



# INVOLUNTARY DISMISSAL POLICY



## INVOLUNTARY STUDENT DISMISSAL

CIJS views a safe learning environment as a number one priority. Therefore, CIJS will begin implementing an Involuntary Dismissal Policy based on violations of the Osceola County Student Code of Conduct that will go in effect beginning the 2024/2025 school year. CIJS may involuntarily dismiss a student for failure to maintain eligibility residency requirements.

Involuntary Dismissals are determined on a case-by-case basis utilizing the Osceola County Student Code of Conduct and Matrix of Infractions.

Per the dismissal policies section within the charter contract, the following applies. The School is herein referred to as Creative Inspiration Journey School (CIJS). The district is herein referred to as Osceola County School District (SDOC):

“Upon the School’s decision to implement dismissal, the School shall refer the student to the District for appropriate placement with the District. Dismissal procedures shall be clearly defined in writing and included in any Parent Contract, shared with students and parents annually and provided to the District no later than two weeks prior to the opening of school each year. In each instance where dismissal is initiated, the parents will receive written notice of the dismissal including the reasons for dismissal and a summary of the actions taken to assist the student prior to dismissal. The District shall be provided a copy of the dismissal notice on the same day as the parent. The School shall work in conjunction with the parent(s) and the receiving school to assure that, to the greatest extent possible, such dismissals occur at logical transition points in the school year (e.g. grading periods or semester breaks) that minimize impact on the student grades and academic achievement.

The School may withdraw a student involuntarily for failure to maintain eligibility, such as District residency requirements, or for material violation of the School's Student Conduct Code, which must also be compliant with IDEA, Section 504 of the Rehabilitation Act, and the American with Disabilities Act (ADA) for student with disabilities. The School may not withdraw a student involuntarily for poor academic performance or for a minor infraction of the School’s Code of Conduct”

**Procedures for Involuntary Dismissal:** The parents/guardians shall be informed of their right to request a hearing before the Behavior Team regarding the recommendation for Involuntary Dismissal. They shall also be informed of their right to obtain legal counsel (at no cost to the CIJS Employees, IPS or CIJS School Board) to call and examine or cross examine witnesses, to introduce evidence and to submit rebuttal evidence. If no hearing is requested in writing within 5 days, the recommendation for Involuntary Dismissal may be placed on the consent agenda of the next possible CIJS School Board meeting and the decision considered final upon board approval.

If a hearing takes place, the student may be represented by his parents/guardians or by parent paid counsel, and all parties may introduce and examine evidence, call and examine or cross-examine witnesses, and submit rebuttal evidence. The rules of evidence observed by courts shall not be applicable.



The decision of the Behavior Team shall be based solely upon evidence presented at the hearing, and a copy of the Findings of Fact and the decision of the CIJS Behavior Team shall be furnished to the student in writing. School staff will have the authority to confiscate forbidden items, which would be used as evidence in a recommendation for Involuntary Dismissal and may later be returned to the parent/guardian. Controlled substances will be handled in accordance with Florida Statutes and other applicable laws and regulations.

**Recommendation for Involuntary Dismissal for Exceptional Student Education (ESE).** Any recommendation for Involuntary Dismissal of any Exceptional Education Student shall be made in accordance with the rules promulgated by the State Board of Education and Federal Regulations outlined in the Individuals with Disabilities Education Act (IDEA). For any ESE student charged with an involuntary dismissal offense that could subject the ESE student to a change in placement, the ESE student shall be granted the same opportunity as students without disabilities to attend a hearing in front of the CIJS Behavior Team during which evidence and witnesses may be presented to challenge, on the basis of innocence or guilt, a disciplinary charge that had led to a recommendation for an Involuntary Dismissal. CIJS shall provide parents/guardians of ESE students with written and verbal notice of their right to attend such a hearing. Please be aware that such a hearing before the CIJS Behavior Team most likely will not be afforded to the student until after a manifestation determination meeting has been conducted.

Students recommended for expulsion or placement in an alternative school will be referred to the Sponsor, the School District of Osceola County for appropriate disposition. If the student remains enrolled at the School while placed at an alternative school, costs for the alternative school charged to the School, if any, will not exceed the Sponsor's actual cost for such student unless mutually agreed to by the School and Sponsor in a contract negotiated separately from the Charter. Students with disabilities shall be afforded a manifestation determination if required by the Individuals with Disabilities Education Act.

**Recommendation for Involuntary Dismissal for Section 504.** The same provisions shall apply to students determined eligible for disability-related services under Section 504 in accordance with the Americans with Disabilities Act Amendments Act of 2008 (ADAAA).