

Board Policy

Independent Study

BP XXXX

Instruction

The Governing Board recognizes its responsibility for the education of all pupils in the public school system. The Board of Education authorizes Independent Study as an optional alternative instructional strategy to meet the educational needs of pupils in a setting other than the regular classroom.

A. The primary purpose for Independent Study is to offer a means of individualizing the educational plan for pupils who choose this option in order to best meet their needs. Independent study (IS) may be used by pupils as provided in California Education Code (*EC*) section 51745.

1. No pupil shall be required to participate in IS. All pupils shall have the alternative of classroom instruction.
2. No course required for high school graduation by the State or the District governing board or admission into the University of California or California State University system shall be offered exclusively through IS.
3. No individual with exceptional needs as defined in *EC* section 56026 may participate in IS unless their individualized education program (IEP) specifically provides for that participation.
4. No temporarily disabled pupil may receive individual instruction pursuant to *EC* section 48206.3 through IS. However, if the temporarily disabled pupil's parent or guardian and the district agree, the pupil may receive instruction through IS instead of receiving the "home and hospital" instruction provided pursuant to *EC* section 48206.3.
5. Before signing a written agreement for IS, a pupil, or their parent, guardian, or caregiver if the pupil is less than 18 years of age, may request a parent-pupil-educator conference, during which they may ask questions about educational options, that may include academic and nonacademic supports that will be made available to participating pupils, and the curriculum offerings. The district will conduct conferences by phone, videoconference, in person, or a school meeting.
6. The District shall provide appropriate existing services and resources to enable pupils to complete their IS successfully and shall ensure that the IS pupil has the same access to all services and resources in the school in which the pupil is enrolled as is available to all other pupils in the school, including providing equipment and internet connectivity supports.
7. Pupils at the elementary level who request IS, together with their parents or guardians, should recognize that IS at the elementary level must emphasize a commitment on the part of the pupils' parent(s) or guardian. At the secondary level, the pupil must make the major commitment and must be assisted or supported, as necessary, by parents and others who may help guide the instruction.
8. Pupils who request to return to in-person instruction from IS, or have been identified as needing to return to in-person instruction by the supervising teacher, shall be

accommodated in no case later than five (5) instructional days at their home school or another school within the district. [This return will involve a transition meeting with the IS supervising teacher and administrator, and the in-person classroom teacher, and on-campus counselor. The transition meeting will include reviewing academic progress summary and input from the IS teacher of record. It may be determined at this meeting if partial credits need to be awarded to ensure progress toward graduation.]

B. Live Interaction and Synchronous Instruction

Pupils enrolled in the District's IS Program will participate in live interaction and synchronous instruction, as provided in the IS agreement.

Live interaction may be between the pupil and District classified or certificated staff, and may include peers. Live interaction is intended to maintain school connectedness, including but not limited to: wellness checks, progress monitoring, provision of support services and instruction. This interaction may take place in person or in the form of internet or telephonic communication.

Synchronous instruction is classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications and involving live, two-way communication between the teacher and pupil. Synchronous instruction shall be provided by the teacher of record for that pupil.

Pupils in IS will have the opportunity to participate in live interaction and synchronous instruction in accordance with law at each grade level throughout the school year, or until they disenroll from the program, as follows:

- Kindergarten to grade 3 — daily synchronous instruction.
- Grades 4 to 8 — both daily live interaction and at least weekly synchronous instruction.
- Grades 9 to 12 — at least weekly synchronous instruction.

C. Satisfactory Educational Progress

The satisfactory educational progress for each pupil enrolled in IS will be determined by all of the following:

1. The pupil's achievement and engagement in the program, as indicated by their performance on applicable pupil-level measures of pupil achievement and engagement pursuant to paragraphs (4) and (5) of subdivision (d) of *EC* section 52060.
2. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
3. Learning required concepts, as determined by the supervising teacher.
4. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

D. Written Agreement

1. The Superintendent or designee shall ensure that the District executes a written IS agreement with each participating pupil as prescribed by law. Individual IS agreements and any supplemental agreements and assignments must be consistent with the District's adopted course of study. IS agreements shall be signed, before the commencement of the program, by the pupil or by the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the school official who is designated as having responsibility for the general supervision of the IS program, and all persons who will have direct responsibility for providing assistance to the pupil. Written agreements may be signed by all required parties electronically in compliance with state requirements. *For the 2021-22 school year only and pursuant to California EC sections 51747(g)(9)(F) and 51749.6(b)(7), a local educational agency shall obtain all required signatures on the IS agreement no later than 30 days after the first day of instruction*
2. The written agreement shall include a statement that articulates the academic and other supports that will be provided to pupils who are not performing at grade level, or need support in other areas.
3. Connectivity support, and District devices will be made available to participating pupils, and pupils will have access to support personnel who can provide maintenance and functionality of devices and connectivity, and who will provide training on using District purchased software platforms, or other technology-based aspects of the IS program.
4. For pupils in IS, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be ___ days for pupils in grades ___ through grade ____.

A. When any pupil does not complete ___ IS assignments during any period of ___ school days, [does not participate in live interaction and/or synchronous instruction without valid reasons], and is not making satisfactory educational progress pursuant to paragraph (2) of subdivision (b) of *EC* section 51747 for traditional IS, the Superintendent or designee shall conduct an evaluation to determine whether the pupil should be allowed to continue in IS. A written record of the findings of any evaluation conducted pursuant to this policy shall be maintained in the pupil's permanent record.

B. The Superintendent or designee shall collect all necessary data elements to compile a report, as necessary, of pupils participating in IS, including data on the number and percentage of pupils who successfully complete the requirements for a high school diploma through IS.

C. The Superintendent or designee shall establish regulations to implement this policy in accordance with law.

Notification of a pupil's academic progress will be reported and communicated to the pupil, or the pupil's parent, guardian, or caregivers if the pupil is less than 18 years of age as described in the written agreement. Notification will be issued by written, telephonic, or other forms of direct communication.

5. If a pupil fails to complete assignments or is not generating attendance for more than three (3) school days or 60% of the instructional days in a school week, or is in violation of the their written agreement (traditional IS), or if satisfactory educational progress in one or more courses is not being made (course-based IS), the supervising teacher and administrator will initiate tiered re-engagement strategies designed to promote attendance in synchronous instruction and participation in live interaction as well as increase the regular, on-time submission of pupil work that reflect progress toward grade-level standards competency. Re-engagement strategies will include but are not limited to: **[Please note that most of the following are samples only and not specifically provided in the new legislation. The CDE recommends LEAs confer with their legal counsel, as necessary, to ensure compliance with requirements.]**
 - a. Meetings between the family and school staff to determine the best manner to re-engage the pupil in the IS program
 - b. SST meetings to examine pupil achievement data as well as teacher of record and supervising teachers' professional evaluation of the pupil's strengths and areas of growth
 - c. Based on SST, referral to MTSS systems of support for targeted intervention in the identified area of need
 - d. Referral to school-based mental health services
 - e. Additional training for IS teachers
 - f. Home visits, using Child Welfare and Attendance support
 - g. Technology check to ensure digital access is supported by all means possible
 - h. Connecting the family to Community Liaison support personnel

Designated district staff will notify pupils, or their parents, guardians or caregivers if the pupil is less than 18 years of age, of the lack of participation within one school day of an absence or lack of participation in the pupil's program. Notification will be issued by written, telephonic, or other forms of direct communication.

Legal Reference:

EDUCATION CODE

17289 Exemption for facilities

41976.2 Independent study programs; adult education funding

42238 Revenue limits

42238.05 Local control funding formula; average daily attendance

44865 Qualifications for home teachers and teachers in special classes and schools

46200-46208 Instructional day and year46300-46307.1 Methods of computing average daily attendance

47612.5 Independent study in charter schools

48204 Residency

48206.3 Home or hospital instruction; pupils with temporary disabilities

48220 Classes of children exempted

48340 Improvement of pupil attendance

48915 Expulsion; particular circumstances

48916.1 Educational program requirements for expelled pupils

48917 Suspension of expulsion order
49011 Pupil fees
51225.3 Requirements for high school graduation
51745-51749.3 Independent study programs
52522 Adult education alternative instructional delivery
52523 Adult education as supplement to high school curriculum; criteria
56026 Individuals with exceptional needs
58500-58512 Alternative schools and programs of choice

FAMILY CODE

6550 Authorization affidavits
CODE OF REGULATIONS, TITLE 5
11700-11703 Independent study

19819 State audit compliance
UNITED STATES CODE, TITLE 20

6301 Highly qualified teachers

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365
EDUCATION AUDIT APPEALS PANEL DECISIONS
Lucerne Valley Unified School District, Case No. 03-02 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Elements of Exemplary Independent Study

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Policy [INSERT DISTRICT NAME]

adopted: [INSERT DATE OF ORIGINAL POLICY] [INSERT CITY, STATE]

revised: [INSERT REVISED DATE]