

County Board Policy 6158: Independent Study

Status: ADOPTED

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The County Board of Education authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered on a full-time basis or on a part-time basis and in conjunction with part- or full-time classroom study.

The County Superintendent of Schools or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course. The Board recognizes that by offering a range of quality options, including classroom-based, hybrid, and non-classroom based programs, instruction is better tailored to meet pupils' needs, thereby improving academic outcomes.

A student's participation in independent study shall be voluntary (Education Code 51747, 51749.5, 51749.6).

Independent study for each student shall be under the general supervision of a county office employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

The LEA may claim apportionment credit for independent study only to the extent of the time value of pupil work products, as personally judged in each instance by a certificated teacher employed by the local educational agency, or the combined time value of pupil work product and pupil participation in synchronous instruction.

The minimum period of time for any independent study option shall be three consecutive school days. (Education Code 51747)

An individual with exceptional needs may participate in independent study if the pupil's individualized education program specifically provides for that participation. If a parent or guardian of an individual with exceptional needs requests independent study, the pupil's individualized education program team shall make an individualized determination as to whether the pupil can receive a free appropriate public education in an independent study placement. A pupil's inability to work independently, the pupil's need for adult support, or the pupil's need for special education or related services shall not preclude the individualized education program team from determining that the pupil can receive a free appropriate education in an independent study placement.

A temporarily disabled pupil shall not receive individual instruction pursuant to Section 48206.3 through independent study. Education Code 51745(d).

Long term independent study requirements shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study.

No course required for high school graduation under Section 51225.3 shall be offered exclusively through independent study. Education Code 51754(e).

General Independent Study Requirements

For the 2022-23 school year and thereafter, the County Superintendent of Schools or designee may offer and approve independent study for an individual student upon determining that the student is prepared to meet the county office's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

The minimum instructional minutes for students participating in independent study shall be the same as required for their peers at the school who are receiving in-person instruction, except as otherwise permitted by law (Education Code 46100).

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, for all grades and programs in independent study, the maximum length of time which may elapse between the time the assignments are made and the date by which the pupil must complete the assigned work is 20 consecutive school days for both short term and long term independent study. When necessary, based on the specific circumstances of the student's approved program, the County Superintendent of Schools or designee may allow for a longer period of time between the date an assignment is made and when it is due. However, in no event shall the due date of an assignment be extended beyond the termination date of the agreement. Education Code 51757(a).

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses four assignments. A written record of the findings of any evaluation made pursuant to this policy shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060(d)(4)(5);
2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments;
3. Learning of required concepts, as determined by the supervising teacher;
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher;

The County Superintendent of Schools or designee shall provide appropriate existing services and instructional resources to enable pupils to complete their independent study successfully and shall ensure the same access to all existing services and resources in the school in which the pupil is enrolled and is available to all other pupils in the school (Education Code 51746). The County Superintendent of Schools or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards that is substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the county office for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria (Education Code 51747).

The County Superintendent of Schools or designee shall ensure that students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

The following three requirements apply to pupils participating in independent study for 15 school days or more in a school year. These requirements do not apply to pupils in an independent study program for fewer than 15 days in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or in-patient treatment for mental health care or substance abuse. The district shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to Education Code 51747(i).

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction.
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction.
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction.

For pupils participating in independent study for 15 school days or more, the County Superintendent of Schools or designee shall ensure that procedures for tiered reengagement strategies are used for all students who: (Education Code 51747)

1. Are not generating attendance for more than 10 percent of required minimum instructional time over four continuous weeks of the approved instructional calendar;
2. Are not participatory in synchronous instructional offerings pursuant to Section 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span;
3. Are in violation of their written agreement.

Tiered reengagement strategies procedures used in county office independent study programs shall include, , local programs intended to address chronic absenteeism, as applicable, with at least all of the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student;
2. Notification to parents/guardians of lack of participation within one school day of the recording of a nonattendance day or lack of participation;
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary;
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being, consistent with the adopted policies.

The County Superintendent of Schools or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more. (Education Code 51747)

The County Superintendent of Schools or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

Before signing a written agreement as described below in the section "Master Agreement", the parent or guardian of a pupil may request that the county office conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and, if requested, their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study before making the decision about enrollment or disenrollment in the various options for learning Education Code 51747(h)(2).

A pupil-parent-educator conference shall be held as appropriate including, but not limited to, as a re-engagement strategy and/or if requested by a parent or guardian prior to enrollment or disenrollment from independent study (Education Code 51745.5, 51747, 51749.5).

Master Agreement

The County Superintendent of Schools or designee shall ensure that a written master agreement exists for each participating pupil as prescribed by law (Education Code 51747, 51749.5). Independent study agreements shall include, but not limited to, all the requirements of Education Code section 51747(g).

A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

For a pupil participating in an independent study program that is scheduled for more than 14 school days, each written agreement shall be signed, before the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee

designated as having responsibility for the special education programming of the pupil, as applicable (Education Code 51747).

Beginning in the 2022-23 school year, for a pupil participating in an independent study program that is scheduled for less than 15 school days, each written agreement shall be signed within 10 school days of the commencement of the first day of the pupil's enrollment in independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable (Education Code 51747).

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but is not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress;
2. The objectives and methods of study for the student's work and the methods used to evaluate that work;
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work;
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study;
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year;
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion;
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.
8. A statement that independent study is an optional educational alternative in which no student may be required to participate;
9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

Course-Based Independent Study

The county office's course-based independent study program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the county office or by another county office, charter school, or county office of education with which the county office has a memorandum of understanding to provide the instruction.
3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the county office for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities throughout the school year, for students in transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for students in grades 9-12 to receive at least weekly synchronous instruction.
4. Students enrolled in independent study courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3.
5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program, as indicated by their performance on applicable student-level measures of student achievement and student engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.

If satisfactory educational progress in an independent study class is not being made, the teacher shall notify the student and, if the student is under age 18 years, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.

6. Examinations shall be administered by a proctor.
7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the county office. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.

8. A student shall not be required to enroll in courses included in the course-based independent study program.
9. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.
10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.
11. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.
12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.
13. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course.
14. A student with disabilities, as defined in Education Code 56026, shall participate in course-based independent study, if the student's individualized education program specifically provides for that participation and FAPE can be established.
15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study.
16. The county office shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days.

Learning Agreement for Course-Based Independent Study

Before enrolling a student in a course within this program, the County Superintendent of Schools or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the county office's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #3 of the Course-Based Independent Study section above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with

disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.

7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a student who is suspended or expelled, or who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through course-based independent study only if the student is offered the alternative of classroom instruction.
8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress.
9. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study.
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.
12. For 2022-23 school year and thereafter, before the commencement of an independent study course, the learning agreement shall be signed and dated by the student, and by the student's parent/guardian or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the CDE. (Education Code 51749.6)

A signed learning agreement from a parent/guardian of a student who is less than 18 years of age shall constitute the parent/guardian's permission for the student to receive instruction through course-based independent study. (Education Code 51749.6)

The County Superintendent of Schools or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)

Before signing a written agreement as described below in the section "Master Agreement", the parent or guardian of a pupil may request that the county office conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and, if requested, their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study before making the decision about enrollment or disenrollment in the various options for learning (Education Code 51747(h)(2).

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or if requested by a parent/guardian prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records For Audit Purposes

The County Superintendent of Schools or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study;
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education;
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher;
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons;
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5);
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a county office employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5).

The county office shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in scheduled live interaction or synchronous instruction on a school day shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The County Superintendent of Schools or designee shall also maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

Program Evaluation

The County Superintendent of Schools or designee shall annually report to the Board the number of county office students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and County Superintendent of Schools shall determine areas for program improvement as needed.

Federal References

20 USC 6301

Description

Highly qualified teachers

Management Resources References

CA Dept of Education Publication

Description

California Digital Learning Integration and Standards Guidance, April 2021

California Department of Education Publication

Elements of Exemplary Independent Study

Court Decision

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

Website [Education Audit Appeals Panel -
https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNslshtMg==](https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNslshtMg==)

Website [California Department of Education, Independent Study -
https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6Jnl2Jw==](https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6Jnl2Jw==)

Website [California Consortium for Independent Study -
https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXslshfOR6gplusRQ==](https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXslshfOR6gplusRQ==)

State References

5 CCR 11700-11703
 Ed. Code 17289
 Ed. Code 41976.2
 Ed. Code 42238
 Ed. Code 42238.05
 Ed. Code 44865
 Ed. Code 46200-46208
 Ed. Code 46300-46307.1
 Ed. Code 46390-46393
 Ed. Code 47612-47612.1
 Ed. Code 47612.5
 Ed. Code 48204
 Ed. Code 48206.3
 Ed. Code 48220
 Ed. Code 48340
 Ed. Code 48915
 Ed. Code 48916.1
 Ed. Code 48917
 Ed. Code 49011
 Ed. Code 51225.3
 Ed. Code 51745-51749.6
 Ed. Code 52522
 Ed. Code 52523
 Ed. Code 56026
 Ed. Code 58500-58512

Description

Independent study
 Exemption for facilities
 Independent study programs; adult education funding
 Revenue limits
 Local control funding formula; average daily attendance
 Qualifications for home teachers
 Incentives for longer instructional day and year
 Methods of computing average daily attendance
 Emergency average daily attendance
 Charter School Operation
 Charter schools operations, general requirements
 Residency requirements for school attendance
 Home or hospital instruction; students with temporary disabilities
 Classes of children exempted
 Improvement of pupil attendance
 Expulsion; particular circumstances
 Educational program requirements for expelled students
 Suspension of expulsion order
 Student fees
 High school graduation requirements
 Independent study
 Adult education alternative instructional delivery
 Adult education as supplement to high school curriculum; criteria
 Individual with exceptional needs
 Alternative schools and programs of choice