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Hovering Too Close:

The Ramifications Of Helicopter Parenting

In Higher Education

IHELG Monograph

11-12

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HOVERING TOO CLOSE: THE RAMIFICATIONS OF HELICOPTER PARENTING IN HIGHER EDUCATION¹

Abstract

“They are needy, anxious and sometimes plain pesky – and schools at every level are trying to find ways to deal with them. No, not students. Parents—specifically parents of today’s ‘millennial generation’ who, many educators are discovering, can’t let their kids go.”² Some parents, called “helicopter parents” for constantly hovering over their children, are now making higher institutions their landing pads. They hover from the prospective admissions stage to graduation and the job market beyond—contacting presidents of universities, deans, and professors, disputing their child’s grade; requesting an extension for their child; complaining their child does not receive as much praise as the parent would like; completing assignments for their child; requesting notification of grades their child received; and even attending job fairs and interviews with their child. They are intervening in their children’s higher education in increased frequency and intensity, presenting challenges socially, pedagogically, and legally.

This article explores the phenomenon of helicopter parenting hovering over higher education institutions and the possible implications that may affect students’ learning, teaching, grading, curriculum, future employers, and the law itself. Finally, the article provides recommendations to help strike a balance between the changing rights, roles, and responsibilities of higher education institutions and their students’ parents.

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² Valerie Strauss, *Putting Parents in their Place: Outside Class*, WASH. POST, March 21, 2006, at A8, available at <http://www.washingtonpost.com/wp-dyn/content/article/2006/03/20/AR2006032001167.html>.

I. Introduction

*“I wish my parents had some hobby other than me.”*³

An epidemic is running rampant in schools—helicopter parents landing on higher education institutions.⁴ “Helicopter parenting” is a term used to describe a phenomenon of a growing number of parents, obsessed with their childrens’ success and safety, who vigilantly hover over them, sheltering them from mistakes, disappointment, or risks, insulating them from the world around them.⁵ Some helicopter parents may even cross the line into unethical areas, such as unknowingly teaching their children it is acceptable to plagiarize, falsify records, or to bully others to get what they want.⁶ Helicopter parenting can even have legal implications relating to privacy rights.

³ Gaia Bernstein & Zvi Triger, *Over-Parenting*, 44 U.C. DAVIS L. REV. 1221, 1231 (2011) (quoting Hara E. Marano, *A Nation of Wimps*, PSYCHOL. TODAY, Nov.-Dec. 2004, at 58, available at <http://www.psychologytoday.com/articles/pto-20041112-000010.html> (quoting an anonymous patient)); see also Valerie Strauss, *supra* note 2.

⁴ RACE TO NOWHERE (Reel Link Films 2009).

⁵ See Nancy Gibbs, *The Growing Backlash Against Overparenting*, TIME MAG., Nov. 20, 2009, <http://www.time.com/time/magazine/article/0,9171,1940697,00.html>. Helicopter parenting is a phenomenon that involves parents of all races, ages, and regions. Gibbs, *supra* note 5. “Invasive parenting,” “over parenting,” “aggressive parenting,” “modern parenting,” “smothering mothering,” and “snowplow parents” are some of the terms used interchangeably with helicopter parents. See e.g., Bernstein, *supra* note 3, at 1262-63, 1272-73; Gibbs, *supra* note 5. This article will use the term “helicopter parents.” See HARA E. MARANO, *A NATION OF WIMPS: THE HIGH COST OF INVASIVE PARENTING* 19 (Broadway Books, 2008) (referencing the term snowplow parents because they clear the path for their kids); see also Lynn F. Jacobs & Jeremy S. Hyman, *Ten Reasons Parents Should Never Contact College Professors*, U.S. NEWS & WORLD REP., (May 12, 2010), <http://www.usnews.com/education/blogs/professors-guide/2010/05/12/10-reasons-parents-should-never-contact-college-professors> (using the term “lawn-mower parents” to describe parents whose blades move across the ground to mow down whatever obstructs their child’s success). In contrast, terms used for the revolution of parents seeking to halt the over-protectiveness of parents also has many names, such as “slow parenting, simplicity parenting, [and] free-range parenting.” Gibbs, *supra* note 5.

⁶ These parents are often referred to as “Blackhawk or Kamikaze parents.” See Judith Hunt, *Make Room for Daddy . . . and Mommy: Helicopter Parents are Here!*, 4 THE J. OF ACAD. ADMIN. IN HIGHER EDUC., Spring 2008, at 9, 9, available at http://millennialleaders.com/helicopter_parents.pdf (noting these brazen parents have interfered

Although over parenting has existed for a long time, before parents were christened with the term “helicopter parents,” it now seems to be a kind of parenting virus and the norm.⁷ In fact, parents who ideologically resist the trend of helicopter parenting may feel pressured to conform.⁸ In addition, while helicopter parenting can exist in all races, ages, and regions, some

with admissions at colleges and the workplace); *see also* Don Aucoin, *For Some, Helicopter Parenting Delivers Benefits*, BOS. GLOBE, Mar. 3, 2009, http://www.boston.com/lifestyle/family/articles/2009/03/03/for_some_helicopter_parenting_delivers_benefits/?page=full (giving an example of a father writing a college essay for his 19-year-old daughter); Jacobs & Hyman, *supra* note 5 (noting parents may make a situation worse for their child when they intervene to complain about a grade and admit they helped their child with a paper against the course rules prohibiting anyone reviewing the paper, collaborating or providing assistance). Additionally, a helicopter parent contacting a professor directly may be attempts to bully the professor. *See id.*

⁷ *See* Gibbs, *supra* note 5 (noting how in 1899 Douglas MacArthur’s mom moved with him to West Point and lived in an apartment near campus so she could watch him with a telescope to make sure he was studying); *see also* Bernstein, *supra* note 3, at 1262-63, 1272-73; Katherine Ozment, *Welcome to the Age of Overparenting*, BOS. MAG., Nov. 29, 2011, at 2, http://www.bostonmagazine.com/articles/the_age_of_overparenting/page (quoting child and family psychologist Richard Weissbourd, recognizing “[w]e’re in the midst of a giant social experiment”). Weissbourd, who is the author of *The Parents We Mean to Be: How Well-Intentioned Adults Undermine Children’s Moral and Emotional Development*, notes we’re the first parents in history who really want to be their kids’ friends and sometimes their best friends—which can undermine their authority and derail normal development. *See id.* “Parents need to let their children separate in adolescence, of course, but that’s much harder if Mom and Dad have come to depend on them for close friendship.” *Id.* Michael Thompson, author of *Homesick and Happy: How Time Away From Parents Can Help a Child Grow*, stated “[m]odern parents feel that more time with Mom and Dad is always a positive—this is the single biggest change in American childhood—but the truth is that more time with [parents] isn’t always a positive.” *Id.*

⁸ *See* Gibbs, *supra* note 5 (noting when helicopter parenting became the norm parents who did not hover were viewed by some as bad parents). Thus, in addition to the effects helicopter parenting may have on their children, it can also affect the parents. For example, helicopter parenting can take a toll on finances and work schedules. *See* L.J. Jackson, *Smothering Mothering*, A.B.A., Nov. 2010 at 18, *available at* http://www.abajournal.com/magazine/article/smothering_mothering; *see also* Bernstein, *supra* note 3, at 1262-63, 1272-73. Indeed, the pressure to conform to the helicopter parent child-rearing style may add to the stress that many parents feel the need to have to be the perfect parent and especially takes a toll on mothers. *See* Bernstein, *supra* note 3, at 1262-63, 1272-73; *see also* BECKY B. GILLESPIE & HOLLE S. TEMPLE, *GOOD ENOUGH IS THE NEW PERFECT* 210 (2011), for a story of how a mother had to learn to stop comparing herself to other moms and believed that loosening the reins on being perfect made for happier, better-adjusted children. In families

argue that it is dependent on class, race, ethnicity, culture and finances.⁹ A divisive debate pits helicopter parents on the defensive, heralding its benefits, against a backlash of critics, arguing that helicopter parenting has numerous negative results.¹⁰

where both parents worked full-time, mothers spent an average of 2.1 hours per day on household activities compared to fathers who spent 1.4 hours doing these things. *See id.* at 79. *See generally* LENORE SKENAZY, *FREE-RANGE KIDS* (2009) (after being dubbed “America’s Worst Mom” when she allowed her nine-year old to ride the subway alone she wrote a book advocating giving children more freedom and dispelling irrational fears).

⁹ *See* Gibbs, *supra* note 5 (describing helicopter parenting as a phenomenon that involves parents of all races, ages, and regions); Bernstein, *supra* note 3, at 1266-71 (arguing that intensive parenting is not a universal trend but rather is dependent on class, race, ethnicity, and culture and some may be financially unable or ideologically unwilling to adopt it). Bernstein and Triger caution that helicopter parenting is dependent on class and culture practice of child rearing because members of social classes without the resources or interest in emulating this practice resist this trend. Bernstein, *supra* note 3, at 1270-71. *See generally* AMY CHUA, *BATTLE HYMN OF THE TIGER MOTHER* (Penguin Press HC 2011) (book discussing child-rearing practices of Asian mom raising her two daughters in the United States).

¹⁰ Critics of helicopter parents argue the negative ramifications include producing a generation of weaklings and an armored childhood, crippled by overprotection, lack of freedom, instilled with fear instead of responsibility and reliance instead of independence, making it difficult for children to become healthy and well-adjusted adults. *See generally* MARANO, *supra* note 5 (arguing invasive parenting is bad for the children, the parents, and the democratic and economic future). Development psychologists have shown that experiences with independent risk-analysis and problem solving contribute to an individual’s maturity and stability. *See* Neyfakh, *supra* note 10; Jackson, *supra* note 8, at 18 (noting inordinate involvement in child’s development results in emotional handicap); Bernstein, *supra* note 3, at 1262-63, 1276-78 (noting that although intensive parenting may have advantages, it can disrupt healthy psychological development in children). Some researchers argue that teenagers and young adulthood is filled with risks—emotionally, socially, sexually, economically logistically, and psychologically—that there are legitimate reasons for parents remaining deeply involved in their child’s lives even after they’re adults. *See* Aucoin, *supra* note 6 (describing helicopter parenting as a positive style of child-rearing); *see also* Rick Schoup et al., *Helicopter Parents: Examining the Impact of Highly Involved Parents on Student Engagement and Educational Outcomes* 11-17 (June 1, 2009) (paper presented at 49th Annual Forum of the Association for Institutional Research, Atlanta, Georgia), (using data from the 2007 National Survey of Student Engagement assessing frequency and quality of college students’ interaction with parents and its impact on student engagement and educational outcomes). The study found that students with highly involved parents had higher levels of engagement, deep learning, educational gains and satisfaction. *See* Schoup, *supra* note 10, at 18-19. Well-meaning and intelligent parents who want the best for their child but never want that child to fail end up doing them a disservice by hurting the child’s growth, resulting in very anxious adults who take few risks. *See* Judy Fortin, *Hovering Parents Need to Step back at College time*, CNN (Feb. 4, 2008), <http://articles.cnn.com/2008-02->

While hovering may be understandable with young children, it can continue to higher education.¹¹ This article examines how educators are concerned when helicopter parenting continues into adulthood, hovering over their child's college and graduate school, and even employment, to monitor their children's lives.¹² Helicopter parents are now on the radar of higher education institutions, as parents intervention in their child's higher education has increased in frequency, intensity, and minutiae, and represents a cultural shift.¹³

04/health/hm.helicopter.parents_1_helicopter-parents-college-students-students-with-higher-levels?_s=PM:HEALTH; *see also* Bernstein, *supra* note 3, at 1230 (acknowledging advantages of intensive parenting but cautioning against the excessive and detrimental effects and speculating whether the social backlash beginning against intensive parenting may cause a social evolution away from this type of child-rearing).

¹¹ For purposes of this article, "higher education," includes college, universities and other undergraduate and graduate programs. I use the terms interchangeably. *See* Schoup, *supra* note 10, at 11-17; *see also* MARANO, *supra* note 5, at 184 (describing example of a parent who has her college son's syllabi and calls her son to remind him each time he has a test).

¹² *See* Alison Damast, *Helicopter Parents on the Rise at B-Schools*, BLOOMBERG BUSINESSWEEK (Oct. 14, 2010), http://www.businessweek.com/bschools/blogs/mba_admissions/archives/2010/10/helicopter_parents_on_the_rise_at_b-schools.html#share (reporting 33% of admissions officers admitted that overbearing parent has compromised a business school applicant's chance of admission and parents are leaving a "noticeable footprint" on applications). The Veritas Prep, a Graduate Management Admissions Test (GMAT) test Preparation Company, conducted a survey showing one example of how helicopter parents are playing a role in graduate schools across the country. *See* Damast, *supra* note 12. The helicopter parent trend is most prevalent at undergraduate campuses, reporting 77 percent of admissions officers said parental involvement in college admissions is increasing according to a survey done in September 2010 by Kaplan Test Prep and Admission of admissions officers at 387 colleges and universities. *See* Daniel de Vise, *Survey: Helicopter Parents hover over college campus*, *Post to College Inc.*, WASH. POST. (Sept. 27, 2010, 5:33 PM), http://voices.washingtonpost.com/college-inc/2010/09/survey_helicopter_parents_hove.html (noting some schools are cutting parents out of the admission process entirely). As a result of parent hovering, 61% of admissions officers have designed new initiatives for parents, such as setting up special websites, information sessions, newsletters, blogs, Facebook pages, tours for parents, and opening up an office of parent relations. *See* Daniel de Vise, *supra* note 12; Gibbs, *supra* note 5 (beginning in the 1990s, Ernst & Young created "parent packs" for recruits to give their parents, because they were involved in negotiating salary and benefits).

¹³ *See* Jackson, *supra* note 8, at 18 (using the term "intensive parenting"); Bernstein, *supra* note 3, at 1226-27 (using the term "intensive parenting"); Lisa Belkin, *Let the Kid Be*, N.Y. TIMES, May 31, 2009, at MM19, *available at* <http://www.nytimes.com/2009/05/31/magazine/31wwln->

The purpose of this article is to explore the ramifications of helicopter parents on higher education.¹⁴ Part I of this article will give an overview of the contemporary parenting trend of helicopter parenting. Part II will discuss its prevalence in higher education, including the reasons for the growth of this phenomenon. Part III will explore the potential implications of the presence of helicopter parenting in higher education, such as relevant legal and ethical issues. Part IV will offer recommendations for higher education institutions dealing with helicopter parents to avoid adverse consequences.

II. What is Helicopter Parenting?

Helicopter parenting involves various forms of hovering, and can begin before children are born and continue through graduate school.¹⁵ Helicopter parenting during pregnancy starts when parents seek increasing amounts of information regarding achieving the optimal pregnancy

lede-t.html; *see also* Jackson, *supra* note 8, at 18; Bernstein, *supra* note 3, at 1226 (recognizing the dominant contemporary parent is an intensive parent); SKENAZY, *supra* note 8, at xiii (explaining parents want kids to know how to learn to ride a bike but in order to do so they must let go of the bike at some point and watch their children take a few spills); *see also* Bernstein, *supra* note 3, at 1225-26 (noting how over the last two decades, child rearing practices have changed).

¹⁴ *See* Bernstein, *supra* note 3, at 1225-26 (pointing out the lack of scholarship regarding the implications of intensive parenting, stressing most legal scholars have addressed other aspects of parenting such as liability in tort for their child's injury, abuse and neglect legal proceedings, and divorce).

¹⁵ *See* Judith L. Ritter, *Growin' Up: An Assessment of Adult Self-image in Clinical Law Students*, 44 AKRON L. REV. 137, 149 (2011) (explaining hovering by helicopter parents can interfere with children becoming independent); Ozment, *supra* note 7, at 4-6 (cautioning the signs of a helicopter parent include: talking to your kids during every waking moment, not let your kids out of your sight; doing your kids' homework; constantly telling your kids and everyone how smart your kid is; having your kid as your best friend, not allowing no unstructured play and instead being in the extracurricular arms race); Laura Markham, *Eight Ways to Avoid Helicopter Parenting*, BOS. MAG. (Nov. 29, 2011), http://blogs.bostonmagazine.com/boston_daily/2011/11/29/roundtable-markham-ways-avoid-helicopter-parenting-draft-laura-markham (suggesting parents avoid over-stimulating, over-assisting, over-tigering, overprotecting, over-scheduling, over-reacting, and overlooking emotional development).

and baby.¹⁶ Once the child is born, it continues as parents try to place children in a protective bubble or armor, relying on numerous safety and monitoring devices like “nanny cams,” putting babies in helmets, using pads on toddlers’ knees, and tracking children with GPS.¹⁷ Parents schedule their child’s play dates and every aspect of their lives.¹⁸ Children have less freedom

¹⁶ See Bernstein, *supra* note 3, at 1225-26; MARANO, *supra* note 5, at 44 (reporting that since 2000 a reversal of a 40 year trend has occurred where women of peak working age of 25-54 have left the workplace to devote all their energy to raising children); see also GILLESPIE & TEMPLE, *supra* note 8, at 4 (“perfection became an addiction and motherhood a competitive sport . . . playing Mozart in our pregnant bellies.”); GILLESPIE & TEMPLE, *supra* note 8, at 47 (noting how mothers immerse themselves in research regarding breast-feeding, sleep patterns, and brain development and Baby Einstein videos justifying her lack of paycheck and professionalizing motherhood when she quit her job to devote her time to her family). Resume building and getting into an ivy-league college can begin as early as preschool. See RACE TO NOWHERE (Reel Link Films 2009) (noting how parents use flashcards with infants).

¹⁷ Bernstein, *supra* note 3, at 1233 (highlight parents’ protection methods); Neyfakh, *supra* note 10 (noting how protective products proliferate in an attempt to provide protective armor for children, such as protective foam covering every corner around the house and antibacterial soap everywhere); see also Kate Tuttle, *When we shield our kids from scary stories, who are we really trying to protect?* BOS. GLOBE, Aug. 11, 2011, http://articles.boston.com/2011-08-11/lifestyle/29876970_1_fairy-tales-babar-wicked-hunter (noting how well-meaning parents cripple their kids’ abilities to navigate risk when they try to make playgrounds safer); Gibbs, *supra* note 5 (commenting that parenting turned into a form of product development). While advances in child safety like seat belts, car seats, and bike helmets should be hailed, irrational responses to safety incite frustration in some parents who argue this overprotection is “infantilizing our kids into incompetence.” See Gibbs, *supra* note 5. Although death by injury dropped more than 50% since 1980, parents have lobbied to remove jungle gyms from playgrounds, strollers now have warning labels “remove child before folding,” and the percentage of kids walking or biking to school decreased from 41% in 1969 to 13% in 2001, playtime dropped 25% from 1981 to 1997, and homework more than doubled. Gibbs, *supra* note 5. But see Darby Dickerson, *Risk Management and the Millennial Generation*, CAMPUS ACTIVITIES PROGRAMMING, January/February, 2007, at A12, A14 (noting although Millennials are the most protected generation in history they also grew up watching violent events, such as Columbine and 9/11). Although helicopter parents seem to have a distorted sense of risk it may not be all that different from the rest of our society. To a certain extent, helicopter parenting may be simply an extension of this same risk-adverse, fearful mentality that many share along with the expectation of a “quick fix.” This fear is reinforced and enabled through the media and marketing. It is problematic when this mentality is reinforced through higher education.

¹⁸ Millennials are the generation of mandatory car seats, bike helmets, sun block, playgroups, and soccer leagues. See Hunt, *supra* note 6, at 10 (noting these brazen parents have interfered with admissions at colleges and the workplace); see also Susan K. McClellan, *Externships for Millennial Generation Law Students: Bridging the Generation Gap* 15 CLINICAL L. REV. 255,

and play time today than in the past as they are involved in an increasing number of school and after-school activities where every child gets a trophy for participating.¹⁹

Well-meaning parents hover outside of the home as well, “[b]e it sports or spelling bees,” hovering over playgrounds, practice fields, and schools.²⁰ Once their child enters school, parents

267 (2009) (noting parental pressure to achieve leads to focus on high grades and resume building, rather than using one’s internal compass to achieve success).

¹⁹ See Gibbs, *supra* note 5 (noting playtime dropped 25% from 1981 to 1997 and homework more than doubled). Studies show that playtime is a way to practice for adulthood and can help develop leadership, sociability, flexibility, and resilience. See Gibbs, *supra* note 5 (asserting importance of playtime as an “essential protein in a child’s emotional diet”). Even though some may have high grades and test scores, if they did not experience playtime as a child they tend to lack problem-solving skills. See Gibbs, *supra* note 5 (describing example where employer noticed younger engineers lacked problem-solving skills despite having top grades and test scores); see also Bernstein, *supra* note 3, at 1277 (discussing negative effects from lack of time to play). Additionally, Bernstein and Triger point out studies finding intensive parenting to be a factor in higher rates of substance abuse, anxiety, and depression and impairs children’s independence. See Bernstein, *supra* note 3, at 1230. Some call this generation the “participation generation” as any child who participates in a sport gets a trophy and every moment of child’s days are scheduled. See RACE TO NOWHERE (Reel Link Films 2009) (showing how children feel stressed about too much homework and activities). Children are being robbed of playtime and their childhood is stolen. See *id.* (noting play is children’s work and shows them how to survive in adulthood); see also Po Bronson, *How Not to Talk to Your Kids*, N.Y. MAG., Feb. 11, 2007, <http://nymag.com/news/features/27840> (discussing how competitions or anything that could be damaging to children’s self-esteem are frowned upon). Bronson also notes how soccer coaches stopped counting goals, teachers threw out red pens, and criticism was replaced with ubiquitous, undeserved praise. See *id.* To soften the intensity of high pressure environment of high expectations for children, constant praise is used as a panacea for the anxieties of modern parenting. See *id.*

²⁰ Brian Sullivan, *They Grow Up So Fast*, A.B.A., Aug. 2011, at 71, available at http://www.abajournal.com/magazine/article/they_grow_up_so_fast_parents_write_script_expect_kids_and_courts_to_make_it; see Tuttle, *supra* note 17 (noting how well-meaning parents cripple their kids’ abilities to navigate risk when they try to make playgrounds safer); Ozment, *supra* note 7, at 5 (reporting researchers in North Carolina found that children who were accompanied to the park by a parent were 45 percent less likely to be active than those who went alone or with friends); see also Sullivan, *supra* note 20 (explaining story where a father sued a school district alleging discrimination, arguing his middle-school sons who are half-Chinese, half-Caucasian did not get enough playing time on their basketball team); Bernstein, *supra* note 3, at 1234 (noting parents can monitor their child’s daily lives at some schools by reviewing what their child ate for lunch as well as their class attendance and grades); RACE TO NOWHERE (Reel Link Films 2009) (noting how children are coached from the time they are young which leads to employers being expected to coach their employees); Ozment, *supra* note 7, at 3-4

participate in an increasing number of school activities, volunteering in academic and nonacademic settings, and sharing tasks and decisions that traditionally were left for the teachers.²¹ Disgruntled parents sue schools alleging their future Einstein has not had a perfect experience.²²

(reporting free, unstructured play helps children learn how to get along with others and control their emotions, and it also lets them develop their imagination). A study by the University of Maryland's Sandra Hofferth revealed that from 1981 to 1997, American kids ages six to eight spent 25 percent less time engaged in free play, this while their time in the classroom was up by 18 percent. *Id.* Meanwhile, their homework time increased by 145 percent, while time spent shopping with parents was up by 168 percent. *Id.* When Hofferth updated her research in 2003, free time continued to decline, while study time increased another 32 percent. *Id.*

²¹ See Bernstein, *supra* note 3, at 1233 (discussing an example when a school had to cancel its fieldtrip because too many parents volunteered to chaperon and no parent would withdraw). Some parents demand homework in preschool. See Gibbs, *supra* note 5; MARANO, *supra* note 5, at 102 (discussing notion of parental intercession in schools, grade inflation, and the attitude that teachers work for the parents); SKENAZY, *supra* note 8, at 41-48 (blaming schools for parents' over involvement in their children's lives by helping reshape parenting into an intrusive activity).

²² See Bernstein, *supra* note 3, at 1238 (describing lawsuit by New York parents against the city's Board of Education to strike down a provision prohibiting students from bringing cell phone to school because the parents wanted to have the ability to speak with their children to and from school). Bernstein and Triger also note that helicopter parenting raises children who know how to make rules work in their favor. See Bernstein, *supra* note 3, at 1274; Dave Newbart, *The Coddled Generation: Generation Y Keeping Close Ties to Mom and Dad*, CHI. SUN TIMES, Dec. 27, 2005, at 8 (reporting concern about damaging student's self-esteem is a factor in grade inflation); SKENAZY, *supra* note 8, at 45 (explaining principals paranoid of lawsuits have eliminated tag noting a nationwide survey of five thousand principals found that 20 percent of them spend 5-10 hours a week writing reports or having meetings to avoid litigation). Skenazy explains further that fear of lawsuits has an effect beyond school. See SKENAZY, *supra* note 8, at 45-46 (recounting a parent suing Little League for not teaching her son how to slide and then he broke his leg; another parent sued a baseball league she got hit by a ball that the coach should have taught the her child to catch); see also MARANO, *supra* note 5, at 18 (explaining how a parent hired a lawyer to protect his child's grade on a senior project as a requirement for graduation, forcing the school to decrease the weight of the grade for the project as well as decrease the pages for the paper from 8 to 4 pages). A mother sued a Manhattan preschool demanding a refund of \$19,000 tuition complaining that her 4 year old was taught shapes and colors and was mixed in with two year olds. Sullivan, *supra* note 20. Another mother whose girls barely missed the cutoff IQ score for a gifted program at their school appealed, had her daughter privately tested and succeeded in getting them admitted to the program. Bernstein, *supra* note 3, at 1233. Some schools are eliminating programs and activities because of fear of an increasing amount of lawsuits by parents against schools and educators for a range of injuries of their children. See Bernstein, *supra* note 3, at 1234 (discussing survey by the American Tort

Hovering continues throughout their education to secondary schools and college and graduate schools.²³ While parents at this stage may no longer may be hovering constantly, they often strike like “stealth fighter parents” at a particular moment, such as when the high school musical cast is chosen, senior year when college admissions comes into play, and in college and graduate school when their child receives a grade lower than they are used to or when they are about to graduate to a globally competitive world.²⁴ While universities have always interacted with parents of prospective and enrolled students, such as at open houses, on campus tours, parents’ weekends, and in exceptional situations, such as emergencies, the number of interactions with parents is on the rise.²⁵

Several factors contribute to the increase of helicopter parents in higher education. Hovering may result from fear of safety, fear of failure, and demography.²⁶ Also, the ability to

Reform Association with the National association of Elementary School Principals and National Association of Secondary School Principals).

²³ See Bernstein, *supra* note 3, at 1239 (explaining that some cell phones allow parents to track their child’s movement through GPS as well as features that let parents know if a child is in a car and what speed the car is traveling or an email notification feature if the child does not attend school or another location).

²⁴ See Gibbs, *supra* note 5 (explaining stages of parental hovering as their children grow).

²⁵ See Hunt, *supra* note 6, at 10-11 (noting universities’ challenges to encourage student independence while attending college); Amanda M. Fairbanks, *Letting Your Grad Student Go*, N.Y. TIMES, Nov. 1, 2009, at ED14, *available at* <http://www.nytimes.com/2009/11/01/education/edlife/01guidance-t.html?pagewanted=all> (reporting two-thirds of the admission officers surveyed at top business schools experienced more parental involvement in applications than five years ago).

²⁶ See Gibbs, *supra* note 5 (noting parents born after 1964 waited longer to marry and had fewer children, meaning they guard their smaller families more zealously). Additionally, such parents also have more money and time to spend on each child. See Hunt, *supra* note 6, at 10; Ozment, *supra* note 7, at 1 (reflecting that because the author was similar to children in the ’70s and ’80s, her childhood “was marked by divorce, latchkey-kid-dom, and a nonstop diet of Twinkies and television”—leading to the overparenting her own children); see also Dickerson, *supra* note 17, at A14 (noting although Millennials are the most protected generation in history they also grew up watching violent events, such as Columbine and 9/11); McClellan, *supra* note 18, at 267 (recognizing pressure for high grades from students and parents has led to grade inflation). Issues such as terrorism and the environment may contribute to parents feeling these things are

be in constant contact with others via advances in technology may be a reason helicopter parenting is prevalent.²⁷ Economic insecurity may also be a factor as well as the increase in the costs of education.²⁸ The influence of rankings and ratings of higher education institutions contribute to an accountability factor and a perception of school choice as consumerism as parents seek evidence of the value of their child's education by monitoring its quality.²⁹

out of their control, thus they try to control their children. *See* Hunt, *supra* note 6, at 9-10; Gibbs, *supra* note 5 (noting in the 1990s fear and anxiety increased yet crime went down).

²⁷ *See* Bernstein, *supra* note 3, at 1236-41 (asserting that cell phones have become monitoring devices where parents can "remote monitor" their children); Hunt, *supra* note 6, at 9 (noting study where of the 893 parents surveyed, 74 percent communicated with their student two to three times a week and one in three did so at least once a day); Dickerson, *supra* note 17, at A12 (noting college students report they contact their parents for big or small decisions and call, text-message, email or use social networking to contact their parents three to five times a day, or more, resulting in the cell phone becoming "the world's longest umbilical cord"); MARANO, *supra* note 5, at 178 (claiming hovering no longer has geographical or temporal boundaries due to the cell phone). Additionally, social networks enable parents to "friend" their children and stay current with status updates. *See* Kathleen E. Vinson, *The Blurred Boundaries of Social Networking in the Legal Field: Just "Face" It*, 41 U. MEM. L. REV. 355, 360 n.14 (2010) (recognizing parents or people over 30 are fastest growing population joining Facebook).

²⁸ *See* Hunt, *supra* note 6, at 9 (suggesting rise of the unemployment rate and outsourcing of managerial level jobs has contributed to excessive helicopter parenting); *see also* Kristen Peters, *Protecting the Millennial College Student*, 16 S. CAL. REV. L. & SOC. JUST. 431, 460 n.207 (2007) (noting high tuition and high expectations result in many parents blaming schools whenever their kids get into trouble); Louis N. Schulze, Jr., *Balancing Law Student Privacy Interests and Progressive Pedagogy: Dispelling the Myth That FERPA Prohibits Cutting-Edge Academic Support Methodologies*, 19 WIDENER L.J. 215, 264 (2009) (proposing dramatic increase in cost of education results in heavy parental involvement in children's higher education).

²⁹ *See* Schoup, *supra* note 10, at 4-5 (recognizing that the way popular magazines reviews and rankings treat education as a commodity results in parental involvement to monitor their investment); *see also* RACE TO NOWHERE (Reel Link Films 2009) (discussing the federal government's influence on the increasing accountability of teachers, students, and administrators upon the enactment of No Child Left Behind Act); U.S. NEWS & WORLD REP. COLLEGE RANKINGS AND LISTS, <http://colleges.usnews.rankingsandreviews.com/best-colleges> (last visited Nov. 2, 2011).

Furthermore, helicopter parents may measure their own self-worth based on the success of their child as well as the competitiveness of contemporary society.³⁰

The final factor contributing to helicopter parents in higher education is the arrival of the Millennial student generation on campus.³¹ Many of the millennial generation grew up with helicopter parents who micromanaged their children's lives well into adulthood.³² The result may be "the most protected and programmed children ever" entering college and graduate schools, without life skills necessary to succeed in the realities of an increasingly competitive and complex workplace and economy.³³

³⁰ See Hunt, *supra* note 6, at 10 (pointing out study that found 20 percent of parents based their own self-worth on the performance of their child); Bernstein, *supra* note 3, at 1231-32 (recognizing intensive parenting is result of the competitiveness of contemporary society).

³¹ See Anahid Gharakhanian, *ABA Standard 305's "Guided Reflections": A Perfect Fit for Guided Fieldwork*, 14 CLINICAL L. REV. 61, 73 (2007) (examining the generational considerations of the profile of law students and defining the birth year around 1980 as marking the beginning of generation Y or Millennials to the mid-2000s). They are the first generation to use email, instant messaging, and cell phones since childhood. Dickerson, *supra* note 17, at A12; see Fairbanks, *supra* note 25 (noting as the millennial students grow up they carry their habits into graduate school); Schoup, *supra* note 10, at 11-17 (examining the frequency, nature, and quality of the support college students receive from their parents); Schulze, *supra* note 28, at 264-65 (discussing the calls from helicopter parents as a reality as the current generation of law students enter law school).

³² Gharakhanian, *supra* note 31, at 74 n.49 (recognizing trend of parental involvement in child's life into adulthood).

³³ *Id.* (citing experts' opinions that too much involvement can hinder students' independence, causing some colleges to hire "parent bouncers" at freshmen orientation meetings); see Dickerson, *supra* note 17, at A12-A13 (noting because helicopter parents of Millennials have tended to make all safety-related decisions for their children, Millennials often lack basic safety skills when they get to college campuses, creating challenges for campus administrators). Critics of helicopter parents argue the negative ramifications include producing a generation of weaklings and an armored childhood, crippled by overprotection, lack of freedom, and instilled with fear instead of responsibility and reliance instead of independence, which is making it difficult for children to become healthy and well-adjusted adults. See generally MARANO, *supra* note 5. Development psychologists have shown that experiences with independent risk-analysis and problem-solving contribute to an individual's maturity and stability. See Neyfakh, *supra* note 10; MARANO, *supra* note 5, at 107-08, 222, 249-50 (making connection between overparenting and the crisis of the young). Professors and law partners feel pressured to praise students and young associates who were raised in a culture of praise. See Jeffrey Zaslow, *The*

III. The Implications of Helicopter Parenting in Higher Education

The expectation and implications of helicopter parents in higher education present challenges academically and legally.³⁴ Some studies show parents' engagement in their child's education are linked to better grades, higher test scores, less substance abuse, and better higher education outcomes; yet some parents are overinvolved.³⁵ Helicopter parents hover over college campuses and graduate schools from the prospective stage to graduation and the job market beyond, and are apparently on the rise.³⁶ Parents write the script for their child's success and

Most-Praised Generation Goes to Work, WALL ST. J., April 20, 2007 at W1, available at <http://online.wsj.com/article/SB117702894815776259.html> (noting professors need positive student evaluations to get tenure so they are cautious to couch critical comments in praise or supportive criticism, throwing away their red pens to avoid intimidating students).

³⁴ See Wendy S. White, *Students, Parents, Colleges: Drawing the Lines*, CHRONICLE OF HIGHER EDUC., Dec. 16, 2005, at B16, available at <http://bama.ua.edu/~sprentic/695%20White%202005.htm> (discussing challenges placed on administrators to obey laws defining relationships with students and also please concerned parents).

³⁵ See Schoup, *supra* note 10, at 17-21 (using data from the 2007 National Survey of Student Engagement assessing frequency and quality of college students' interaction with parents and its impact on student engagement and educational outcomes). Schoup found that students with highly involved parents had higher levels of engagement, deep learning, educational gains and satisfaction. *See id.*; *see also* Gibbs, *supra* note 5 (giving examples of how parents ghostwrite their child's homework and lobby for their child to be assigned a certain class). Gibbs also points out the argument that no matter what parents do to progress their children's lives, it may not have as much of an impact as they think. *See* Gibbs, *supra* note 5 (highlighting *Freakonomics* authors Stephen Dubner and Steven Levitts' analysis of a Department of Education study). The study tracked kids' progress through fifth grade and found things like how much parents read to their kids, how much TV kids watch, and whether the mother works makes little difference, rather what kind of education a parent got, what kind of spouse he married, and how long they waited to have children matter the most. *See id.*; *see also* Aucoin, *supra* note 6 (noting some researchers argue the challenges today's adolescents face provide good reasons for parents to hover over their children).

³⁶ *See* Hunt, *supra* note 6, at 9 (noting significant rise of parental interactions with colleges); Bernstein, *supra* note 3, at 1236 (acknowledging rise of parental interactions with colleges and highlighting websites created to allow parents to access student's information); *see also* Gibbs, *supra* note 5 (noting many colleges had to create a "director of parent programs" to handle influx of parental involvement); Bernstein, *supra* note 3, at 1239-40 (recounting a professor at Syracuse University reporting that college students late to class will state their mother did not call to wake them that morning and a student called her mom during class to complain about a grade and then

expect schools, teachers, coaches, counselors, and courts to make it happen.³⁷ Parents' involvement in their child's daily life in higher education include, but are not limited to, issues and decisions regarding admissions, housing, class schedules, grades, disciplinary matters, and relationships with roommates, advisors, faculty, and career services.³⁸ The possible implications of helicopter parents in higher education, may affect students' learning, teaching, curriculum, administration, students' employers, and the law itself.³⁹

handed the phone over to the professor during class so the parent could intervene). Students at University of Georgia handed their advisors their cell phone, asking them to talk to their mom, because the student was getting frustrated during registration. Bernstein, *supra* note 3, at 1240.³⁷ See Sullivan, *supra* note 20 (emphasizing how parents cannot fathom the possibility that their child is not better than other kids); Ozment, *supra* note 7, at 4 (reporting University of California at San Diego economists Valerie and Garey Ramey's report regarding influx of time spent with children). Between 1990 and the early 2000s, college-educated mothers came to spend an average of nine hours more per week with their children than their own mothers had spent with them; fathers spent an average of five more hours. *Id.* But the bulk of it involved coordinating their kids' extracurricular activities in a mad dash to get them into good colleges. *Id.* Playing with friends involves checking calendars and pre-set finish times. *Id.* Nearly everything they do is orchestrated, if not by their parents, then by some other adult—a teacher, camp counselor, or coach. *Id.*

³⁸ See Hunt, *supra* note 6, at 9 (indicating parental involvement in students' college homework, laundry, cleaning dorms, and calling to wake them up in the morning); Gharakhanian, *supra* note 31, at 74 n.49 (noting parental involvement in students' relationships, dorm conditions, class schedules and grades, and the impact of such dependence); see also Dickerson, *supra* note 17, at A12 (emphasizing parents deciding their children's extracurricular activities, complaining about roommates, protesting bad grades, and objecting to certain disciplinary processes); Trip Gabriel, *Students, Welcome College; Parents, Go Home*, N.Y. TIMES, Aug. 23, 2010, at A1, available at <http://www.nytimes.com/2010/08/23/education/23college.html> (describing parents going to their daughter's classes on the first day of the semester); Fairbanks, *supra* note 25 (explaining how a helicopter mother gave her daughter a wake-up call each morning before class, beginning in college and continuing into graduate school when she attended Georgetown Law). See *infra* note 51 (discussing examples of helicopter parents contacted professors to complain about the treatment of their children); Kathryn Tyler, *The Tethered Generation*, HR MAG., May 1, 2007, <http://www.shrm.org/Publications/hrmagazine/EditorialContent/Pages/0507cover.aspx> (describing an incident when a student was caught cheating on a paper and his mom called and demanded the professor let him write a new paper).

³⁹ See Gharakhanian, *supra* note 31, at 76-77 (giving example of employers hiring consultants to "handle needy workers" and younger attorneys need regular positive feedback and feel frustrated if not praised); White, *supra* note 34 (noting bill under consideration that was spurred by

Helicopter parenting encourages dependence and is a factor in the diminished decision-making and coping skills of students.⁴⁰ College deans christen freshmen as “crispies,” who come to college already burned out from the treadmill of success their parents have placed them on and ratcheted up the speed and incline from preschool; and “teacups,” ready to break at the slightest stress.⁴¹ As a result, students often cannot analyze important decisions associated with the high school-to college transition, making bad choices regarding sexual relationships and substances, such as alcohol and drugs; unresolved and escalating conflicts with roommates; and academic dishonesty.⁴² The impact of having helicopter parents may have resulted in students’ under-

concerned parents in Pennsylvania that would dictate how colleges deal with alcohol-related offenses).

⁴⁰ See Hunt, *supra* note 6, at 10 (stating universities are concerned that over involvement is resulting in diminished critical decision making skills needed to succeed in a complex world); Dickerson, *supra* note 17, at A12-A13 (highlighting the decline in decision making skills leads inability to analyze important decisions associated with high school-to-college transition and results in poor decision making regarding drugs and alcohol); Gharakhanian, *supra* note 31, at 74 (noting helicopter parenting results in students’ “under-involvement in decision-making; little or no experience with self-advocacy; lack of self-reliance; [and] inexperience[] in managing personal time.”).

⁴¹ Gibbs, *supra* note 5. Some colleges even installed “Hi, Mom!” webcams in common areas to assist dependent students. See *id.*; see also Sullivan, *supra* note 20 (noting parents are placing their three year old children in elite private schools, rather than traditional preschools); MARANO, *supra* note 5, at 198 (listing some of the causes of severe distress of children includes a range “[f]rom overprotection to under-experience, from lack of play to lack of challenge, from over scrutiny to ties that always bind, from an excess of expectations to an absence of experimentation); RACE TO NOWHERE (Reel Link Films 2009) (noting how children are not prepared to be in college because they cannot engage in critical thinking and creative problem solving).

⁴² See Dickerson, *supra* note 17, at A12-A13 (highlighting decline in students’ decision-making skills); Tyler, *supra* note 38 (citing neurology report concerning development of the brain). Neuroscientists once believed the brain was almost completely formed by age thirteen but have recently discovered that the brain continues to develop into the twenties. See Tyler, *supra* note 38. This means that Millennials’ brains are still developing reasoning, planning, and decision-making skills while depending on technology and their parents, resulting in Millennials who struggle with independent decision making. See Tyler, *supra* note 38; see also MARANO, *supra* note 5, at 142 (connecting the mental health crisis on college to over parenting—revealing helicopter parents can hinder a child’s development socially, emotionally, and neurologically, which in return affects our democracy and economy due to lack of leaders or innovators).

involvement in decision-making or ability to cope, and little or no experience with self-advocacy, self-reliance, or managing personal time.⁴³ Furthermore, these students' ability to engage in self-assessment is affected by the notion that "everyone is exceptional; grade inflation is the norm; egos have been massaged; [and they are] unaware of their real talents and strengths; [and] not accustomed to being criticized."⁴⁴ Also, many millennials prefer organization and dislike ambiguity.⁴⁵

⁴³ See Tyler, *supra* note 38 (stating Millennials spend 72 hours a week connected to others through cell phones and internet where they seek advice and input for the smallest decisions, resulting in unprecedented dependence); see also HOWE & STRAUSS, *supra* note 5, at 59-60 (describing Millennials "as special, sheltered, confident, conventional, team oriented, achieving, and pressured"). Millennials often describe their parents as their best friends. See Dickerson, *supra* note 17, at A12. The defining characteristics of Millennials in combination with their incredible dependence on their parents, leads to many new challenges when they separate from their parents during college. See *id.* The pressure to succeed makes them more likely to commit academic dishonesty. See *id.* at A12-A13. Additionally, because Millennials are sheltered, special, confident, and team-oriented, they lack the ability to work on their own and consistently need individualized attention and prompt responses to any problems they perceive. See McClellan, *supra* note 18, at 263-65; see also *id.* at 255-56 (stating most law students are Millennials (citing HOWE & STRAUSS, *supra* note 5, at 10-12)). Approximately thirteen percent of survey respondents admitted to going to law school because their helicopter parents wanted them to attend and were behind their children's push to get into law school. *Law School Applicants Willing to Brave Gloomy Job Market*, VERITAS PREP (Oct. 28, 2010), <http://www.veritasprep.com/blog/2010/10/law-school-applicants-willing-to-brave> (releasing the results of a survey of 100 law school applicants regarding what drives today's law school applicants); see also Ritter, *supra* note 15, at 149-154 (describing obstacles to self-growth faced by law students due to helicopter parenting and traditional law school pedagogy).

⁴⁴ Gharakhanian, *supra* note 31, at 73. Sociologists categorize law students to be members of Generation Y and Millennials, with certain characteristics regarding learning, working, and self-assessment who are used to self-esteem boosting, unrealistic expectations of attaining every dream, and constant praise. See *id.* at 73-74; see also McClellan, *supra* note 18, at 263 (noting how Millennials crave immediate feedback). Professors and Law Partners feel pressured to praise students and young associates who were raised in a culture of praise. See Zaslow, *supra* note 33 (noting professors need positive student evaluations to get tenure so they are cautious to couch critical comments in praise or supportive criticism, throwing away their red pens to avoid intimidating students); see also Jonah Lehrer, *The Art of Failing Successfully*, WALL ST. J., Oct. 28, 2011, <http://online.wsj.com/article/SB10001424052970204644504576651323346219428.html>, (discussing one of the essential principles of education is that students learn best when making mistakes; however, students need the right mindset to learn from their mistakes instead of

In contrast, higher education institutions focus on critical thinking, problem solving, dealing with ambiguity, and student-centered learning.⁴⁶ Stress levels are high and coping skills and time management are essential as grades often depend on one exam and students are expected to be engaged, prepared, professional, and independent.⁴⁷ Feedback is not as frequent in higher education, competition is high, work is demanding, and many students receive rigorous

believing they have a certain amount of intelligence that they cannot do much to change it); Ozment, *supra* note 7, 3-4 (reporting Carol Dweck, the author of *Mindset: The New Psychology of Success*, cautions incessant praise can be counterproductive). When we tell kids that they are gifted, rather than hard-working, they can develop a fear of failing that leads to an unwillingness to take the risks necessary for true learning. See Ozment, *supra* note 7, 3-4. Kids who are told they're hard workers, in contrast, are more willing to take on challenges and better able to bounce back from mistakes. *Id.* Additionally, Columbia University psychology professor Suniya Luthar found that the children of upper-class, highly educated parents in the Northeast are increasingly anxious and depressed. *Id.* at 4. Children with "high perfectionist strivings" were likely to see achievement failures as personal failures, Luthar wrote. *Id.* She also found that being constantly shuttled between activities—spending all that time in the SUV with Mom or Dad—ends up leaving suburban adolescents feeling *more* isolated from their parents. *Id.*

⁴⁵ See MARANO, *supra* note 5, at 107 (noting how business leaders complain college graduates lack basic skills in analytical thinking and problem solving); Hunt, *supra* note 6, at 11 (calling for future research to determine Millennial and helicopter parent's impact on teaching).

⁴⁶ See Sarah E. Ricks, *Teaching 1Ls to Think Like Lawyers by Assigning Memo Problems With No Clear Conclusions*, PERSP.: TEACH. LEGAL RES. & WRITING (West, Eagan, MN), Fall 2005, at 10 (emphasizing law students must learn the skill of legal analysis—a skill riddled with ambiguity and lacking definite answers); see also RACE TO NOWHERE (Reel Link Films 2009) (commenting how students overly focus on standardized tests and cannot engage in critical thinking and creativity as these skills require more than memorization). For example, in medical school students must know how to detect an existing disease but they also have to have the ability to face a new disease and treat it. See *id.*; see also ELLEN GALINSKY, MIND IN THE MAKING: THE SEVEN ESSENTIAL LIFE SKILLS EVERY CHILD NEEDS 13-15 (HarperCollins 2010) (claiming executive functions, known as fluid intelligence, are as important for children to develop as IQ, which is crystallized intelligence).

⁴⁷ See MARANO, *supra* note 5, at 182 (noting the importance of students taking more responsibility for their academic and personal lives during college years); see also *id.* at 198-99 (explaining how overparenting lowers tolerance for trial and error and mistakes, which leads to high levels of stress). Students in college and graduate school have more freedom than they may have had in the past and those who struggle with learning have to learn how to manage their responsibilities without their parents. See *id.* at 184 (noting students who have high dependence on parents during their first semester of college lack autonomy and emotional independence). Higher education instruction goes beyond memorization and requires the ability to identify a problem and solve it when there is no definitive answer. See Ricks, *supra* note 46, at 10-11.

critiques and lower grades than they are accustomed to in their previous educational experience.

Also, students are in college and graduate school to learn how to advocate and be leaders.⁴⁸

Thus, a parent advocating for their children in a graduate program, like law school where students must advocate for their clients upon graduation, is particularly ironic.⁴⁹

Anecdotal accounts of helicopter parenting and what to do about it are common topics of conversation and concern among faculty and administrators.⁵⁰ For example, millennial students

⁴⁸ See Fairbanks, *supra* note 25 (noting people go to business school to learn to lead others and if they do not take ownership of their application process it is doubtful whether this person will be a good leader without someone pushing him); see also Ritter, *supra* note 15, at 149-154 (explaining law students do not have adult self-images resulting in lawyers who may not be self-confident, assertive or aggressive or effective). Empirical evidence supports the notion that soft skills of lawyers, such as judgment, maturity, dealing effectively with others, self-confidence, and problem solving, are those skills that differentiate the most successful lawyers from the rest. Susan Daicoff, (*S*)*Killing Me Softly: Unifying the “Soft Skills” of Law Practice and Legal Education*, SANTA CLARA L. REV. (forthcoming).

⁴⁹ See Anna Ivey, *Helicopter Parents Embarrassing Their Kids at Admitted Students Weekend*, ANNA IVEY CONSULTING, (April 21, 2007), http://www.annaivey.com/iveyfiles/2007/04/helicopter_pare.html (explaining dean of students at law schools get calls from parents asking for their child’s schedule to be changed and some parents come to their child’s admissions interview). Ivey also reports that a law firm partner explained: “If you need Mommy to fight your battles, I don’t think much of your chances with the plaintiffs’ bar [or arguing a case in front of a judge].” *Id.*; see also Fairbanks, *supra* note 25 (noting people go to business school to learn to lead others and it is doubtful that a student will become an effective leader with such parental dependence); Ritter, *supra* note 15, at 153-54 (explaining law students who depend on their “hovering” parents cannot become effective litigators until they create an adult self-image). Parents push their children but many graduates of Ivy League colleges never reach their full potential or have so-called good jobs they hate. This is especially common when parents impose law and medicine on children whose passions and interests don’t match those professions. Merle Bombardieri, *Are We Over-Managing Our Children?* BOSTON MAGAZINE BLOG (November 29, 2011), http://blogs.bostonmagazine.com/boston_daily/author/mbombardieri/.

⁵⁰ See Gharakhanian, *supra* note 31, at 73 (explaining discussion list serv creating an open forum for faculty and administrators to post emails from parents and seek advice regarding how to handle such situations); see also CHRONICLE FORUMS, CAREERS IN THE CLASSROOM, “FAVORITE” HELICOPTER PARENT EMAILS, <http://chronicle.com/forums/index.php/topic,46069.0.html> (last visited Nov. 9, 2011) (for forum discussions between professors regarding helicopter parent emails); Fairbanks, *supra* note 25 (interviewing admissions director claiming parental hovering and what to do about it is a topic of common conversation between colleagues); Marc Cutright, *From Helicopter Parent to Valued Partner: Shaping the Parental Relationship for Student*

and their parents who are not happy with grades can cause undue pressure on professors to change grades and cause grade inflation.⁵¹ Professors have received angry text messages and emails complaining about their child's grade or advocating of behalf of their child why he should get the chance to write a new paper, even though he was caught cheating on the original assignment.⁵²

Also, helicopter parents can exacerbate a situation for their child. For example, when parents intervene to complain but then have to admit they assisted their child, it can reveal that

Success, NEW DIRECTION FOR HIGHER EDUC., Winter 2008, at 39, 39 (recalling how student affairs professionals commiserate regarding helicopter parents telling “can-you-top-this” stories).

⁵¹ See Hunt, *supra* note 6, at 9 (noting students giving their college account passwords to their parents so that they may call the dean if they are unhappy with the grades); McClellan, *supra* note 18, at 267 (recognizing pressure for high grades from students and parents has led to grade inflation); Peters, *supra* note 28, at n.207 (noting high tuition and high expectations result in many parents blaming schools whenever their kids get into trouble). One time a parent, who was a judge, sent a threatening letter, on his official judicial stationery, to his child's professor complaining of the mistreatment of the students because his daughter was intimidated by the professor's announcement that he expected his students to work hard and sacrifice—the judge was later reprimanded by the judicial regulatory board. See Bernstein, *supra* note 3, at 1235; see also Gharakhanian, *supra* note 31, at 73 (noting how sociologists categorize law students to be members of Generation Y and Millennials, with certain characteristics regarding learning, working, and self-assessment who are used to self-esteem boosting, unrealistic expectations of attaining every dream, and constant praise); McClellan, *supra* note 18, at 263 (noting how Millennials crave immediate feedback). Professors and Law Partners feel pressured to praise students and young associates who were raised in a culture of praise. See Zaslow, *supra* note 33 (noting professors need positive student evaluations to get tenure so they are cautious to couch critical comments in praise or supportive criticism, throwing away their red pens to avoid intimidating students).

⁵² See Bernstein, *supra* note 3, at 1235 (highlighting the emergence of full-time parent liaisons on campus whose job is to answer concerned parent's phone calls and emails); Valerie Strauss, *supra* note 2 (commenting how some parents send teachers emails and text messages at the same time); Tyler, *supra* note 38 (describing an incident when a student was caught cheating on a paper and his mom called and demanded the professor let him write a new paper); MARANO, *supra* note 5, at 198 (listing some of the causes of severe distress of children includes a range “[f]rom overprotection to under-experience, from lack of play to lack of challenge, from over scrutiny to ties that always bind, from an excess of expectations to an absence of experimentation”).

their child violated academic rules prohibiting receiving any assistance or collaboration.⁵³ A professor once received an email from a student complaining about the student's writing grade, and copied his parents (both attorneys) on the email, noting his parents' praise for his paper.⁵⁴ A parent may also reveal to a professor personal information about their child, such as mental health issues or academic weaknesses.⁵⁵ Also, helicopter parents intervening could result in students receiving undeserved special treatment.⁵⁶ For example, an academic support professional was besieged with phone calls from parents of students in the first semester to demand the professor personally tutor their child or put them on notice if their child needed extra academic assistance.⁵⁷ Helicopter parents have also contacted professors about not admitting their child into the professor's closed course, not giving their child an extension, not being nice

⁵³ See Jacobs & Hyman, *supra* note 5 (noting parents may make a situation worse for their child when they intervene to complain about a grade and admit they helped their child with a paper against the course rules prohibiting anyone reviewing the paper, collaborating or providing assistance). Additionally, many professors view angry phone calls and emails from parents as an attempt to bully them. See *id.*

⁵⁴ Gharakhanian, *supra* note 31, at 74-75 (pointing out the email was filled with errors). Another student handed in two different versions of a paper because the student couldn't decide which one he liked better and asked the professor to read them both and grade the one the professor liked better. *Id.* at 75 n.54. After explaining to the student this behavior was unacceptable and would be professional suicide, the student chose the version he wanted graded and the paper ended up with the highest points on the assignment. *Id.* Students' parents also have complained to other professors, not even their child's professor, about a grade given to their child in hopes the other professor could persuade his colleague to change the students' grade.

⁵⁵ See Jacobs & Hyman, *supra* note 5 (pointing out sometimes a parent may divulge personal information about his child, such as health or psychological problems when trying to intervene).

⁵⁶ See Schoup, *supra* note 10, at 22 (suggesting more research is needed regarding levels of involvement by parents that may negatively affect development and learning). Research has shown that children of helicopter parents tend to know how to make the rules work in their favor. See Bernstein, *supra* note 3, at 1274.

⁵⁷ See Schulze, *supra* note 28, at 264-65 (explaining many parents are unappreciative of his pedagogical philosophies and demand extra attention for their child).

enough to their child, or not giving enough positive feedback and praise to the child as the parent would like.⁵⁸

Helicopter parents are not deterred by boundaries and often unnecessarily or inappropriately elevate issues to high level administrators.⁵⁹ For example, parents have called a university president complaining about a grade their child received that they perceived was unfair, or have claimed they would not donate money to the institution if the dean did not report to the parent regarding his child's absence from a class due to suspected partying.⁶⁰ Deans of Students are often besieged with helicopter parents contacting them about questions, complaints, or advocacy on behalf of their child.⁶¹

Helicopter parenting can monopolize other administrators as well. Career services departments in higher education institutions can be a lightning rod for helicopter parents. For example, when navigating the job market, helicopter parents have tried influencing hiring decisions and salary, calling recruiters and employers and/or showing up at their child's job fair

⁵⁸ See Gharakhanian, *supra* note 31, at 73-74 (noting how sociologists categorize law students to be members of Generation Y and Millennials, with certain characteristics regarding learning, working, and self-assessment who are used to self-esteem boosting, unrealistic expectations of attaining every dream, and constant praise); McClellan, *supra* note 18, at 272 (noting how Millennials crave immediate feedback). Professors and law partners feel pressured to praise students and young associates who were raised in a culture of praise. See Zaslow, *supra* note 33 (noting professors need positive student evaluations to get tenure so they are cautious to couch critical comments in praise or supportive criticism, throwing away their red pens to avoid intimidating students). In addition, the Millennial generational profile in the legal field results in younger attorneys needing regular positive feedback and feeling frustrated if not praised for their work. See *id.*

⁵⁹ See Cutright, *supra* note 50, at 44-45 (recommending colleges provide detailed contact information for helicopter parents to avoid inappropriate petitioning to top officials at the schools about minor student issues).

⁶⁰ See Cutright, *supra* note 50, at 39 (reporting student affairs professionals are receiving complaints over matters of minutiae that they have never before witnessed).

⁶¹ See Lydia H. Meunier & Carolyn R. Wolf, *Mental Health Issues on College Campuses*, N.Y. ST. B.A. HEALTH L. J. 442, 44, Spring 2006, at 42, 44 (explaining how parents often feel entitled to confidential information); Anna Ivey, *supra* note 49 (noting some parents come to their child's admissions interview).

or interview.⁶² Often children of helicopter parents are so used to being praised and feeling special that they perceive that starting salaries are beneath them.⁶³

Helicopter parents' interference in higher education can also have legal implications. The law relevant to the complex relationships of parents, students, and higher education institutions is changing, not always consistent, and challenging.⁶⁴ Some positive laws related to safety on campus have been enacted as a result of helicopter parents.⁶⁵ Complicating legal issues

⁶² See Hunt, *supra* note 6, at 10 (noting parents coming to children to job interviews and children not being able to accept offers without parental guidance); Gharakhanian, *supra* note 31, at 75 (listing companies such as Enterprise, Vanguard, Travelers, General Electric, and Boeing reporting incidents of helicopter parents interfering with hiring decisions and pay packages (citing Sue Shellenbarger, *Helicopter Parents Go to Work: Moms and Dads Are Now Hovering at the Office*, WALL ST. J., Mar. 16, 2006, at D1, available at <http://online.wsj.com/article/SB114246499616999404.html>)); see also Tyler, *supra* note 38 (reporting employers have received calls from parents asking why their child was not hired or offered more money or why they were turned down for a promotion or reports of parents showing up with their child for their first day of work); Gibbs, *supra* note 5 (beginning in the 1990s, Ernst & Young created "parent packs" for recruits to give their parents, because they were involved in negotiating salary and benefits); see also Hunt, *supra* note 6, at 11 (explaining while many recruiters are dealing with parents on an unprecedented level, they realize they must adapt to this reality because they need the young generation as future employees).

⁶³ Hunt, *supra* note 6, at 10; see also Tyler, *supra* note 38 (reporting employers receiving calls from parents asking why their child did not get more money).

⁶⁴ See Cutright, *supra* note 50, at 40 (noting even seasoned campus officials consult lawyers before acting in complex circumstances); Meunier & Wolf, *supra* note 61, at 44 (indicating violation of FERPA includes termination of government funding of a college or university). While parents have a fundamental power to oversee the raising of their children, including the authority to make decisions regarding their child's higher education, institutions are different than in the past, changing from institutional control to giving increased independence to students. See Cutright, *supra* note 50, at 40-41.

⁶⁵ See Peters, *supra* note 28, at 460 n.207 (recognizing positive laws that have been enacted "due to the influence of parents whose children have been injured or killed, such as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act."). *But see* Bernstein, *supra* note 3, at 1242-65 (describing some laws may unfairly codify the helicopter parenting trend by incorporating intensive parenting norms into the law). In custody disputes, legislatures and courts may be enforcing intensive parenting norms by making the best interests of the child determination based on the quantity of parental involvement in the child's life. See *id.* at 1250-51, 1278-79 (arguing that the law plays a critical role in enhancing the socio-technological trend of over-parenting and cautions against incorporating intensive parenting norms into the law). In tort actions addressing lead poisoning and parental immunity, courts require constant

defining the relationship between institutions, their students, and their students' parents, however, are increasing because of active intervention of helicopter parents in the everyday lives of their children.⁶⁶

Laws protecting student rights and privacy limit what institutions are able to tell parents.⁶⁷ For example, helicopter parents' interference with their child's higher education has Family Educational Rights and Privacy Act (FERPA)⁶⁸ implications, which makes it unlawful, in certain circumstances, for schools to disclose information about any student, including students' parents.⁶⁹ Under FERPA, parents are prohibited in some circumstances from viewing their

supervision, therefore arguably encouraging helicopter-parenting trends. *See id.* at 1242-44 (arguing that the constriction of the Parental Immunity Doctrine and the rise of intensive parenting makes parent more likely to be sued for inadequate parental supervision); Jackson, *supra* note 8, at 18 (noting parents now worry about liability for using traditional child-rearing practices therefore inviting helicopter parenting).

⁶⁶ *See* White, *supra* note 34 (explaining the conflict between helicopter parents who are increasingly becoming involved in their children's lives and federal statutes that limit what administrators are permitted to tell parents).

⁶⁷ *See* Meunier & Wolf, *supra* note 61, at 44 (describing federal laws regulating institutional confidentiality rules); Cutright, *supra* note 50, at 40-41 (explaining evolution of laws regulating relationships between parents, students, and institutions).

⁶⁸ Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g) (2006).

⁶⁹ Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g)(b)(2)(A), (d) (2006); *see* Schulze, *supra* note 28, at 222 n.19 (pointing out that the federal statute considers the student as the "rights-holder" after the age of eighteen or if the student is in postsecondary education). 1232(g)(d) states: "whenever a student has attained eighteen years of age, or is attending an institution of postsecondary education, the permission or consent required of and the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student." Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g)(d) (2006). In addition to the provisions regarding disclosure, FERPA also has provisions regarding the denial of access to education records. *See* Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g)(b)(1) (2006). The purpose of FERPA was "to protect [parents' and students'] rights to privacy by limiting the release and disclosure of their records without their consent." Megan M. Davoren, *Communication as Prevention to Tragedy: FERPA in a Society of School Violence*, 1 ST. LOUIS U. J. HEALTH L. & POL'Y 425, 428 (2008) (citing *United States v. Miami Univ.*, 294 F.3d 797, 806 (6th Cir. 2002)); *see also* Fairbanks, *supra* note 25 (discussing how FERPA safeguards students' education records and thus any specifics, like the status of an application or whether everything has been submitted or why their child was not accepted to the school, must be communicated with the applicant, not the parent of the applicant).

child's education record without the student's consent upon the child's eighteenth birthday or enrollment in a post-secondary school.⁷⁰ Although fraught with exceptions, FERPA prohibits the unauthorized release or disclosure of records by any means, including oral, written, or electronic.⁷¹ For example, a school official, such as a Registrar, could violate FERPA if, she adopted a policy of reading a student's grade to a third party by phone, or sending it in an email, text, or in an envelope, without a student's written consent.⁷² Although a single act does not violate FERPA, the frequent and increasing pressure from helicopter parents has the potential to result in the adoption of policies by unwitting faculty, deans, and other administrators that could violate FERPA.⁷³

The student holds the privacy interests and protections under FERPA and thus a student's consent is required to release or disclose information, unless one of three exceptions exist: (1) the student is claimed as a dependent on their parents' federal income tax returns, (2) if the disclosure relates to a health or safety emergency, or (3) if the student is younger than twenty-

⁷⁰ Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g)(d) (2006). *See generally* Joey Johnsen, *Premature Emancipation? Disempowering College Parents Under FERPA*, 55 *DRAKE L. REV.* 1057 (2007) (recognizing that tuition-paying parents cannot view their college or graduate school student's school record, indulging disciplinary records, health reports or academic standing and cautioning that it provides insufficient protection for students with have eating disorders, substance abuse, and suicide attempts).

⁷¹ Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g)(b)(1)-(2) (2006) (outlining proper authorization of release of education records); 34 C.F.R. § 99.3 (2009) (defining disclosure as "to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including *oral*, *written*, or *electronic* means") (emphasis added).

⁷² *See* Schulze, *supra* note 28, at 233-34 (describing examples entailing release of student's educational information).

⁷³ The statute was enacted to address systematic, not single violations of students' privacy. *See* Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g)(b)(1) (2006) (indicating the school must have a "policy or practice" of condoning authorized release of education records); *see also* Schulze, *supra* note 28, at 265 (recognizing parents are more involved in their children's legal education). Violations of FERPA include discontinued federal funding to a school that maintains a practice or policy of authorized disclosures of education records. Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g)(b)(2) (2006).

one years of age and violated a law or school rule regarding alcohol or a controlled substance.⁷⁴ Thus, FERPA allows institutional communication with students' parents in cases of a student's physical and mental safety and for some circumstances of drug and alcohol use; however, it still generally prohibits higher education institutions from communicating with parents about attendance, grades, or other matters if the student does not consent or an exception does not apply.⁷⁵

Even if an exception applies allowing disclosure, a school does not have to disclose education records to parents; the exceptions just relieve the school of the legal duty to get the student's consent prior to disclosure.⁷⁶ Thus a school can have a policy to refuse to disclose

⁷⁴ Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g)(b)(1)(H)-(I), (i)(1) (2006) (indicating disclosure to parents of a dependent student, for health or safety emergency, or a violation of substance abuse law); *see* 34 C.F.R. § 99.5 (noting although the consent requirement transfers to the student upon eligibility, there are still exceptions to students' privacy rights); 34 C.F.R. § 99.31(a)(8), (a)(10), (a)(15)(i) (2009) (outlining exceptions to students' privacy rights); Schulze, *supra* note 28, at 265-66 (describing exceptions pertaining to disclosure of education records under FERPA); *see also* Cutright, *supra* note 50, at 45 (noting an exception to the prohibition on disclosure of a student record to parents under FERPA includes results of a disciplinary hearing if the violation by the student involves violence). Schools should use standardized forms for waiver of confidentiality—when a student gives informed consent waiving FERPA and a signature—and these waivers should be a condition of communication with parents. *See* Cutright, *supra* note 50, at 46. Waivers must specify records that may be disclosed and state the reason for the disclosure, and identify by name and status (“my parents”), the persons to whom disclosure can be made. *See id.*

⁷⁵ *See* Cutright, *supra* note 50, at 40-41 (noting how the ideal for many parents of in loco parentis—the college acting in place of parents—has shifted when campuses have been held accountable to new laws and regulations about the campus they provide students, such as the requirement of uniform compilation and public reporting of campus crime statistics). *But see* Joey Johnsen, *supra* note 70, at 1059-60 (noting while exceptions to FERPA serve to protect students' health and safety, it still disallows disclosure when students fall victim to problems like substance abuse, eating disorders, and suicide attempts).

⁷⁶ *See* Schulze, *supra* note 28, at 266-67 (explaining the exception does not mean the school *must* disclose educational records to parents, merely that the school is *permitted* to disclose such information without the student's consent).

education records to parents of students if the student holds the privacy interest.⁷⁷ Also, assertions of student privacy, parental interests, and laws, such as the Health Insurance Portability and Accountability Act (HIPPA), which protects patient privacy, may be conflicting, put all parties in difficult positions, and ensure complex situations, regardless of the school's action.⁷⁸

IV. Recommendations

Parents of students in higher education are not a uniform group.⁷⁹ Some may be helicopter parents, others not, some may have been a helicopter parent at times and not a purely benevolent bystander—but it is those who constantly encroach on the physical, emotional, and intellectual space of their children that could interfere with one of the goals of higher education, which is to help young adults develop the ability to think for themselves.⁸⁰ Even if students with helicopter parents only make up the minority of the campus population—they often

⁷⁷ See *id.* (emphasizing the exceptions merely allow a law school to disclose education records to parents without their child's consent).

⁷⁸ See Cutright, *supra* note 50, at 40-41 (noting how campus officials are in frequent contact with campus lawyers before acting and legal actions have been brought against institutions for failure to timely act and share information about students who may have violent behavior towards others or self-destructive behavior, such as the presence of students diagnosed mental health problems)

⁷⁹ See *id.* at 40 (noting “parents are not a monolithic crowd.”); Tyler, *supra* note 38 (noting some think Millennial's perception of their parents as their friends is good and believe helicopter parents represent a small percentage of the total parent population). Others argue the goal of parenting is to help children become independent and autonomous. See Tyler, *supra* note 38 (claiming parents' most important task is to help young people become independent)

⁸⁰ See MARANO, *supra* note 5, at 222 (advocating that parents need to remember that their children's ability to think for themselves is one of the goals of higher education); Gharakhanian, *supra* note 31, at 74 (noting helicopter parenting results in students' “under-involvement in decision-making; little or no experience with self-advocacy; lack of self-reliance; [and] inexperience[] in managing personal time.”); Dickerson, *supra* note 17, at A12-A13 (highlighting decline in students' decision-making skills); Tyler, *supra* note 38 (claiming that parts of the brain are still developing into the early twenties and heavy reliance of parents resulting in subpar decision-making skills).

monopolize administrative resources by making incessant demands and wanting frequent feedback and reports.⁸¹

Helicopter parents expect to be kept informed by their children and their children's schools and expect their children's needs to be quickly addressed.⁸² They are not hesitant about intervening and making demands on higher education institution's administration who they expect to be responsive, with or without their children's knowledge.⁸³ A common thread in the different types of interactions with helicopter parents is the high emotional context—anger, fear, or joy.⁸⁴

Schools seem to have taken two approaches when dealing with helicopter parents: beat them or join them.⁸⁵ Some universities harness the parents' involvement to their advantage while others try to prevent parents from interfering.⁸⁶ Higher education institutions will need to decide to which school of thought they subscribe and then develop policies accordingly and provide education and clear communication for faculty, administrators, parents and students.⁸⁷

⁸¹ See MARANO, *supra* note 5, at 17 (explaining how invasive parents hog administrative resources).

⁸² See Meunier & Wolf, *supra* note 61, at 44 (explaining how parents often feel entitled to confidential information).

⁸³ See *id.*

⁸⁴ See Cutright, *supra* note 50, at 43 (discussing steps colleges can take to work more collaboratively with parents). Schools should try to lower the emotional environment by communicating empathy, and committing to work through the issue of intensive parenting. See *id.*

⁸⁵ See Tyler, *supra* note 38 (claiming “HR professionals will need to decide to which school they subscribe and develop policies and procedures accordingly.”).

⁸⁶ See Hunt, *supra* note 6, at 10 (recognizing some schools embrace the parents' energy and involvement while others attempt to stop them from interfering with the maturation of their child).

⁸⁷ See Tyler, *supra* note 38 (recommending this approach for HR professionals where some contact parents and applicants simultaneously and others enforce strong privacy policies and train managers regarding deflecting parental interference).

Some schools make allies of parents by recognizing their concerns, giving them information and guidance in a timely manner and giving them adequate avenues of appropriate relationships with the institution.⁸⁸ Some have implemented different programs to transform parents “from advocates, interveners, managers and adversaries to supporters, coaches, advisors and allies.”⁸⁹ They seize opportunities like orientation as an event to cultivate parent partnership and solicit parents as financial contributors.⁹⁰ Some accommodate the helicopter-parenting trend by having information sessions to review the relevant law (FERPA) yet they give them the message to let their children develop as adults.⁹¹ They explain what students will be doing, expectations, the environment, changes students will go through, how students will be encouraged to handle and balance it, and how parents can support students’ successful transition.⁹² Others set up web sites, Facebook pages, and blogs, provide recommended reading lists and newsletters, and have created an office of parent relations, hiring a full-time parent coordinator position on campus.⁹³

⁸⁸ See Cutright, *supra* note 50, at 47.

⁸⁹ Dickerson, *supra* note 17, at A13 (advising that programs for parents should involve college officials frankly discussing the difference between support and guidance and living their children’s lives for them). Colleges should remind parents how intervening affects their children and the university. See *id.* By letting their children make mistakes and take responsibility for them, parents allow their college-aged children to learn from their mistakes and realize their potential to succeed and be safe on campus. See *id.*

⁹⁰ See Cutright, *supra* note 50, at 44-45.

⁹¹ See *id.* at 43-44 (noting how some colleges treat orientation as an opportunity to inform parents of what their children will be going through and how certain laws affects the school ability to disclose information); Hunt, *supra* note 6, at 10 (describing some orientation programs divide parents from children and subtly push the parents to give their children some space).

⁹² See Cutright, *supra* note 50, at 43-44 (noting how some colleges treat orientation as an opportunity to inform parents of what their children will be going through and how certain laws affects the school ability to disclose information); Hunt, *supra* note 6, at 10, (describing some orientation programs divide parents from children and subtly push the parents to give their children some space).

⁹³ See Dickerson, *supra* note 17, at A13 (noting universities maintaining web pages to keep families updated on campus events); Gibbs, *supra* note 5 (noting many colleges had to create a

Others have drawn a firm line, setting up strict policies that its officials will only speak to the student once he or she is accepted.⁹⁴ Schools can remain polite and explain the school policy that they don't discuss student's issues with anyone but the student; then suggest they discuss the matter with their child.⁹⁵ Then if the child follows up with the professor, they explain why it is inappropriate.⁹⁶

Whichever approach a school takes when dealing with the challenges of helicopter parents, higher education institutions should educate faculty and administrators regarding the trend of helicopter parents, the potential implications of their hovering, and the school's policies or recommendations regarding dealing with parental intervention, that is consistent with the higher education institution's policy or approach.⁹⁷ To avoid negative consequences, they need to be clear at the outset on the boundaries and parameters on communication with parents to

“director of parent programs” to handle influx of parental involvement); Bernstein, *supra* note 3, at 1236-37 (citing New York University's “Parent's Guide” web page, <http://www.nyu.edu/community/parents.guide.html>, as an example (including a parent services page, which includes membership in a parents committee and a parents helpline)). New York University's “Parents Guide” also has a list of recommended reading for parents. Bernstein, *supra* note 3, at 1236-37; *see* Cutright, *supra* note 50, at 46 (discussing giving parents a recommended reading list of resources to ease the transition).

⁹⁴ *See* Daniel de Vise, *supra* note 12 (describing some schools' strict policies of communication with students and parents).

⁹⁵ *Cf.* Tyler, *supra* note 38 (describing this approach taken by some HR professionals).

⁹⁶ *Cf. id.*

⁹⁷ *See* Cutright, *supra* note 50, at 43-46 (suggesting that colleges take steps to understand the trend of intensive parenting and develop a partnership relationship with the parents to offset potential adversarial relationships); MARANO, *supra* note 5, at 185 (listing issues colleges need to clarify as what amounts to an appropriate level of help by parents and how much parents should be involved in academics); *see also* Meunier & Wolf, *supra* note 61, at 51 (recommending counseling staff be thoroughly educated regarding the legal and ethical implications of dealing with students' behavior on campus).

build student success, to ensure both parents and students have appropriate expectations, and to increase parental understanding of higher education.⁹⁸

Faculty need to understand how helicopter parenting may affect the way they teach and the courses offered. Although graduate schools, such as law schools, are professional schools, most law students receive little guidance in their profession development—including their professional identity and interpersonal skills—because schools focus on doctrine and analytical skills.⁹⁹ For example, the Carnegie Report has prompted law schools nationwide to consider curricular reform.¹⁰⁰ Curriculum choices could be informed by the awareness of the difficulty

⁹⁸ See Cutright, *supra* note 50, at 43-46 (suggesting that colleges take steps to understand the trend of intensive parenting and develop a partnership relationship with the parents to offset potential adversarial relationships); Fairbanks, *supra* note 25 (detailing how parents call on behalf of children regarding applications and deadline extensions). Fairbanks notes that students should ask: do I want to go to school or am I going because my parents want me to? *See id.* Parents and children should make a list of everything the student and parent will be responsible for so expectations are clear. *See id.* Students should take ownership of their application; do their own talking, and untie the knot. *See id.*

⁹⁹ See WILLIAM M. SULLIVAN ET AL., EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW 2-9 (2007) [hereinafter Carnegie Report] (emphasizing the evolution of law school pedagogy established a method of legal training that focuses on doctrine and analysis, and deemphasizes learning to practice). The Carnegie Report notes that unlike other professional schools, such as medical school, law schools typically pay little attention to directing training in professional practice. *Id.*; see also ROY STUCKEY ET AL., BEST PRACTICES FOR LEGAL EDUCATION 7 (2007) (arguing that law school does not ready graduates for practice and proposing change in preparation of students to better prepare them for practice); Ritter, *supra* note 15, at 151-52 (recognizing clinical education is an exception); Ken Chestek, *LRWPROF-L listserv*, LEGAL WRITING INST. (Oct. 7, 2011) (closed discussion list for professional teachers of legal writing), <https://listserv.iupui.edu/archives/LRWPROF-L.html> (noting the importance of teaching practical intelligence, such as knowing what to say, when to say it, and how to say it for maximum impact, and its application for successful lawyering skills). The list serve also discussed teaching emotional intelligence in addition to doctrine in law school. *See* Ken Chestek, *LRWPROF-L listserv*, LEGAL WRITING INST. (Oct. 7, 2011) (closed discussion list for professional teachers of legal writing), <https://listserv.iupui.edu/archives/LRWPROF-L.html>.

¹⁰⁰ See Carnegie Report, *supra* note 99, at 190-96 (proposing change in pedagogical structure of law schools to better prepare students upon graduation). The report recognizes there are two sides of legal knowledge—formal knowledge and the experience of practice. *See id.* at 12. Students who graduate without experience in negotiating the complex issues facing the legal profession today “can hardly be expected to take active roles as civic professionals, contributing

Millennials have with transitioning into higher education and then transitioning into the professional world.¹⁰¹ In addition to trouble transitioning into the workplace that Millennials generally have, the market is also changing and there are fewer opportunities for training, especially within the legal market.¹⁰² Legal employers are less willing and able to train new lawyers.¹⁰³ So even though not all law students are members of the Millennial generation or may not share the millennial traits, exposure to legal employers and law practice, through internships and clinics, speakers, and skills training throughout the curriculum, can help educate, acclimate, and prepare our students for the rigors, demands, and expectations of working in the legal field upon graduation.¹⁰⁴ Thus, the reality of the changing legal profession, coupled with certain “millennial” traits, make clinical and externship experiences all the more relevant and necessary.

Also faculty can help students transition into the legal community by explaining to students that the practices, policies and deadlines in a course are grounded in the realities of the

to the public direction of the areas of the law.” *See id.* at 196. The report calls for an integrated model where theoretical and practice legal knowledge are taught together in the form of practical apprenticeships complemented with legal analysis. *See id.* at 194-96; *see also* Ritter, *supra* note 15, at 151 n.96, 152 (citing Carnegie Report, *supra* note 99, at 190-96 (noting trend to integrate more legal skills like counseling, negotiating, and oral advocacy into the curriculum)).

¹⁰¹ *See* Gharakhanian, *supra* note 31, at 78 (emphasizing the benefit of field placement-focused externships for the current generation of students who are having difficulty transitioning into the workplace upon graduation); *see also* the Legal Education and Practice Partnership (LEAPP) program at Suffolk University Law School and LawWithoutWalls as examples of experiential learning opportunities.

¹⁰² *See* David Segal, *What they Don't Teach Law Students: Lawyering*, N.Y. TIMES, Nov. 19, 2011, at A1, *available at* <http://www.nytimes.com/2011/11/20/business/after-law-school-associates-learn-to-be-lawyers.html?pagewanted=all> (noting downturn in economy has led to firms cutting training).

¹⁰³ *See id.*

¹⁰⁴ *See* Gharakhanian, *supra* note 31, at 78; Carnegie Report, *supra* note 99, at 191-96 (emphasizing the benefit of integrating practical experience into traditional law school theory, rather than merely adding it to curriculum); *see also* the Legal Education and Practice Partnership (LEAPP) program at Suffolk University Law School and LawWithoutWalls as examples of experiential learning opportunities.

practice and procedures in legal practice.¹⁰⁵ Faculty should also engage in self-reflection and consider whether they are engaging in helicopter teaching, for example, by constantly reminding students of deadlines, continuously checking up on students, being available or reachable at all times, continuously giving them extensions, or inflating grades, rather than see their students falter.¹⁰⁶ This trend may only continue as technology has changed expectations of privacy and boundaries, and also as education seems to trend away from tenure and towards contract and adjunct where even fewer professors will feel they can safely set limits with their students. Our goal as educators includes teaching our students self-reliance, confidence, independence, and self-awareness.¹⁰⁷

Parental involvement in children's lives has many benefits; however, schools should be wary of accommodating helicopter parents in higher education, especially in graduate schools, like law school. Schools should respect the boundaries separating parents from children's

¹⁰⁵ Any course that discusses the issues of confidentiality, privacy, and plagiarism, could also incorporate hypothetical regarding helicopter parents as a teaching opportunity.

¹⁰⁶ See Steven G. Bailey, *LRWPROF-L listserv*, LEGAL WRITING INST. (Sept. 22, 2011) (closed discussion list for professional teachers of legal writing), <https://listserv.iupui.edu/archives/LRWPROF-L.html> (posting discussing professionalism and students' meeting deadlines or rely on someone else to check up on them). The post by Bailey made an analogy to some in the military having difficulty transition into the civilian world because the military controls when you eat, shower, and shave. *Id.* If a faculty member or administrator senses that a student poses a health or safety concern for himself or others and reaches out to the student I would not consider it hovering.

¹⁰⁷ See *id.* There is a difference between hovering and being supportive and guiding students if a faculty member or administrator senses that a student poses a health or safety concern for himself or others. See also Carnegie Report, *supra* note 99, at 9 (emphasizing professors must teach students "the ability to both act and think well in uncertain situations. The task of professional education is to facilitate novices' growth into similar capacities to act with competence, moving toward expertise."); Lisa Belkin, *supra* note 13 (noting a goal of good parenting is to guide children towards independence). One of my goals of teaching is for my students to stop needing my assistance because I have taught them the skills and professionalism necessary for legal practice to guide them to independence.

independent higher education experience.¹⁰⁸ By accommodating helicopter parents, higher education could be reinforcing it, which can carry social ramifications for those parents who don't have resources to do it or for those who disagree with this type of child-rearing.¹⁰⁹ It could also enhance the potential negative effects of helicopter parenting in higher education—students are less independent, less able to problem solve and could engage in more substance abuse—making them less prepared/adequate professionals.¹¹⁰ Balancing the rights and responsibilities of higher education institutions and students' parents benefits everyone—schools, faculty, administrators, students, future employers, and parents themselves.

V. Conclusion

While parenting is private, helicopter parenting can have repercussions in higher education.¹¹¹ The relationship between higher education institutions and parents may be shifting.

¹⁰⁸ See White, *supra* note 34 (noting “[w]e are all in this together.”); MARANO, *supra* note 5, at 193 (describing The College Parents of America organization that promotes parental involvement and gives colleges report cards assessing their performance from a parents’ perspective and also notes a quarter of the parents said they feel colleges are not doing enough for the parents); *Id.* at 242 (recognizes that some blurring of the boundaries is inevitable).

¹⁰⁹ See MARANO, *supra* note 5, at 102 (blaming schools for parents’ over involvement in their children’s lives by helping reshape parenting into an intrusive activity); see generally SKENAZY, *supra* note 8 (noting author was dubbed “America’s Worst Mom” because she disagrees with helicopter parenting and promotes her children’s independence).

¹¹⁰ See Bernstein, *supra* note 3, at 1251-66 (arguing against the incorporation of the norms of intensive parenting into legal standards because of possible negative ramifications socially and individually and possible prevention of a social evolution away from intensive parenting); Hara E. Marano, *A Nation of Wimps*, PSYCHOL. TODAY, Nov.-Dec. 2004, at 58, 58-70, available at <http://www.psychologytoday.com/articles/pto-20041112-000010.html> (citing Harvard psychologist Jerome Kagan showing anxiety in children is caused by parents hovering over them to protect them from any stressful experience); see also GALINSKY, *supra* note 46, at 252-53 (emphasizing that parents who shield their children from stress and failure are not preparing them for adulthood). Galinsky recommends parents do not shield their children from everyday stress as it is a necessary part of life. See *id.* at 287. “[P]arents who are overprotective of their children can actually do more harm than good.” *Id.*

¹¹¹ See MARANO, *supra* note 5, at 243, 249 (describing children as anesthetized, sanitized, and polarized cocoon of their parents); see also Ozment, *supra* note 7, at 3-5 (noting helicopter parenting can be detrimental to parents as well). Columbia University psychology professor

There is a growing recognition by higher education of changing roles and expectations of parents of students. Parents and maybe students expect more and exert more pressure from higher education regarding the safety of their children and accountability that they are getting a good education from their investment.¹¹² In its most extreme manifestation are helicopter parents. While they may be a minority of parents, as Millennials continue to come up through the ranks to higher education, and this may be just the beginning.¹¹³ Indeed, higher education professionals decry the over-involvement and interference of helicopter parents, which is more intense and regarding matters of minutia they have never before experienced.¹¹⁴ While I see the issues from both sides—from the cockpit and the ground¹¹⁵—higher institutions should not become landing pads for helicopter parents.¹¹⁶

Suniya Luthar notes that our kids are depressed and anxious, but maybe they're learning it from us. *See* Ozment, *supra* note 7, at 3-5. Overparenting takes a toll, particularly when you consider the steady stream of nerve-rattling information we get hourly, from toy recall notices to Amber Alerts. *See id.*

¹¹² *See* Dickerson, *supra* note 17, at A13-A14 (noting increasing amount of safety measures being taken by today's parents); Peters, *supra* note 28, at 459-60 (highlighting parents except more from colleges than an ordinary duty of care); Cutright, *supra* note 50, at 42 (recognizing college education has shifted from a societal good to a personal investment and possession).

¹¹³ Fairbanks, *supra* note 25 (noting there are 15 more years of Millennials coming into higher education).

¹¹⁴ *See* Cutright, *supra* note 50, at 39.

¹¹⁵ I am a parent, a professor, and an administrator. Education is an expensive commodity and parents are going to want to protect their investment, but children must take risks and maybe yes, even "fall off the bike" a few times, in order to intellectually grow and learn.

¹¹⁶ *See* White, *supra* note 34 (declaring parents "must manage our legitimate concerns and expectations so as to respect the boundaries separating us from our children's independent college experiences."); Ozment, *supra* note 7, at 6 (noting "our generation doesn't have it all right and our own parents didn't have it all wrong. Maybe it's just time for some middle ground.").