

Board Policy #:
Adopted/Ratified: 12/13/2022
Revision Date:



Missed Assignment and Involuntary Removal Policy

In accordance with Education Code Section 51747, the Cottonwood School (the “Charter School”) maintains a Board policy establishing two (2) assignments during any learning period that may range between twenty (20) to thirty-five (35) school days as the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interest of the pupil to remain in independent study.

The Cottonwood School is dedicated to the academic achievement and success of all students. If a student is not meeting the requirements as set forth in the master agreement and independent study policy, the student may be subject to involuntary removal from the Charter School, pursuant to the procedures outlined below.

Evaluation Triggers

In accordance with the Charter School’s Board policy on independent study, the Director of Instruction and Assessment or their designee shall conduct an evaluation to determine whether it is in the pupil’s best interest to remain in independent study, upon the following triggers:

- a) When any pupil fails to complete two (2) assignments during any learning period that may range between twenty (20) to thirty-five (35) school days.
- b) In the event a student's educational progress falls below 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.

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Conducting the Best-Interest Evaluation

The evaluation after missed assignments/failure to make satisfactory progress may include, but is not limited to, the review of the following:

- 1) Attendance, based on completion of assignments as quantified by the assigned supervising teacher;
- 2) Attendance, based on five (5) consecutive days during which the student/family has not contacted the Charter School or responded to the Charter School's contact requests;
- 3) Demonstration of skills on assignments;
- 4) Standardized test scores;
- 5) Written tests and reports if appropriate;
- 6) Oral or written presentations;
- 7) Pupil's attitude toward learning and achievement;
- 8) Punctual attendance at scheduled appointments;
- 9) Ability to meet scheduled appointments;
- 10) Preparedness for scheduled appointments;
- 11) Pupil demonstration of adequate and appropriate progress toward Common Core State Standards;
- 12) Appropriate learning environment; and
- 13) Parent(s) ability to support pupil learning in the home.

As part of the evaluation process, the pupil, parent(s), guardian(s) or if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder (all generally referred throughout as "Parent(s)") will be invited to present evidence to the individual or individuals conducting the evaluation. During this meeting, the Charter School will determine whether it is in the best interest of the pupil to remain in independent study. A written record of the findings of any evaluation made pursuant to this subdivision shall be maintained in the pupil's mandatory interim record.

Additional Consideration for Pupils with a Section 504 Plan or IEP

If the Charter School recommends removal from the independent study as a result of the evaluation after missed assignments/failure to make satisfactory progress, and the pupil has a Section 504 Plan or an individualized education program ("IEP"), the Charter School shall schedule an IEP team meeting or Section 504 team 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 pupil'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 pupil's disability, and the Charter School will follow applicable state and federal laws to ensure that the pupil is offered a free appropriate public education.

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If the answer to both (1) and (2), above, is no, then the pupil may be involuntarily removed from the Charter School, consistent with this policy.

This meeting may be combined with the evaluation after missed assignments/failure to make satisfactory progress at the discretion of the Charter School.

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

Once the evaluation is complete, if it is determined that it is not in the best interest of the pupil to remain enrolled in the independent study program, the Parent(s) shall be notified in writing of the Charter School's intent to involuntarily remove the pupil from the Charter School, as it is not in their best interest to remain in independent study. The Notice shall be in the native language of the Parent(s) and provided no less than five (5) school days before the effective date of the pupil's removal. The Notice shall include the following:

- 1) The Charter School's intent is to involuntarily remove the pupil from the Charter School, as it is not in their best interest to remain in independent study.
- 2) The opportunity for the Parent(s) to request a hearing that follows the same procedures as the Charter School's disciplinary hearing. Parent(s) (or the pupil if over 18) must submit the request for hearing writing within five (5) calendar days from the date of the Notice.

If Parent(s) or pupil over 18 requests a hearing:

- a. It will be scheduled following the Charter School's expulsion hearing procedures as outlined in the Charter School's approved charter.
- b. The pupil shall remain enrolled and shall not be removed until the Charter School issues a final decision.

If no hearing is requested, the pupil shall be removed from the Charter School on the date listed on the notice.