This notice is to provide clarity to local educational agencies (LEAs) about the intent of legislative amendments made to the Independent Study framework for 2021–22. Within the health and safety constraints of the COVID-19 pandemic, the changes are intended to guarantee access to in-person instruction for all students, provide a pathway for continuous instruction for students exposed to or infected with COVID-19, and elevate the flexibility inherent in Independent Study to enable a robust instructional program that supports continuity with in-person instruction using remote learning instructional strategies.

In addition to its typical uses, Independent Study (IS) is the vehicle being used to provide families with an alternative to in-person instruction this school year. There are two instructional modalities for IS: Traditional and Course Based. Traditional IS instructional delivery is based on a time value of assignments as determined by the supervising instructor. Course-Based IS instructional delivery is based on enrollment in a certified LEA course or courses with attendance earned if all course requirements are met and the pupil is making satisfactory progress.

IS is also the vehicle to be used for ongoing student learning when students must be home for short periods—whether for a quarantine associated with the COVID-19 pandemic or because of the effects of a natural disaster, such as a fire. To address the emergencies impacting many of our school communities, this document clarifies the requirements and distinctions between long-term and short-term forms of traditional IS. Although not specifically delineated in statute, for purposes of this document, participation in traditional IS for fewer than 15 school days during the school year shall be referred to as participation in “short-term” IS. Participation in traditional IS for 15 school days or more shall be referred to as “long-term” IS.

**Short-Term Independent Study**

LEAs may earn apportionment for student attendance from the first day of traditional IS when used for quarantine. For the purposes of quarantine or COVID-19-related closure, the IS master agreement does not have to include the statement that instruction may be provided to the pupil through IS only if the pupil is offered the alternative of classroom instruction. For the 2021–22 school year, LEAs may obtain signed master agreements up to 30 days after a student begins an IS program.

Regardless of how the short-term IS is provided to a student, LEAs have broad discretion over instructional methods used. These methods may include paper or virtual assignments, lectures, videos, simulcasting, interactive curriculum, and other types of instruction. Students must create a tangible work product to which their teacher must assign a time value. In the case of lectures, videos, simulcasting, and other methods that do not lend themselves to a tangible work product, students may create notes, write summaries of what they learned, complete a quiz or project related to the instruction,
produce an audio or video recording, or complete other related assignments that allow for the time value of a student’s effort during or resulting from the instruction to be counted. The time value of a student’s effort can be ascertained by the teacher’s documentation that the student participated in activities visible during synchronous online instruction. For example, for students who are unable to document their own participation in an assignment, (e.g. students in lower primary grade levels), a teacher who witnesses it via Zoom or other online visual platform may document the time that it takes for a student to complete an assignment/activity/task to substantiate the time value assigned to the work product.

Relative to the standard ("long-term") IS requirements described below, LEAs may offer a less complex form of IS to students in their first 14 school days of IS; they do not have to provide synchronous instruction, daily live interaction, or tiered reengagement for students during the first 14 schooldays. However, LEAs are encouraged to develop instructional plans that ensure continuity and connection to in-person instruction and are not prohibited from immediately offering synchronous instruction and live interaction. In order to continue receiving apportionment funding for a student past 14 days, LEAs must include synchronous instruction, access to daily live interaction, and tiered reengagement pursuant to statute. The 14 school days are cumulative over the school year.

**Long-Term Independent Study**

Under AB 130, for the 2021–22 school year only, school districts and County Offices of Education (COE) are required to offer IS as an educational option (*Education Code [EC] Section 51745*). School districts may choose to contract with a COE or establish an interdistrict transfer agreement with another school district to meet the requirement of offering IS for the 2021–22 school year. In order to earn apportionment for students in quarantine, districts must offer learning opportunities through IS, except where not provided for in a student's Individualized Education Program (IEP).

Educational opportunities offered through both short-term and long-term IS may include:

1. Special assignments extending the content of regular courses of instruction.
2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum.
3. Individualized alternative education designed to teach the knowledge and skills of the core curriculum.
4. Continuing and special study during travel.
5. Volunteer community service activities and leadership opportunities that support and strengthen pupil achievement.
(6) Individualized study for a pupil whose health would be put at risk by in-person instruction, as determined by the parent or guardian of the pupil.

Regardless of the duration of a student’s participation in traditional IS, LEAs have broad discretion over instructional methods used. These methods may include paper or virtual assignments, lectures, videos, simulcasting, interactive curriculum, and other types of instruction. In order to earn apportionment funding for instruction provided in traditional IS, students must create a tangible work product that their teacher must assign a time value to. In the case of lectures, videos, simulcasting, and other methods that do not lend themselves to a tangible work product, students may create notes, write summaries of what they learned, complete a quiz or project related to the instruction, produce an audio or video recording, or complete other related assignments that allow for the time value of a student’s effort during or resulting from the instruction to be counted. The time value of a student’s effort can be ascertained by the teacher’s documentation that the student participated in activities visible during synchronous online instruction. For example, for students who are unable to document their own participation in an assignment, (e.g. students in lower primary grades), a teacher who witnesses via zoom or other online visual platform, may document the time that it takes for a student to complete an assignment/activity/task to substantiate the time value assigned to the work product.

In order to generate apportionment for IS, all LEAs must have adopted and implemented board policies and written agreements that meet specific criteria. In addition to requirements in effect prior to the enactment of AB 130, board policies need to be updated to also include the following:

- Provision of standards-aligned content in IS that is substantially equivalent to the quality and intellectual challenge of in-person instruction.
- For high schools, a provision for access to all courses offered by the LEA for graduation and approved by the University of California or the California State University as creditable under the A–G admissions criteria.
- Confirmation or provision of access to all pupils to the connectivity and devices adequate for participation and completion of work.
- A plan to provide opportunities for synchronous instruction for all grade levels, and live interaction for grades four through eight, pursuant to EC sections 51747(e) and 51749.5(a)(4)(C).
- A plan to transition pupils whose families wish to return to in-person instruction from IS expeditiously, and not later than five instructional days.
- A statement of academic and other supports provided to address the needs of pupils not performing at grade level, or needing support in other areas such as English learners, individuals with exceptional needs in order to be consistent with
the pupil’s IEP or 504 plan, pupils in foster care, pupils experiencing homelessness, and pupils requiring mental health supports.

- The level of satisfactory educational progress that would trigger an evaluation of whether or not the pupil should be allowed to continue in IS.

- The manner, time, frequency, and place for communicating with a pupil's parent or guardian regarding academic progress.

- Procedures for tiered reengagement strategies for students who may not be succeeding in IS, including verification of current contact information, notification to parents or guardians of lack of participation, a plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary, a plan for reconsidering the IS program’s impact on the pupil’s achievement and well-being.

For the 2021–22 school year only, written agreements must be signed no later than 30 days after the first day of instruction in IS. However, it is important to note that all other IS requirements (except as otherwise specified relevant to the duration of IS) must be met upon commencement of instruction.

For the purposes of quarantine or COVID-related closure, the IS master agreement does not have to include the statement that instruction may be provided to the pupil through IS only if the pupil is offered the alternative of classroom instruction.