



Truancy Policy

Board Approved: June 18, 2020

Per California Education Code Section 51747, the governing board of Empower Generations Charter School maintains this board policy establishing 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.

Inadequate Progress

Inadequate Progress, established by this policy, occurs when the student fails to attend one learning period meeting, fails to complete at least 75% of work assigned for one learning period, and/or accumulates 20 absences due to insufficient work completion and/or engagement as evaluated by the facilitator. This is referred to as "Inadequate Progress." Students making Inadequate Progress are considered to be truant.

Truancy

Consequences for truancy may include interventions (both academic and social emotional) and/or disciplinary action, including referral for an Evaluation (defined herein below) as deemed necessary by the school director or designee. Prior to determining the need of an evaluation the school will make every effort to contact students and families by phone, email, or in person meetings to determine interventions needed for success. In addition, Empower Generations will not dis-enroll pregnant or parenting students when they leave on their maternity/paternity leave, and will mark them with an excused absence, or some designation that does not result in the students being identified as truant, on the days that the students are on maternity/paternity leave as per guidelines of leave in California *EC* Sections 221.51, 222.5 and 46015.

Evaluation After Truancy

After the student meets the criteria for truancy, an evaluation will be conducted by school administration including the student's supervising teacher to determine whether it is in the best interest of the student to remain enrolled in independent study (herein referred to as the "Evaluation"). The Evaluation may include items as outlined on the student's Master Agreement, but is not limited to the review of the following:

- 1) Attendance based on completion of assigned work and daily engagement as quantified by the supervising teacher
- 2) Student's demonstration of adequate and appropriate progress toward Common Core State Standards due to lack of engagement or insufficient work completion

- 3) Attendance at scheduled school appointments
- 4) Appropriate learning environment
- 5) Parent/guardian(s) ability to monitor 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 or individuals conducting the Evaluation. During the Evaluation, the School will determine whether it is in the best interests of the student to remain in independent study. A written record of the findings of any evaluation made pursuant to this subdivision shall be maintained in the student's mandatory interim record.

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

If the School recommends removal from independent study as a result of the Evaluation and the student has a Section 504 Plan or 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 Inadequate Progress (e.g. missed assignments) was caused by or had a direct and substantial relationship to the student's disability
- 2) Whether the Inadequate Progress (e.g. missed assignments) 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 Inadequate Progress is 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 either (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 at the discretion of the 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 School's intent to remove the student 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(s) and provided no less than five (5) school days 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 that follows the same procedures as the School uses for expulsions. Parent(s) (or the student if over 18) must submit the request for hearing in writing and the request must be received by the School 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 School's expulsion hearing procedures as outlined in the School's approved charter.
 - b. The student shall remain enrolled and shall not be removed until the School issues a final decision.
- 4) If no hearing is requested, the student shall be removed from the charter school on the date listed on the Notice. The student's district of residence will be notified of the removal.

The student and/or parent(s) will receive a copy of the Notice.