



# Non-Compliance Policy and Procedures

**The Cottonwood School is committed to ensuring students are appropriately engaged in learning, particularly as it correlates to attendance reporting. After the Non-Compliance Process has been seen through, it may be determined that Independent Study is not the best educational placement for the student and as such, the student may be Administratively Withdrawn.**

**The purpose of The Cottonwood School Governing Board approving this Non-Compliance Policy is to accomplish the following:**

1. Outline the Non-Compliance Process
2. Outline the Student's Responsibility to complete Work/Progress, Assignments/Work Samples, and/or Student Activity Logs
3. Outline the Parent's and Student's Responsibility to Schedule and Attend Monthly Learning Periods
4. Establish Communication Requirements for the Home School Teacher (HST).
5. Outline the Non-Compliance Procedures
6. Outline the Procedures for the HST when sending the First Non-Compliance Letter
7. Outline the Procedures for the HST when sending the Second Non-Compliance Letter
8. Outline the Procedures for the Administrative Conference Call
9. Establish the Non-Compliance Timeline/Checklist

- 1. Non-Compliance Process:** The school's Non-Compliance Process can be engaged if a student/family is found to have one or more of the following:
  - Two (2) missing assignments during any period of twenty (20) school days
  - One or more missing Work Samples
  - One or more missing Student Activity Logs (Attendance Logs)
  - Missed or not scheduled one or more monthly learning period or other meetings.
  - Has not responded to their Homeschool Teacher after three sets of attempts (phone and email) over the course of six school days.
  
- 2. Student Work/Progress, Assignments/Work Samples, Student Activity Logs:** It is required that all Homeschool Teachers (HSTs) review and affirm student learning and collect Student Activity Logs and Work Samples every twenty school days. It is also required that all HQTs, monitor work completion and progress for High School Students, if using an HQT. When any pupil fails to complete two (2) assignments during any period of twenty (20) school days, or has missed one or more work samples, the HST should then start the Compliance Process.

### Acceptable Work Sample Criteria:

- Original or scanned PDF version
- Demonstrates neat and organized work
- Demonstrates a good reflection of your child's learning and abilities
- Includes student's name and date in the top right-hand corner
- The sample needs to be completed and dated within the collection Learning Period
- Must be non-sectarian (non-religious)
- Photographs must include a summary 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

### Non-Compliant Work Samples Include:

- 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
- Samples completed and dated not within the Learning Period
- A photograph which does not include the student's summary of the project/concept
- Incomplete worksheets or work

- 3. Monthly Learning Period or Other Meetings:** It is the parent's and student's responsibility to make every effort to schedule and attend monthly learning period meetings every twenty school days. If the meeting is not successfully scheduled or held after two or more attempts it could be determined that the family has not met the school's meeting expectations and the HST should start the Non-Compliance Process.
- 4. Communication Requirements of the Home School Teacher:** HSTs will keep positive and open lines of communication with each family. HSTs will follow a communication pattern with a pairing of a phone call, email message, and document in Contact Manager. If an initial communication pair (#1) is not responded to within two school days, the HST will attempt to reach the family again with another communication pair (#2). If the second communication pair is not successful, the HST will attempt a third communication pair (#3) and start the Compliance Process by sending Non-Compliance Letter #1.
- 5. Non-Compliance Procedures:** The compliance procedure can include two compliance letters and one Administrative Conference call. If after the Administrative Conference call the student fails to meet expectations, the student will be withdrawn from the school for at minimum, one academic school year.
- 6. First Non-Compliance Letter:** Should any of the items listed in the Non-Compliance Process occur and there have been three Communication Pairs attempted, upon the third attempt, the HST will:
  - Send Non-Compliance Letter #1 to the family via certified mail.
  - Document date letter was sent, issue, and tracking number in Contact Manager
  - Remind student/family of the appropriate sections of the Master Agreement and Parent-Student Handbook that specifically address the issue/concern.
  - Talk with the family to see what the issues/concerns are on both sides as well as develop a plan to support the student and resolve any issues.
  - Hold all Instructional Funds until the family is compliant.

7. **Second Non-Compliance Letter:** Without satisfactory resolution or response to the issues described in the Non-Compliance Letter #1 within five school days, the HST will:
- Attempt to call and email the family (Communication Pair #4)
  - Determine a day and time to schedule an Administrative Conference Call with the parent(s)/guardian(s), HST, and Sr. Director, to be specified in Non-Compliance Letter #2. Date should be no sooner than the 6<sup>th</sup> school day from the date of the letter.
  - Send Non-Compliance Letter #2 to the family via certified mail.
  - Document date letter was sent, issue, and tracking number in Contact Manager
  - Remind student/family of the appropriate sections of the Master Agreement and Parent-Student Handbook that specifically address the issue/concern.

**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 communicate to their HST within five school days from the date the letter was sent, the parent/guardian must either communicate and resolve the indicated issues with their HST or attend the Administrative Phone Conference as scheduled in the letter.**

8. **Administrative Conference Call:** Without satisfactory resolution to the issues/concerns, the HST will:
- Send out a conference call number to all participants.
  - Attempt to remind/confirm the parent/guardian of the call via phone and email. Document the communication in the Contact Manager.
  - Document date the Administrative Conference Call was held including a brief summary of the outcome in the Contact Manager.

**A team composed of Parent(s)/Guardian(s), HST, and a Director must be present on the Administrative Conference Call. During this time the team will work towards resolution of the issues/concerns as well as determine if this is the best placement for the student. School Administration may determine the following:**

- Independent Study is in the best interest of the student.
- The need to place the student on a student improvement plan.
- The need to implement different strategies to collect compliance documents (Student Activities Logs and or Work Samples).
- Determine that it is not in the student's best interest to remain in our independent study program.

**If the Administration finds that this is not in the best interest of the student to remain in independent study, then the student shall be withdrawn from the school by following the procedures in the school's withdrawal policy.**

**If the student or parent does not attend the Administrative Conference Call, the student could be withdrawn from the school by following the procedures in the school's withdrawal policy.**

9. **Non-Compliance Timeline/Checklist:**

- Concern/Issue Arises
  - **The HST will Call & Email Family (Communication Pair #1)\***
- Wait 2 School Days
- Resolution – Stop Process
- If No Resolution Continue
  - **The HST will Call & Email Family (Communication Pair #2)\***

- Wait 2 School Days
- Resolution – Stop Process
- If No Resolution Continue
  - **The HST will Call & Email Family (Communication Pair #3) + Send Non-Compliance Letter #1 (Certified Mail) Hold Instructional Funds\***
- Wait 5 School Days
- Resolution– Stop Process
- If No Resolution Continue
  - **The HST will Call & Email Family (Communication Pair #4) + Send Non-Compliance Letter #2 that includes Administrative Conference Call (Certified Mail)\***
- Wait 5 School Days
- Resolution – Stop Process
- If No Resolution Continue
  - **The HST will Hold Administrative Conference Call and determine best course of action\***
- Follow school withdrawal policy, if applicable\*

## **10. Notice of Decision and Opportunity to Request a Hearing Prior to Removal**

Once the evaluation to determine whether independent study is in the student’s best interests 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 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. 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. Within five (5) calendar days of the school receiving a request for a Non-Compliance Hearing, a written notice explaining the charges against the student and an explanation of the student’s rights will be sent.
  - b. The Non-Compliance Hearing will be adjudicated by a neutral officer. Parents/students will have the opportunity to present testimony, evidence, witnesses, and cross examine adverse witnesses. Parents/Students have the right to bring legal counsel or an advocate.
    - i. 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.
    - ii. 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 school on the date listed on the notice.

**\*Document in Contact Manager**

