

Missed Assignments and Involuntary Removal Policy

Per California Education Code section 51747, Yu Ming Charter School (the “Charter School”) maintains a board policy establishing 2 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 student to remain in independent study.

Evaluation After Missed Assignments

After 2 missed assignments during any period of 5 school days, an evaluation will be conducted by the Principal and/or designee and supervising teacher to determine whether it is in the best interests of the student to remain enrolled in independent study. The Evaluation After Missed Assignments 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) Demonstration of skills on assignments;
- 3) Standardized test scores;
- 4) Written tests and reports if appropriate;
- 5) Oral or written presentations;
- 6) Student’s attitude toward learning and achievement;
- 7) Punctual attendance at scheduled appointments;
- 8) Ability to meet scheduled appointments;
- 9) Preparedness for scheduled appointments;
- 10) Student demonstration of adequate and appropriate progress toward
- 11) Common Core State Standards;
- 12) Appropriate learning environment; and/or
- 13) Parent(s) ability to support student learning in the home.

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

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 After Missed Assignments, 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 Charter 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 After Missed Assignments meeting, referenced above, 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 student to remain enrolled in the independent study program, the Parent(s) shall be notified in writing of the Charter School’s intent to remove the student 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) schooldays before the effective date of student’s removal. The Notice shall include the following:

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

- 3) If Parent(s) or student 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 and Suspension and Expulsion Policy and Procedures.
 - b. The student shall remain enrolled and shall not be removed until the Charter School issues a final decision.
 - c. If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known district of residence within thirty (30) calendar days.
 - d. A hearing decision not to disenroll the student does not prevent the Charter School from making a similar recommendation in the future should student truancy occur or re-occur.

- 4) If no hearing is requested, the student shall be removed from the Charter School on the date listed on the notice.