodied in Section 10-184. Here’s why.

Many parents have resorted to homeschooling after having had failed experiences with the public schools. Many school officials will view the annual in-person registration process as an opportunity to urge parents to enroll their children in the public schools, to pose questions to homeschooling parents that they shouldn’t be asked to answer, and to find ways to criticize the manner in which parents are conducting homeschooling.

There is a history in many districts of school administrators haranguing parents about what administrators believe is an inadvisable decision to homeschool. No parent should be subject to mandatory haranguing as a condition of exercising a legal right, in this case the right to educate their children outside of the public school system.

There is also a history of some administrators threatening legal action against homeschoolers, legal action that they have no legal right to pursue under Connecticut law. Forcing parents to register gives those administrators in-person access to the parents of homeschoolers. There is an abundant history of administrators misrepresenting to parents their homeschooling rights under Connecticut law. Some administrators have even routinely reported homeschooling parents to the Department of Children and Families, which then begins an investigation into alleged parental neglect. Forcing parents to register with such administrators would be a cruel condition to the exercise of the right to homeschool.

This proposed legislation invites tremendous conflicts in school districts across the state, which will often result in litigation as parents defend their rights under Section 10-184 against school districts’ attempt to overstep their authority. School districts have no more right to intimidate a homeschooling parent than they have to intimidate a private schooling parent.

Even registration that is not in-person would be a major infringement on the rights of homeschooling parents. Homeschooling is a right. No registration should be imposed.

In-person registration is particularly objectionable. It will often turn into in-person dissuasion. Conditioning exercise of a well-recognized right upon an in-person session of dissuasion is a well-known tactic to weaken a right. The General Assembly should not fall for this.