

## HELPFUL INFORMATION FOR CIRCLE FAMILIES

*The following information is provided by the Marks Law Firm as it relates to some commonly asked questions. Parents must remember that they and not Circle Christian School assume all responsibility for meeting the statutory requirements of homeschooling their children. Please give your full attention to this information and act accordingly.*

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### ***Related to Child Care:***

*What state laws apply to children at home alone?* There is no specific statute stating an age limit on leaving a child at home alone. §316.6135 does cover leaving a child alone in an automobile – in that this is unlawful under the age of 6.

One of the definitions of “willful child abuse” in Chapter 39.01, is as follow:

“Leaving a child without adult supervision or arrangement appropriate for the child’s age or mental or physical condition, so that the child is unable to care for the child’s own needs or another’s basic needs or is unable to exercise good judgment in responding to any kind of physical or emotional crisis.”

Good judgment is key here and the individual child. It may be that a mature, responsible child under the age of 12 might actually be in a better position to be alone than an immature, irresponsible 13-17 year old.

### ***Related to Instruction:***

*The home education statute [1002.01 Definitions. (1) A "home education program" means the sequentially progressive instruction of a student **directed by his or her parent** in order to satisfy the attendance requirements of ss. 1002.41, 1003.01(13), and 1003.21(1).? Only a parent (defined as the biological or legal parent) is relieved of the requirement to hold a teaching certificate in order to direct instruction. A family member who is tasked with “babysitting” a child, but is not directing instruction may do so on a limited basis without the need to obtain a teaching certificate.*

### ***Related to Truancy:***

*At what point is a Circle student truant?* According to §1003.27, a minor student must be reported to the district school board by the principal or designee if that child accumulates 15 unexcused absences within 90 calendar days. Then, the board has the authority what to do at that point and has the option of filing a truancy petition with the delinquency Court.

A home education program that is “sequentially progressive instruction” complies with the attendance requirements of §1003.21.

*Does truancy relate only to “location of attendance” or do other factors come into the equation?* According to §1002.01, so long as the instruction provided by the parent is “sequentially progressive,” there is no specific location of attendance requirement once a child is enrolled in a “home education program.”

*Are students "truant" if they are at a particular place at a particular time? Does it matter if they are with a parent, a "parent-approved" adult, or alone?* Only if the absence from the expected location is unexcused 15 times in a period of 90 days does the child need to be reported by the principal or designee.