



# Harvard Model Congress

## Boston 2024

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## HOMESCHOOLING

*By Julia García Galindo*

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### INTRODUCTION

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The Duggar family, known for their once popular reality show *19 Kids and Counting*, fascinated many with their ultra-conservative lifestyle. Part of a Christian group known as the Quiverfull, the Duggars decided to homeschool all nineteen of their children. As residents of Arkansas, a state with relatively flexible regulations regarding homeschooling, they were able to use educational materials created by leaders in the Quiverfull movement. These materials were based almost entirely on the Bible and taught things like the Christian creation narrative of Adam and Eve with no mention of the theory of evolution (Tauber, 2015). The Duggars are just one example of a much greater, conservative fundamental Evangelical movement that is distrustful of public schools and chooses instead to homeschool. In 2016, over 70% of homeschooling families identified as conservative (Brown, 2020).

Yet, in a post-COVID-19 America, homeschooling consists of an increasingly diverse population, both politically as well as demographically. The proportion of American families homeschooling at least one child has grown from 5.4% in Spring 2020 to 11.1% as of Fall 2021 (Eggleston & Fields, 2021). Much of this boom is attributed to urban, secular, and racially diverse families, disillusioned with the quality of the American public education system, and seeking to take matters into their own hands (ParentCo, 2022). This rapid growth has also reignited public debates over homeschooling. In this committee, we will unpack the tension at the center of most homeschooling—the scope of a parent’s right to direct their child’s education—while also discussing possible solutions.

This briefing will touch upon sensitive topics, including physical abuse and child neglect. We encourage you to be cognizant of your mental and emotional wellbeing throughout your preparation for



*The Duggar family, who homeschooled all 19 of their children for religious reasons.*

*TLC*

*The proportion of American families homeschooling at least one child has grown from 5.4% in Spring 2020 to 11.1 % as of Fall 2021.*

and participation in the conference. If you have any questions or comments, never hesitate to reach out to our DEI team at [community@harvardmodelcongress.org](mailto:community@harvardmodelcongress.org).

**Unschool** – A form of homeschooling that emphasizes the student pursuing their passions



John Holt, educator who coined the term unschooling.

*Mother Earth Knows Best Staff*

**Fundamentalist** – A form of religion that strictly follows the scriptures (“Fundamentalism,” n.d.)

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## EXPLANATION OF THE ISSUE

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### *Historical Development*

Historically, most children were educated at home. This began to shift in the 1850s, as it became the norm to send kids to schools. Over the course of the following one hundred years, the US gained the infrastructure needed and laws changed so that by the 1960s all children had the right to a public education from kindergarten to twelfth grade. By the early 1970s, barely any children were taught at home (Hamlin and Peterson, 2022).

### The Unschooling Movement

In the mid to late 1970s, educational theorist John Holt began arguing in favor of unschooling. To Holt, formal schools created an oppressive environment meant to turn students into compliant employees. Instead, Holt argued, parents should **unschool**, where rather than follow a strict academic curriculum, a student’s education would be guided by their passions and interests (Brosbe, 2022). The movement became even more popular when Holt started circulating a newsletter titled *Growing Without Schooling* and his friend, theorist Raymond Moore, published a how-to guide for unschooling called *Home Grown Kids* (Hamlin and Peterson, 2022). As this movement grew, homeschooling was legal in all fifty states. Yet regulations were much stricter, often requiring parents to work with their local school boards to approve their homeschool curriculums and in six states requiring parents to receive a teacher certification if they were to homeschool their child.

### Fundamentalist Evangelicals

Towards the early to mid 1980s, distrust of public schools grew in fundamentalist Evangelical circles. These groups believed that schools were brainwashing their children and it was their right to decide what their child could or could not learn. While both unschoolers and fundamentalist Evangelical Christians supported homeschooling, fundamentalist Evangelicals had a much more antagonistic attitude towards school administrators, unwilling to cooperate in shared curriculum plans and eager to sue (Hamlin & Peterson, 2022). This branch of the homeschooling movement, until very recently, was the much more vocal and visible side of homeschooling.

## *Scope of the Problem*

**Mandated Reporters** – People who are required to report known or suspected instances of abuse (National Association of Mandated Reporters, 2021).

*In the United States, school employees make 21% of reports of suspected abuse (Steffenhagen, 2023).*

**Educational Neglect**– When a caretaker fails to meet their child’s educational needs. Categorized under abuse in multiple states.

The two main areas of debate in every conversation about homeschooling are abuse and quality of education. At the root of the tensions surrounding homeschooling, the scope of a caretaker’s right to decide their child’s education persists. Interwoven are also different perspectives as to the available data on homeschooling.

### Instances of Abuse

Homeschooling restricts a child’s access to **mandated reporters**. In the United States, school employees make 21% of reports of suspected abuse (Steffenhagen, 2023). Many worry that abusive caretakers are more willing to homeschool their charge to hide their crimes. Adding to this concern, in 49 out of 50 states it is legal for a caretaker with a history of crimes against children to take their children out of school. One of the most famous cases where homeschooling was used to hide abuse involves eight-year-old Raylee Browning (Vice News, 2022). In 2018, school officials began to suspect that she was a victim of abuse and Child Protective Services (CPS) started an investigation. Soon thereafter, her caretakers took her out of school under the guise of homeschooling her. A few months later, in December 2018, Raylee passed away because of conditions connected to her abusive home.

### Curricular Concerns

Another commonly cited worry regarding homeschooling is that homeschool students are falling behind academically. To these individuals, caretakers of homeschoolers may be at a higher risk of partaking in **educational neglect** (Homeschooling and Educational Neglect, 2023), failing to meet their state’s curricular requirements. Furthermore, to many, a child falling behind in school infringes on their right to an open future. First described by Joel Feinberg, this term refers to the idea that children must undergo a set of experiences, and be given certain knowledge, that will permit them to choose whichever life they prefer once they become adults. Thus, in not ensuring the child meets the state’s curricular requirements, a caretaker is infringing on their right to an open future (“Post-Pandemic Future of Homeschooling, 2021). Curricular concerns are further enhanced by a lack of oversight of homeschooling curriculums. In many states, homeschoolers are not required to test to move on to the next grade, and caretakers are not expected to submit any sort of curriculum.

Many disagree with the idea that homeschooling results in a worse education, instead claiming that the less regulated it is, the more it becomes an opportunity for students to go academically beyond what they could in a traditional classroom (Toppo, 2023). They claim it allows students to make better use of their academic

time, as well as tailor the curriculum to meet their needs. For those with neurodivergent dependents, they claim that they are better able to meet the child's needs through homeschooling rather than the traditional classroom setting.

## Data

Data, or the lack of it, is its own category of debate within homeschooling conversations. To many supporters of minimal homeschooling regulations, the currently available data suggests that homeschoolers perform better academically than their brick-and-mortar schooled counterparts and face average rates of abuse in the home (Steffenhagen, 2023).

Others, however, strongly disagree. Rob Reich (2002), a professor at the Graduate School of Education at Stanford University, claims that the limited available data on homeschoolers makes it nearly impossible to articulate all possible problems with homeschooling and their accompanying solutions. Requirements for demonstrating a homeschooler is learning or even for if a caretaker must report that they are homeschooling ranges considerably by state. This is not to say that absolutely no data is being collected at a national level. The Federal Department of Education conducts a demographic survey of homeschooling families every five years, while also regularly conducting other smaller surveys. Additionally, the census incorporates questions about homeschooling. Nevertheless, to those in this camp, there is not nearly enough data to truly understand the impact of homeschooling on kids to make adequate regulations.

## *Congressional Action*

In the past twenty years, Congress has not taken much action regarding homeschooling. Throughout the 1980s and 1990s, there was a push towards increasing the standards for homeschooling, such as efforts to pass laws requiring caretakers to be certified educators to homeschool, but not much came from them. The main way Congress has addressed homeschoolers recently is in including homeschoolers in education funding considerations. For instance, in January 2023 Senator Ted Cruz introduced S.57, the Student Empowerment Act. This bill aims to allow for tax exempt contributions from qualified tuition programs to be used for programs outside of traditional elementary and secondary schools, including homeschoolers as an eligible population. These sorts of measures help in addressing curricular and safety concerns for homeschoolers, giving them a chance to benefit from their district school even if not enrolled in it.



*Rob Reich, a Professor at the Stanford Graduate School of Education who was written extensively on homeschooling.*  
*Stanford University*

*The limited available data on homeschoolers makes it nearly impossible to articulate all possible problems with homeschooling and their accompanying solutions.*

## *Other Policy Action*

Much of the policy made on homeschooling occurs at the state level. Yet, the trend in the past twenty years has been to deregulate. Efforts to regulate homeschooling at all have been met with fierce backlash from lobbying groups, particularly a group known as the Home School Legal Defense Association (HSLDA). HSLDA is known for rallying their supporters against homeschooling regulations that have barely been announced. One of the more widely known efforts against regulation involves the murder of Raylee Browning. In the aftermath, the West Virginia legislature attempted to pass a law that would have prevented caretakers with an ongoing CPS case from taking their children out of school (Corbett Pollack, 2020). Groups like the HSLDA, however, quickly opposed the effort and the law never passed. The Department of Education has also made efforts to address the homeschooling debate. Under former Secretary of Education Betsy DeVos, the department made efforts to secure funding for homeschooling families (Strupp, 2017).



advocates for homeschooling since 1983

*The logo of the Home School Legal Defense Association, likely the most powerful homeschooling lobbying group.*

*HSLDA website*



*Teens at Generation Joshua program.*

*Generation Joshua Website*

*A caretaker's right to choose their child's education is tied closely to religious freedom.*

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## IDEOLOGICAL VIEWPOINTS

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### *Conservative View*

Conservatives tend to support little to no government regulation of homeschooling. The fundamentalist evangelical Christian side of the homeschooling movement has a long history of supporting conservative candidates. Many conservative homeschoolers even participate in conferences like Generation Joshua, where youth are trained on how to campaign and lobby to support their local conservative candidates (Vice News, 2022). To some conservatives, a caretaker's right to choose their child's education is tied closely to religious freedom. In other words, a caretaker should be able to not send children under their care to their local school if it does not align with their religious views.

### *Liberal View*

Liberals, though the extent ranges, often favor further regulation of homeschooling. Whereas conservatives prioritize policies that protect caretaker's rights, liberals prioritize the child's rights. This includes incorporating stricter regulations, such as regular testing and mandated reporting of the decision to homeschool a child. They are less likely to favor extremely strict measures, like requiring caretakers to be certified educators to be allowed to homeschool ("Post-Pandemic Future of Home-Schooling," 2021). In addition to

regulations, they also favor policies that could benefit homeschool students, like greater access to district school resources.

## AREAS OF DEBATE

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### **Homeschool Curriculum –**

*Parents would create a plan for everything the student would independently study over the course of the semester.*

*This type of requirement is already implemented, with some variations, in multiple states.*

Solutions for addressing the various concerns surrounding homeschooling often fall into one of two categories: regulation and/or ways to support homeschooled students.

### *Homeschool Curriculum Oversight*

Many worry that homeschoolers are not receiving the educational instruction necessary to honor their right to an open future. Thus, one commonly proposed solution is requiring all homeschool families to submit intended courses of study. These could be enforced by a leader within the school district, who would then suggest any changes they deem necessary. To ensure the curricular plan proposed is followed, families could be required to submit portfolios of work every three to six months. Alternatively, students could be required to test at certain points of the year and meet a certain cut-off score to be able to continue homeschooling. This type of requirement is already implemented, with some variations, in multiple states (Find Your State!, 2023).

Those who favor this solution would see it as an opportunity to ensure families are cognizant of the benchmarks their students must meet to remain on par with their peers. Regular submissions of evidence would also help in preventing cases of educational neglect, were caretakers are not ensuring that their charge is receiving an education. Furthermore, families are still able to make changes to the curriculum and students can go at their own pace.

One reason people would oppose this solution is that it creates extra work for the local school district without additional support. Additionally, it limits one of homeschooling's alleged strengths, its immense flexibility, by enforcing requirements for all students. Furthermore, many would be wary of who would be tasked with making the decisions regarding which curriculums are allowed and which are not.

### Political Perspectives on this Solution

Most liberals would favor this solution for it protects a child's right to an open future, while also ensuring families have the right to choose to homeschool.

Most conservatives would not support this policy, for it infringes on the caretaker's right to choose their charge's education. Groups like the HSLDA would greatly oppose it.



**6th Grade**  
Homeschool Curriculum Choices

*Example sixth grade curriculum.*

*Mamas Learning Corner*

## *Establish Criteria for Which Parents Can Homeschool*

Much of the concern surrounding homeschooling revolves around how it could be used by abusers to hide their abuse. Another source of concern is that students may not be given a quality education, at times simply because their caretaker has not completed much schooling. Both concerns are tied to which caretakers are allowed to take their charges out of school. Thus, one possible solution is to establish national criteria for which caretakers are allowed to homeschool. To address abuse, caretakers who have committed a crime against a child may not be permitted to take their charge out of school. Alternatively, caretakers with an ongoing CPS investigation could be not allowed to take their charges out of school. To address academic concerns, a minimum level of education of the caretakers could be required. One cut-off could be finishing high school. Another cut-off could be having some sort of degree in education (Find Your State!, 2023). The latter, however, would likely cause a lot of hesitation.

Some people would support adopting this solution because it prioritizes protecting children from both abuse and educational neglect. It is a preventative solution, as it identifies high-risk students and avoids being cut-off from their safety nets or put into a situation that would induce great academic losses. It is also a not resource intensive solution.

One reason people would oppose this solution is because it limits some caretaker's rights to homeschool their charge. To some people, a caretaker's right to homeschool their child should only be restricted in the most extreme of circumstances. For other people, they would oppose the more rigid restrictions to homeschooling.

### Political Perspectives on this Solution

Liberals are likely to support this solution, as it sets limits that already exist in many states. They favor measures that are meant to protect the child's rights. There would be varying opinions, however, regarding the extent of the restrictions over which caretakers can homeschool.

Most conservatives would oppose this solution, as it infringes on the scope of the rights of caretakers and limits access to homeschooling. The higher the standards, the more they would oppose.

## *Give Homeschoolers Access to District Resources*

One of the big concerns with homeschooling is how it can isolate students, thus restricting their access to mandated reporters. Thus, one solution is to give homeschoolers access to **district resources**. This could range from allowing them to take select courses at the school, to allowing them to participate in district



*A high school diploma could be a minimum requirement for caretakers who wish to homeschool.*

*Adobe Stock Photo*

*More people will oppose it the higher the standards are for caretakers to homeschool, in multiple states.*

**District Resources** – *Giving students access to anything from the libraries to the student clubs to select courses.*

clubs and activities. Another main concern in discussions of homeschooling is how could negatively impact a student's education. Consequently, giving homeschooling students access to district resources allows for them to enrich their education.

Those in favor of this solution would like that it addresses both curricular and safety concerns without enforcing any more regulations. Rather, this solution simply expands the opportunities available to a homeschooled student.

Those opposed would argue that it requires increased funding for districts to be able to provide these services.

## Political Perspectives on this Solution

Most liberals would favor this solution. It does not increase regulations and it prioritizes supporting the children.

Most conservatives would also support this solution. Similar as liberals, they would like that it does not increase regulations or threaten the caretaker's rights.

Groups like the HSLDA would be wary of this sort of policy. The HSLDA historically has opposed measures, cautious that government money comes with strings attached (in other words, more regulations).

## *Strengthen the Rights of Caretakers over their Charges*

To some, any regulations imposed on homeschooling limit the quality of education students can receive and infringes on the rights of caretakers to decide what is best for their charge. Limits, from state mandated testing and portfolio submissions to creating criteria for who can or cannot homeschool, are incredibly negative. Thus, another possible solution is to protect the rights of caretakers by passing a law stating that all caretakers have the right to homeschool, regardless of their background. This type of legislation would limit all states ability to impose regulations on homeschooling and rule certain ongoing restrictions unenforceable, as it would ensure caretakers are able to do what they think is best for their child.

Those in favor of this solution would argue that it would help improve the quality of education homeschooling students receive, as caretakers would have the freedom to make the best decisions for their family. It is also a low resource solution, as the state would not have to invest much to enact this solution.

Those opposed to this solution would argue that it fails to protect at-risk children, as it prioritizes the perspective of the parent over the child, regardless of how flawed it may be.



*Students at a school.*  
Adobe Stock Photo



*People protesting against homeschooling restrictions, as well as Critical Race Theory.*

*Evelyn Hockstein*  
Reuters



## Political Perspectives on this Solution

*There is no national registry with all families who homeschool.*

**National Registry** – A centralized list all caretakers across the USA would have to join in order to homeschool their child



*Homeschoolers sitting around the dinner table, completing their tasks.  
Kate Mitchell Hisey*

Liberals would widely oppose this solution for they believe that more regulation is necessary, not less. Their priority is creating laws that involve the state in protecting children’s rights.

Many, but not all, conservatives would support this measure as it protects the rights of caretakers and their viewpoint as to what constitutes a quality education.

### *Require that all Homeschoolers Register on a Yearly Basis*

One of the biggest difficulties in the homeschooling debate is simply defining points of concern due to the lack of data. States requirements regarding whether the caretaker must inform the state whether or not that they are homeschooling vary widely. There is no national registry with all families who homeschool. Thus, the first step in increasing the data available on homeschooling is to require that all families who homeschool inform the state of their decision, and that a **national registry** of all homeschoolers be compiled.

Those in favor would cite that it is not a regulation, but rather a way to expand available knowledge on homeschooling. With more data, discussions can be more accurate and useful in protecting both caretakers’ and children’s rights.

Opponents would argue that this could serve as a barrier to family’s who wish to homeschool. In requiring families to register, they may argue, families may feel alarmed to be included in such a list.

## Political Perspectives on this Solution

Most liberals would support this solution. They would view more accurate data as an opportunity to have better-informed debates and solutions that favor children.

Conservatives would have a mixed reaction to this solution. Some would support it, for it is not a regulation, others would view it as a state overreach that could discourage families from homeschooling to avoid being on the list.

## BUDGETARY CONSIDERATIONS

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School funding is largely decided at the state level. The federal government provides part of the funding through a variety of formula and competitive-grant programs. In most cases, the state does not provide any funding to homeschooling students, or to the district to support the participation of homeschooling students.

## CONCLUSION

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*Ultimately, the lives and futures of millions of American children will be impacted by these decisions. homeschool.*

As the homeschooling population continues to grow, debates surrounding caretakers' rights and the limits of state intervention are bound to continue. Furthermore, with the backdrop of an increasingly culturally divided America, where parents are often uncomfortable with what schools teach their children, these questions are all the more salient. Yet addressing them is no small feat. The fundamentalist evangelical Christian side of the homeschooling movement has a strong lobbying effort that discourages debate and promotes deregulation. Additionally, with such a wide range of perspectives regarding what constitutes a quality education and what children need to be equipped in the future, regulations are bound to face much scrutiny and discussion. Ultimately, the lives and futures of millions of American children will be impacted by these decisions. Thus, as you continue to think over these questions in the coming weeks, consider ways to bring stakeholders together and positively support students.

## GUIDE TO FURTHER RESEARCH

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A good place to start is to look over your state's rules and regulations for homeschooling. The Coalition for Responsible Home Education contains an interactive map with information on each state's policies. It is also important that you look at your own representative's voting history and see if they have ties to any of the major homeschooling lobbying groups.

There are countless resources that dive deeply into the pros and cons of homeschooling. Two of my favorites in getting a better understanding of the debate were the podcast "When Home Is School", which also has a website with countless articles on the subject, as well as the Harvard Kennedy School's Taubman Center for State and Local Government series titled "Post-Pandemic Future of Homeschooling." The first source compiles much of the literature on homeschooling while the second source provides a better understanding of the pros and cons as seen through both democrats and conservatives.

As you continue exploring this topic, and start looking at opinion pieces, it is important to consider how different solutions may work together and what groups would favor each. The answer to this last part is not always self-evident, as the homeschooling movement consists of an increasingly diverse group of stakeholders.

## GLOSSARY

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**District Resources** – Giving students access to anything from the libraries to the student clubs to select courses.

**Educational Neglect** – When a caretaker fails to meet their child’s educational needs. Categorized under abuse in multiple states.

**Fundamentalist** – A form of religion that strictly follows the scriptures.

**Homeschool Curriculum** – Parents would create a plan for everything the student would independently study over the course of a semester.

**Mandated Reporters** – People who are required to report known or suspected instances of abuse.

**National Registry** – A centralized list all caretakers across the US would have to join to homeschool their child.

**Unschool** – A form of homeschooling that emphasizes the student pursuing their passions.

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