

Regulation 6158: Independent Study

Status: DRAFT

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Definitions

Live interaction means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in-person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

Student-parent-educator conference means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

Synchronous instruction means 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 student. Synchronous instruction shall be provided by ~~the~~ **teacher or teachers** of record for that student pursuant to Education Code 51747.5 or the certificated employee providing instruction for course-based independent study. (Education Code 51745.5)

Educational Opportunities

~~For the 2021-22 school year, the district shall offer independent study to meet the educational needs of students as specified in Education Code 51745 unless the district has obtained a waiver. (Education Code 51745)~~

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

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
 1. Individualized alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum
3. Continuing and special study during travel
4. Volunteer community service activities and leadership opportunities that support and strengthen student achievement
5. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction or for a student who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and local educational agency district-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

To participate in independent study, a student shall be enrolled in a district school. (Education Code 51748)

~~For the 2022-23 school year and thereafter, the~~

The Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction.

A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

A student with disabilities, as defined in Education Code 56026, shall ~~not~~**may** participate in independent study ~~unless~~ if the student's individualized education program (IEP) specifically provides for such participation. **If a parent/guardian of a student with disabilities requests independent study because the student's health would be put at risk by in-person instruction, the student's IEP team shall make an individualized determination as to whether the student can receive a free appropriate public education (FAPE) in an independent study placement. A student's inability to work independently, need for adult support, or need for special education or related services shall not preclude the IEP team from determining that the student can receive FAPE in an independent study placement.** (Education Code 51745)

~~With the exception of students~~

In addition, any student with disabilities who, during the 2021-2022 ~~receives services from a nonpublic, nonsectarian school year, cannot~~**through a virtual program may be permitted to** participate in classroom-based instruction due to a COVID-19 quarantine or school closure, **independent study if the student's IEP team determines that FAPE can be provided to the student by means of the virtual program and other conditions of law are satisfied.**

~~A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of~~**through** independent study. (Education Code 51747)

~~Students age 21 or older, and~~ **51745]**

~~Except for~~ students age 19 or older who have not been continuously enrolled in school since their 18th birthday, ~~may participate~~**participating** in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma by **due to an emergency as described in** Education Code 51225.3 or the Governing Board. (Education Code 46300.1, 46300.4)

~~No~~**41422 and 46392 and pregnant and parenting students who are the primary caregiver for their child(ren), no** more than 10 percent of the students enrolled in a continuation high school or opportunity school or program, ~~not~~ including pregnant students and parenting students who are primary caregivers for one or more of their children, shall be enrolled in independent study. (Education Code 51745)

Monitoring Student Progress

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether ~~or not~~ independent study is appropriate ~~for~~ in the student's best interest. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program. **(Education Code 51747, 51749.5; 5 CCR 11701)**

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation, and if the student transfers to another public school in California, the record shall be forwarded to that school. (Education Code 51747, 51749.5)

Responsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with ~~item~~**Item #4** in the section on "Records for Audit Purpose" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress
7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement
9. Documenting each student's participation in live interaction and/or 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

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 11700-11705
Ed. Code 17289
Ed. Code 41020
Ed. Code 41422
Ed. Code 42238
Ed. Code 42238.05
Ed. Code 44865
Ed. Code 46100
Ed. Code 46200-46208
Ed. Code 46300-46307.1
Ed. Code 46390-46393
Ed. Code 46600
Ed. Code 47612-47612.1
Ed. Code 47612.5
Ed. Code 48204
Ed. Code 48206.3
Ed. Code 48220

Description

Independent study
Exemption for facilities
Requirement for annual audit
Emergency conditions and apportionments
Revenue limits
Local control funding formula; average daily attendance
Qualifications for independent study teachers
Length of school day
Incentives for longer instructional day and year
Methods of computing average daily attendance
Emergency average daily attendance
Interdistrict attendance computation
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

Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51744-51749.6	Independent study
Ed. Code 52060	Local Control and Accountability Plan
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers

Federal References

20 USC 6301	Highly qualified teachers
20 USC 6311	State plan

Description

Management Resources References

California Department of Education Publication	Legal Requirements for Independent Study
California Department of Education Publication	Conducting Individualized Determinations of Need
California Department of Education Publication	2021-22 AA & IT Independent Study FAQs
California Department of Education Publication	California Digital Learning Integration and Standards Guidance, May 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
Education Audit Appeals Panel Publication	Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	California Consortium for Independent Study - https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXslshfOR6gplusRQ==
Website	California Department of Education, Independent Study - https://simbli.eboardsolutions.com/SU/aXxHIGI4L7OpDRS6JnI2Jw==
Website	Education Audit Appeals Panel - https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNslshtMg==

Description

Cross References

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/dcWdZ2dbilxcpsA9LldFw==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/T5zsMmXECDVZNZynYGLCMw==

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0500	Accountability - https://simbli.eboardsolutions.com/SU/xCytvVrcYFBnFGHmu2mBFQ==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplus9byK0L49dVplusQ==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/Mr7mOJYGplusrzB7O3OOQI7wEQ==
3516.5	Emergency Schedules - https://simbli.eboardsolutions.com/SU/plusFpbrKLFOWD9KslshU3yRTj7Q==
3580	District Records - https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/pBrbutmrAaG9iACDiyMPYQ==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/lkdbJZoslshdbW3M28chWarWg==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqyYgZA==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/xnlUHul4wamrTLwplus2OFxcA==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/nQNuoiKw13OiPajmEDo1MA==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/9lml6ypXFrp4IW0LxsZfuQ==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/5WjNpF3QWadlewTbgJwn2Q==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/Nr0hpbqWFRbmYmhrMwSDvfA==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/38q0tOodNHRkplust0cjSo0rw==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/JGXUNSTd3acUslsh2NrG4kTLg==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/l8ZApRxxuSLaabWYN4ZDPQ==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/ySiYslshsln92XnBZDao5eimQ==
5125	Student Records - https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshMQ==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Arf4IGHplusjQnGslsh3Sd1slshP0Hw==
5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/ayYMSd70ULw91EOTN3atTA==
5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/wplus5C3gctv8oGpnNtCwIEPw==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/fofkG2y9KkyVyTef5VpjPQ==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/SSzp7t1kSjfizyfJoaeq7A==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/oJJZnslshCD3oslshKWkOrw9Xm2A==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/WU1PWcLAAhCsslshUOEUQ0viQ==

5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/2KWiSVzOJQsLVudCpe2bpg==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==
5146	Married/Pregnant/Parenting Students - https://simbli.eboardsolutions.com/SU/EDKXNIPU0tdiy8R83QvW7g==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/izehOEVa2aD9WbplusDzBxt7g==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/VcnDCn9pslshzoAvdQnkvWBslshw==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/JGwlj5Qt4sslshSu4aJhZ5XAQ==
6111	School Calendar - https://simbli.eboardsolutions.com/SU/zE2rFwkQKAxvhGSm9WioAQ==
6112	School Day - https://simbli.eboardsolutions.com/SU/1SJ47W3rNXfh5O37kPdLYg==
6112	School Day - https://simbli.eboardsolutions.com/SU/ezNeflrSp9zFkgtHk3udmQ==
6142.4	Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/g2vQkw4IAFwZ8KKrUXZjXQ==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/2rm43307PLCL6tPtEiOB1g==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/QSMplusSNCxGfu1or4plus3KUx6A==
6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/vp95bp6sYHG0eop0gLqhSA==
6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/fG91NrUN0SRom05BZPJoha==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/vNLJqJWKuczmG02QhME2bA==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/bbCMK1hNccL51plustltBtNEA==
6152	Class Assignment - https://simbli.eboardsolutions.com/SU/CekMjSvJvXyDPX1wu5FtQQ==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/3vVDizDulqY8l7eXsslshJApA==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/3on5FNplusCvSTDslshj1eANpc2Q==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/O1pOcHMRQnwXK2yNAfbMyg==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NUVRB6a69j7omFVQPA0iVw==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/DvplusGs1o9QPJTzyqtV9Jopw==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/Cp6yplusXBTyCXMfqsCDbQ4ew==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/Pa4WJnDy0tqNmdlvaNQqag==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/sl3tGA6g9N9TbPU4IIXVdw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/zslshGuStMthY6celBUxN9DoQ==

- 6183 Home And Hospital Instruction -
<https://simbli.eboardsolutions.com/SU/77JjDDVDm2TJszlEHslshslshlbg==>
- 6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/yvxnNaJRq3tN2QNASpVDsg==>
- 6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/n2vXlrDOabjvPYtxuaplusQHg==>
- 6200 Adult Education -
<https://simbli.eboardsolutions.com/SU/C5HQcSV420mq8fE5fPWllw==>
- 6200 Adult Education -
<https://simbli.eboardsolutions.com/SU/H9Tg3dUdMslshoK5bnnSOZplusLg==>