



Non-Compliance, Missed Assignments, Satisfactory Educational Progress Policy and Procedures (“Non-Compliance Policy”)

The Cottonwood School (“TCS” or the “Charter School”) is committed to ensuring students are appropriately engaged in learning, particularly as it correlates to participation in their home school independent study program and attendance reporting. If a student is continually not making satisfactory educational progress, missing assignments, or failing to meet minimum attendance and participation expectations as set forth below and in the Master Agreement, the Charter School will proceed with the applicable procedures outlined below, and it may be determined that it is not in the best interest of the student to remain in independent study.

1. Evaluation After Missed Assignments or Evaluation of Satisfactory Educational Progress

An Evaluation After Missed Assignments or an Evaluation of Satisfactory Educational Progress (“Evaluation”) shall be conducted by the by a Director and/or designee to determine whether it is in a student’s best interest to remain in independent study upon the following triggers:

- a) When a student fails to complete two (2) missed assignments during any period of thirty-five (35) school days; or
- b) In the event a student’s educational progress falls below the satisfactory levels as determined by all of the following indicators:
 - i. The pupil’s achievement and engagement in the independent study program, as indicated by the pupil’s performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in Education Code Section 52060(d) paragraphs (4) and (5).
 - ii. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
 - iii. Learning required concepts, as determined by the supervising teacher.
 - iv. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

The Evaluation After Missed Assignments or the Evaluation of Satisfactory Educational Progress may include, but is not limited to, review of the following:

- a) Attendance based on completion of assignments as quantified by the assigned supervising teacher;
- b) Demonstration of skills on assignments;
- c) Standardized test scores;
- d) Written tests and reports if appropriate;
- e) Oral or written presentations;
- f) Student's attitude toward learning and achievement;
- g) Punctual attendance at scheduled appointments;
- h) Ability to meet during scheduled appointments;
- i) Preparedness for scheduled appointments;
- j) Student demonstration of adequate and appropriate progress toward State Standards;
- k) Appropriate learning environment; and/or
- l) Parent(s) ability to support student learning in the home.

Evaluation Record: A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim student record. The record shall be maintained for a period of three years from the date of the evaluation and, if the student transfers to another California public school, the record shall be forwarded to that school.

1.1 Notice of Decision and Opportunity to Request a Hearing Prior to Removal

If it is determined that it is not in the best interest of the student to remain enrolled in the independent study program, the parent/guardian shall be notified in writing of the Charter School's intent to involuntarily remove the student from the Charter School as it is not in their best interest to remain in independent study, and the right to request a hearing prior to the removal. The Charter School shall comply with all of the procedures outlined in TCS' Withdrawal Policy prior to involuntarily removing a student from the Charter School.

1.2 Additional Consideration for Students with a Section 504 Plan or IEP

If the Charter School recommends removal from independent study as a result of the Evaluation, above, and the student has a Section 504 Plan or individualized education program ("IEP"), the Charter School shall schedule an IEP meeting or Section 504 meeting (as applicable) following applicable legal timelines, to determine the following:

- 1) Whether the missed assignments were caused by or had a direct and substantial relationship to the student's disability; or
- 2) Whether the missed assignments were the direct result of the Charter School's failure to implement the IEP or Section 504 Plan, as applicable.

If the answer to either (1) or (2), above, is yes, then the missed assignments are a manifestation of the student's disability and the School will follow applicable state and federal laws to ensure that the student is offered a free appropriate public education.

If the answer to both (1) and (2), above, is no, then the student may be removed from independent study consistent with this Policy.

This meeting may be combined with the Evaluation meeting, referenced above, at the discretion of the Charter School.

1.3 Readmission after Involuntary Removal

At the time that a student is involuntarily removed, the student and their parent/guardian shall be notified of TCS' readmission process following involuntary removal, as described below:

- a) Students who are involuntarily removed after an evaluation and determination that it is not in the best interest of the student to remain in independent study may apply for readmission to the Charter School in a subsequent school year, in accordance with the Charter School's admission policy and procedures.
- b) Upon readmission to the Charter School, prior to beginning independent study instruction, students and their parent/guardian/caregiver must sign a Master Agreement, which will include all of the provisions as required by law and outlined in the Independent Study Policy, and the following provisions:
 - The student shall be assigned to an HST, and the MTSS Coordinator shall be notified to schedule an SST meeting within five (5) days of the student's enrollment at the Charter School.
 - The student shall be required to participate in weekly check-ins until the team determines it is no longer necessary, with both the HST and the MTSS Coordinator through a virtual conference platform.

A student shall not be permitted to begin independent study at TCS following readmission until a Master Agreement that outlines the above terms are signed by all required parties, including the student and their parent/guardian/caregiver.

2. Non-Compliance Issues and Tiered Reengagement Strategies:

The Charter School's Tiered Reengagement Strategies and Procedures, outlined below, shall be triggered if the student and their parent/guardian is found to be non-compliant with the following expectations and requirements regarding independent study attendance and participation:

- a) A student is not generating attendance for more than three (3) school days or 60% of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of the Charter School's approved instructional calendar;
- b) A student is found not participatory pursuant to Education Code Section 51747.5 for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span;
- c) A student is in violation of their Master Agreement;

- d) The parent/guardian is marking daily engagement in the Learning Log, but the student has missed or not scheduled one or more monthly learning period meetings or other required meetings;
- e) The student has one or more missing required Work Samples;
- f) The student has one or more missing Student Activity Logs (Attendance Logs); or
- g) The student has not responded to their Homeschool Teacher (“HST”) after three sets of attempts (phone and email) over the course of six (6) school days

At any point during the tiered reengagement procedures, when the Evaluation After Missed Assignments or Evaluation of Satisfactory Educational Progress, described in Section 1, is triggered to consider whether remaining in independent study is in the best interest of the pupil, the Charter School shall hold an evaluation to determine whether remaining in independent study is in the best interest of the student.

If a student triggers two (2) non-compliance issues within thirty-five (35) school days, it shall be deemed the equivalent of two (2) missed assignments during any period of thirty-five (35) school days, thereby triggering the Evaluation After Missed Assignments, as described in Section 1, above.

If a student triggers three (3) non-compliance issues within sixty (60) school days, it shall be determined that the student’s educational progress falls below the satisfactory levels, thereby triggering the Evaluation of Satisfactory Educational Progress, as described in Section 1, above.

2.1 Student Activity Logs: Parents/guardians are required to record the student’s daily engagement in the Activity Log on a daily basis. Failure to complete and submit an Activity Log as outlined in Section 2(f) above shall trigger the Tiered Reengagement Procedures described below.

2.2 Work Samples: Students are required to submit required work samples, in the manner that is acceptable, as described below, to the HST every twenty (20) school days. Failure to submit a required work sample as outlined in Section 2(e) above shall trigger the Tiered Reengagement Procedures described below.

a. Acceptable Work Sample Criteria:

- Original document or scanned PDF file
- Demonstrates neat and organized work
- Demonstrates a good reflection of the student’s learning and abilities
- Includes student's name and date
- Sample is completed and dated within the collection Learning Period
- Any photographs submitted must include a summary of the project/concept conveyed in the photograph from the student’s perspective
- Samples may be typed or handwritten by the student. Younger students may dictate to the parent to write or type for them, as necessary

b. Non-Compliant Work Sample:

- Missing student first and last name
- Scanned documents that are difficult to read or are very light

- A scanned or printed document of a certificate of completion or report from an online learning platform
- Sample is not completed or dated within the collection Learning Period
- A photograph that does not include the student's summary of the project/concept
- Incomplete worksheets or work

2.3 Monthly Learning Period Meetings or Other Required Meetings: In accordance with the Master Agreement, students are required to schedule and attend monthly learning period meetings every twenty (20) school days with their HST. A failure to schedule or attend a monthly learning period meeting or other required meeting, as outlined in Section 2(d) above shall the Tiered Reengagement Procedures below.

2.4 HST Communications: HSTs will keep positive and open lines of communication with each family. Any required communication to the student and their parent/guardian will be attempted with a set of both a phone call and email to the student and parent/guardian, which will be documented in the Contact Manager. A failure to respond to the HST after three sets of attempts (both a phone call and email) over the course of six (6) school days, as outlined in Section 2(g) above shall trigger the Tiered Reengagement Procedures described below.

3. Tiered Reengagement Strategies and Procedures:

If a student triggers one (1) non-compliance issue outlined in Section 2 above, the HST shall initiate the Tiered Reengagement Procedures outlined below:

3.1 Initial Call/Email: Following one (1) non-compliance issue identified in Section 2 above, the HST will call and email the student and their parent/guardian, and document the attempted contact in the Contact Manager. The HST shall verify the current contact information for the student, and shall notify the parent/guardian of the student's lack of participation within one (1) school day of the recording of a non-attendance day or lack of participation.

3.2 Second Call/Email: If there is no response or resolution of the non-compliance issue within two (2) school days of the Initial Call/Email, the HST will call and email the student and their parent/guardian for a second time, and document the attempted contact in the Contact Manager.

3.3 Non-Compliance Letter #1: If there is no response or satisfactory resolution of the non-compliance issue within two (2) school days of the Second Call/Email, the HST will do all of the following:

- Send Non-Compliance Letter #1 to the student's parent/guardian via certified mail, requesting a response and/or attempt to resolve the non-compliance issue within five (5) school days from the date Letter #1 was sent. As part of the letter, remind the student and their parent/guardian of the applicable requirements outlined in the Non-Compliance Policy, and any applicable sections of the Independent Study, Master

Agreement and/or other TCS policies that specifically address the student's non-compliance issue.

- Attempt to call/email the student and their parent/guardian to notify them of Letter #1.
- Document dates of all attempted communications in the Contact Manager (including date the letter was sent, any tracking information and date of receipt of the letter).
- To the extent possible, communicate with the family to identify potential causes/reasons for the non-compliance issue, and develop a plan to support the student and resolve any outstanding issues.

The student's Vendor Service Order(s) and Curriculum Order(s) may be placed on hold until the completion of the non-compliance process outlined herein and/or until a satisfactory final resolution to the non-compliance issue has been reached. The Charter School shall ensure that the student has access to all instructional materials needed to complete their educational program.

3.4 Non-Compliance Letter #2: If there is no response to or satisfactory resolution to the non-compliance issue within five (5) school days from the date the Non-Compliance letter was sent, the HST will do all of the following:

- Send Non-Compliance Letter #2 to the family via certified mail, requesting a response and/or attempt to resolve the non-compliance issue within five (5) school days from the date Letter #2 was sent. As part of the letter, remind the student and their parent/guardian of the applicable requirements outlined in the Non-Compliance Policy, and any applicable sections of the Independent Study Policy, Master Agreement and/or other TCS policies that specifically address the student's non-compliance issue.
- Letter #2 shall also identify a date and time for a Pupil-Parent-Educator Conference ("Conference"), in the event that a resolution is not reached within five (5) school days from the date Letter #2 was sent. The Conference shall include all individuals who signed the student's Master Agreement, including, but not limited to the student, the parent/guardian, and the HST, and may also involve the Director of Instruction and Assessment or designee. The date of the scheduled Conference shall be no earlier than six (6) school days after the date of the letter.
- Attempt to call/email the student and their parent/guardian to notify them of Letter #2.
- Document dates of all attempted communications in the Contact Manager (including date the letter was sent, any tracking information and date of receipt of the letter)
- To the extent possible, communicate with the family to identify potential causes/reasons for the non-compliance issue, and develop a plan to support the student and resolve any outstanding issues.

Letter #2 gives the family the opportunity to communicate and work with their HST to address and problem-solve the issues of concern. Should the family fail to contact their HST within five (5) school days from the date the letter was sent, the

parent/guardian must attend the Parent-Pupil-Educator Conference as scheduled in the letter, or as rescheduled upon request by the parent/guardian.

3.5 Pupil-Parent-Educator Conference: A Conference will be held if a non-compliance issue is not resolved following the issuance of Non-Compliance Letter #2. The HST will do all of the following:

- Notify the all individuals who signed the Master Agreement, including, but not limited to the student, parent/guardian, and any Charter School staff of the date and time of the Conference, which will be held virtually on an online platform meeting system. Parents/guardians may request to participate by phone. The Conference may also involve the Director of Instruction and Assessment or designee.
- Document a summary of the Conference in the Contact Manager.
 - All participants of the Conference will review the student’s Master Agreement, and reconsider the independent study program’s impact on the pupil’s achievement and well-being. During the Conference, all participants will work towards the resolution of the non-compliance issue that triggered the Tiered Reengagement Procedures and/or any other concerns related to the student’s continued participation in their independent study program.
 - Following the Conference, Charter School administration may determine one of the following:
 - The Conference has fully resolved the non-compliance issue and no changes to the student’s independent study program is necessary.
 - The student shall remain in their independent study program, but be placed on a student improvement plan and provided any necessary supports to fully comply with the terms of their Master Agreement and applicable school policies.
 - The Charter School and the student and parent/guardian may determine that different strategies shall be implemented to ensure relevant documents (e.g., Student Activities Logs or Work Samples) are collected in a different manner to ensure compliance with applicable reporting requirements.

3.6 Evaluation After Missed Assignments or Evaluation of Satisfactory Educational Progress:

At any point during the tiered reengagement procedures, when the Evaluation After Missed Assignments or Evaluation of Satisfactory Educational Progress, described in Section 1, is triggered to consider whether remaining in independent study is in the best interest of the pupil, the Charter School shall hold an evaluation to determine whether remaining in independent study is in the best interest of the student.

If a student triggers two (2) non-compliance issues within thirty-five (35) school days, it shall be deemed the equivalent of two (2) missed assignments during any period of thirty-five (35) school days, thereby triggering the Evaluation After Missed Assignments, as described in Section 1, above.

If a student triggers three (3) non-compliance issues within sixty (60) school days, it shall be determined that the student’s educational progress falls below the satisfactory levels, thereby triggering the Evaluation of Satisfactory Educational Progress, as described in Section 1, above.