



Independent Study Involuntary Disenrollment Policy

Board Approved: June 25, 2020

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The governing board of iLEAD Lancaster (the “School”) maintains this board policy establishing the School’s procedures for involuntary disenrollment.

Tiered Reengagement and Evaluation Process

Learners are expected to complete their assigned work by the assigned due date(s), reach out to their teacher with any questions or concerns regarding their course(s), attend mandatory classes and meetings, and adhere to the terms of their Written Agreement. The tiered reengagement procedures outlined in the School’s Independent Study Policy may be triggered if a learner is found non-compliant with the above expectations, and shall be triggered at the very least if the learner meets the circumstances in Education Code section 51747(d). For learners who continue to demonstrate attendance and/or participation issues, the School may conduct an evaluation to determine whether it is in the best interest of the learner to remain enrolled in independent study (“Evaluation”), as further discussed in the Independent Study Policy.

Additional Consideration for Learners with a Section 504 Plan or IEP:

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

1. Whether the attendance/participation issue was caused by or had a direct and substantial relationship to the learner’s disability.
2. Whether the attendance/participation attendance/participation issue was the direct result of the 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 attendance/participation issue is a manifestation of

the learner's disability and the School will follow applicable state and federal laws to ensure that the learner is offered a free appropriate public education.

If the answer to either (1) and (2), above, is no, then the learner may be removed from independent study consistent with this policy as applicable to learners without disabilities.

This meeting may be combined with the Evaluation at the discretion of the School.

Involuntary Disenrollment Process

Once the Evaluation is complete, if it is determined that it is not in the best interest of the learner to remain enrolled in the independent study program, the parent/guardian(s) shall be notified in writing of the School's intent to remove the learner as it is not in their best interest to remain in independent study (hereinafter referred to as the "Notice"). The Notice shall be in the native language of the parent/guardian(s), or if the learner is a homeless child or foster youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the learner is an Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker.

The Notice shall be provided no less than five (5) school days before the effective date of learner's removal. The Notice shall include the following:

1. Notice of the School's intent to remove the learner.
2. The opportunity of the parent/guardian(s) (or educational rights holder, attorney, county social worker, or tribal social worker as applicable, hereinafter included within "parent/guardian(s)") to request a hearing adjudicated by a neutral officer within a reasonable number of days, at which the learner has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the learner has the right to bring legal counsel or an advocate. The parent/guardian(s) must submit the request for a hearing in writing prior to the effective date to the effective date of the learner's removal and the request must be received by the School within five (5) school days from the date of the Notice.

If parent/guardian(s) requests a hearing in accordance with the above:

- The hearing will be scheduled and the family will be notified of the date/time/location of the hearing.
- The learner shall remain enrolled and shall not be removed until/unless the School issues a final decision to disenroll.
- A hearing decision not to disenroll the learner does not prevent the School from making a similar recommendation in the future should learner attendance/participation issues occur or re-occur.

If no hearing is requested, the learner shall be removed from the School on the date listed on the Notice.

The learner's district of residence will be notified of the removal within thirty (30) calendar days. The School shall, upon request, provide that school district with a copy of the cumulative record of the learner, including report cards or a transcript of grades, and health information.