



Know Your Rights:
Responding to the Unlawful Regulation of Homeschooling in Michigan

I. Michigan's Homeschooling Laws

It has been repeatedly demonstrated that homeschooled students outperform their public school peers and are far less likely to endure abuse.¹ Parents in Michigan currently enjoy the freedom to homeschool their children pursuant to Section 380.10 of the Michigan Revised School Code titled, "Rights of parents and legal guardians; duties of public schools," which states, in part, "It is the natural, fundamental right of parents and legal guardians to determine and direct the care, teaching, and education of their children."²

This right is further articulated in subsection (3) of Section 380.1561 of the Michigan Revised School Code titled, "Compulsory attendance at public school; enrollment dates; exceptions" which states, in part, "A child is not required to attend a public school in any of the following cases: ... (f) The child is being educated at the child's home by his or her parent or legal guardian in an organized educational program in the subject areas of reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar."³

¹For additional information about the benefits of homeschooling, see Ray, B. (2024). [Homeschooling: The Research](#). National Home Education Research Institute (i.e., "The home-educated typically score 15 to 25 percentile points above public-school students on standardized academic achievement tests (Ray, 2010, 2015, 2017, 2024)" and "87% of peer-reviewed studies on social, emotional, and psychological development show homeschool students perform statistically significantly better than those in conventional schools (Ray, 2017)," and "The balance of research to date suggests that homeschool students may suffer less harm (e.g. abuse, neglect, fatalities) than conventional school students." For more on homeschooling and abuse mitigation, see Ray, B. (2018). [Child Abuse of Public School, Private School, and Homeschool Students: Evidence, Philosophy, and Reason](#). National Home Education Research Institute. For an overview of the current state of the law in Michigan regarding homeschooling, see Home School Legal Defense Association. (2024). [Michigan Laws](#); Home School Legal Defense Association (HSLDA). (2023). [How to Homeschool Legally in Michigan: A Quick Overview](#). YouTube.

²Michigan Legislature. (1996). The Revised School Code: Act 451 of 1976. [Section 380.10: Rights of parents and legal guardians; duties of public schools](#).

³Michigan Legislature. (1996; last amend. 2017). The Revised School Code: Act 451 of 1976. [Section 380: 1561: Compulsory attendance at public school; enrollment dates; exceptions](#).

II. Today's Challenge to Educational Freedom

These natural, fundamental, and God-given rights are now under assault by Michigan's Attorney General, the State Board of Education, and the Superintendent of Public Instruction.⁴ Currently, these public officials are proposing that the laws be changed to further regulate home schooling by requiring all home school students to be problematically registered under the auspices of student safety and abuse mitigation.⁵

Because of this, government interference stands to undermine parental rights and weaken an educational option that is not only working for Michigan students but is often cited as the safer alternative for students as evidenced by the increased demand in homeschooling.⁶

CALL TO ACTION

1. Contact (call, email, and/or request a meeting) with Michigan state legislative members (both house and senate) to express your dissent with the latest attempts to erode parental rights through the imposition of homeschooling regulations. To find your state

⁴For an overview of the issue, including recent sentiments conveyed by sitting members of the Michigan Legislature on initiatives related to homeschooling regulation, see Lohman, I. (2024). [Homeschool parents mobilize to fight Michigan efforts to add oversight](#). *Bridge Michigan*. One such initiative includes Senate Bil 285, sponsored by Senator Dayna Polehanki (D-Livonia) which would require kindergarten enrollment at age 5, including the "demonstration of enrollment" by all kindergarten-age children (including, presumably, homeschooled children). This proposition would operate as a "loophole" contravening existing Michigan law where it is otherwise not required that the decision to homeschool be reported to a local school district or related agency.

⁵See the January 10 letter authored by State Superintendent Michael F. Rice outlining the state's proclaimed "Legislative Priorities for Education," one such item includes "Enrolling Every Michigan Child," including homeschoolers. The full text of the letter is available [here](#). In a message posted to the social media site, X (full text available [here](#)), State Representative Chair of the House Education Committee Matt Koleszar (D-Plymouth) wrote, "Michigan is one of only 11 states that doesn't count or register homeschool children, and abusive parents are taking advantage of that to avoid being found out." This echoes statements made by Dana Nessel, the Attorney General of Michigan, who similarly stated on X (full text available [here](#)) that "implementing monitoring mechanisms is crucial to ensure that all children, including those homeschooled, receive necessary protections." However, as indicated in Footnote 1, it is worth noting that there are various studies which refute this narrative. See Ray, B. (2018). [The Relationship Between the Degree of State Regulation of Homeschooling and the Abuse of Homeschool Children \(Students\)](#). *National Home Education Research Institute*. For additional resources disputing the claim that homeschooling increases probabilities for abuse, see Williams, R. (2018). [Child Abuse and Neglect Fatalities Report 2016](#) (based off of data collected from the U.S. Department of Health & Human Services and the U.S. Department of Education, among others), indicating that "homeschoolers have both a lower fatality rate and a lower fatality count when compared to [their non-homeschooling counterparts]." See also the National Home Education Research Institute's "Gen 2 Survey" (2015), finding that that homeschoolers were 257% less likely to be sexually abused, available in full [here](#).

⁶Additionally, school safety concerns are often cited as one of the primary reasons why parents are turning to homeschool as a viable, alternative educational option. For more on this, see Hermani, J. (2023). [Bullying, school shootings become lead reasons for homeschooling](#). *Michigan Live*

representative, visit www.house.mi.gov/#findarepresentative. To find your state senator, see: <http://www.senate.michigan.gov/>.

2. Consider using some of the following talking points to inform your discussions with the legislative members.
 - Students thrive under the current homeschooling laws of MI. These laws continue to be sufficient to protect the children of the state and should not be changed.
 - The homeschooled children of MI consistently out-perform public schooled children and there is no evidence that registration is needed for any reason.⁷
 - Home schooling is successful because of loving parents who want what is best for their children.
 - Parents should not be burdened with regulations to force them to opt out of the failing public school system.
 - Research shows homeschooled students are less likely to endure abuse. The argument that registration of home schooling students with a state agency will protect our children from abuse is unfounded and not supported by facts.⁸
3. Note that Special Elections is April 16, 2024, for Open House seats in Districts 13 & 15. Please investigate all candidates in order to best understand which candidates support parental rights consistent with existing Michigan laws.
4. Visit CDF's Michigan webpage at citizensdefendingfreedom.com/michigan should you need additional instruction or assistance, including our "Contact Us" option.⁹



⁷See Footnote 1 for more on this.

⁸See both footnotes 1 and 5.

⁹**DISCLAIMER:** The information provided in this document does not, and is not intended to, constitute legal advice, or serve as a substitute for legal counsel. Instead, the material herein is for general informational purposes only and should not be relied upon for any particular matter or situation. The seeking of independent legal counsel depending upon the unique facts or circumstances of a particular matter or situation is advised.