



BOARD POLICY ON INVOLUNTARY DISENROLLMENT

Overview

This policy sets forth the procedures governing the involuntary disenrollment of scholars from the charter schools operated by John Adams Academies, Inc. ("JAA"). Charter schools in California are schools of choice: enrollment is entirely voluntary, and no scholar is required to enroll or remain enrolled. (Ed. Code, § 47605(g).) Due to the success of JAA's innovative educational model, our charter schools regularly operate at full capacity and maintain long waitlists of scholars seeking admission.

The Charter Schools Act declares several purposes, including improving scholar learning, encouraging the use of innovative teaching methods, expanding educational choice for parents and scholars, and fostering healthy competition within the public school system. (Ed. Code, § 47601.) JAA advances these purposes by offering a comprehensive, classical education that is not otherwise available in the communities we serve. JAA also benefits from the broad statutory flexibility for charter schools often referred to as the "mega waiver." (Ed. Code, § 47610.) This autonomy allows JAA to implement its American Classical Leadership Education® model, which intentionally integrates curriculum, dress code, core values, and the school culture to cultivate servant leaders. Every aspect of the school experience, including academic programming, dress code, pedagogy, physical environment, and school traditions, is designed to function cohesively as part of this model.

As an essential component of this integrated approach, all parents and scholars receive JAA's policies, rules, and expectations during the enrollment process and must acknowledge that they have reviewed and agree to comply with them. This agreement is not a mere formality. It is a vital part of maintaining the integrity of the educational model.

California law expressly permits charter schools to involuntarily disenroll scholars for any lawful reason. (See Ed. Code, § 47605(c)(5)(J)(iii).) Involuntary disenrollment is distinct from suspension or expulsion, and it is governed by procedures that differ from those set forth in JAA's suspension and expulsion policies. (See *Scott B. v. Board of Trustees of Orange County High School of the Arts* (2013) 217 Cal.App.4th 117, 124.) A scholar who

is involuntarily disenrolled from JAA remains free to immediately enroll in their district of residence or another charter school without any loss of instructional time.

Nothing in this policy authorizes JAA to discriminate against scholars, to discourage a prospective scholar from enrolling or seeking to enroll, or to encourage a current scholar to disenroll in violation of Education Code section 47605(e) or any other applicable law.

Definitions

- “Involuntary disenrollment,” “involuntary removal,” or “dismissal” means any action by which JAA unilaterally disenrolls, dismisses, transfers, or terminates a scholar’s enrollment at JAA, other than an expulsion or suspension as defined in JAA’s discipline policies.
- “Parent” includes a parent, guardian, or other educational rights holder.

Grounds for Involuntary Disenrollment

Subject to applicable law and this policy, JAA may initiate involuntary disenrollment of a scholar for violating any of JAA’s policies, including, but not limited to, the following:

- a. Violations of JAA’s Board Policy on Uniform (Dress Code).
- b. Plagiarism, cheating, or other academic dishonesty.
- c. Behavioral violations, including, but not limited to, harassment, bullying, threats, or other behavior that disrupts the educational program.
- d. Excessive unexcused absences, truancy, or chronic absenteeism.
- e. Actions that endanger the health or safety of other scholars, staff, or the school site.

Written Notice of Disenrollment

JAA shall not involuntarily disenroll a scholar from JAA for any reason unless the parent of the scholar has been provided with **written notice** of JAA’s intent to remove the scholar **no less than five (5) schooldays** before the effective date of the action.

This written notice shall include:

1. The factual basis supporting the proposed involuntary disenrollment.
2. The proposed effective date of the disenrollment.

3. An explanation of the parent and scholar rights described in this policy, including the right to a hearing before a neutral school official, the right to present testimony, evidence, and witnesses, the right to confront and cross examine adverse witnesses, and the right to be represented by legal counsel or an advocate prior to the effective date of the involuntary disenrollment action.
4. A copy of the Charter School Complaint Notice and Form.

The written notice shall be in the native language of the scholar or the scholar's parent, or, if the scholar is a homeless child or youth, or a foster child or 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 scholar 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. A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent of a scholar has to receive an involuntary disenrollment notice, and other documents and related information.

Right to Hearing and Hearing Procedures

Pursuant to Education Code section 47605(c)(5)(J)(iii), a parent may request a hearing before a neutral school official after receiving notice of a proposed involuntary disenrollment from JAA.

If a parent initiates the hearing procedures by the deadline in the notice, the scholar shall remain enrolled at JAA and shall not be disenrolled until JAA issues a final decision after the hearing. If no hearing is requested before the effective date, the involuntary disenrollment may proceed as of the close of school on that date.

Upon disenrolling a scholar for any reason, JAA shall notify the superintendent of the scholar's school district of residence within 30 days.

Appointment of a Neutral School Official

Upon timely request for a hearing, the JAA Superintendent or designee shall appoint a neutral school official who has not been directly involved in the underlying incident(s) to act as hearing officer. The neutral school official does need to be a certificated employee.

Hearing Rights

The hearing shall be held within a reasonable number of days from the parent's request. The scholar shall have a fair opportunity to present testimony, evidence, and witnesses. The scholar and parent shall have the right to confront and cross-examine any adverse witnesses. The scholar shall have the right to bring legal counsel or an advocate. The hearing may be held in-person or virtually.

Scholars with Disabilities

JAA shall comply with all applicable laws regarding scholars with disabilities, including, but not limited to, the requirement to hold a manifestation determination before a change in placement.