

INDEPENDENT STUDY

The 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 challenges, 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 in conjunction with part- or full-time classroom study.

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6200 - Adult Education)

The Superintendent 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 home-based format, and an online course.

(cf. 0420.4 - Charter School Authorization)

(cf. 6181 - Alternative Schools/Programs of Choice)

A student's participation in independent study shall be voluntary. Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction. (Education Code 51747; 5 CCR 11700)

Independent study for each student shall be under the general supervision of a district 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)

Parents/guardians of students who are interested in independent study shall contact the Superintendent or designee.

The minimum period of time for any independent study option shall be three consecutive school days.

General Independent Study Requirements

The Superintendent or designee may continue to offer and approve independent study for an individual student upon determining that the student is prepared to meet the district'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.

1. An individual with exceptional needs, as defined in Education Code section 56026, may participate in independent study, if the student's individualized education program (IEP) specifically provides for participation in independent study. If a parent or guardian of an individual with exceptional needs requests independent study because the student's health would be put at risk by in-person instruction, or the student is unable to attend in-person instruction due to COVID-19, the student's IEP team shall make an individualized determination as to whether the student can receive a free appropriate public education in independent study. A student's inability to work independently, the student's need for adult support, or the student's need for special education or related services shall not preclude the IEP team from determining that the student can receive a free appropriate education in an independent study placement.

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Because excessive leniency in the duration of independent study assignments may result in a student falling behind their peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

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 progress and/or misses three assignments. 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 program, as indicated by their performance on applicable student-level measures of student achievement and engagement pursuant to paragraphs (4) and (5) of subdivision (d) of Education Code section 52060.
2. The completion of assignments, assessments, or other indicators that evidence that the student 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.

The Superintendent 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 district for graduation and approved by the University of California or California State University as creditable under the A-G admissions criteria. (Education Code 51747)

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

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.

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students who are not generating attendance for more than 10 percent of required minimum instructional time over four continuous weeks during the instructional calendar, students who do not participate in synchronous instructional offerings pursuant to Education Code section 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span, or students who are in violation of their written agreement, or as otherwise required by Education Code section 51747. This requirement only applies to students participating in a traditional independent study program for 15 school days or more. The procedures 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.

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2. Notification to parents/guardians of lack of participation within one school day of the recording of a non-attendance 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.

The Superintendent 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 above-described requirements for the provision of synchronous instruction and/or daily live interaction, the procedures for tiered reengagement strategies, and/or development of plans to expeditiously transition students back to in-person instruction do not apply to students enrolled in a comprehensive school site for classroom-based instruction who, under the care of appropriately licensed professionals, participate in traditional independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. However, the district must obtain evidence from appropriately licensed professionals of the need for students to participate in independent study.

Before making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so, the parent/guardian of a student may request that district conduct a telephone, video conference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, or 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. (Education Code 51747)

Written Agreements

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

The master agreement shall specify the length of time in which each independent study assignment must be completed.

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)

1. For a student 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 student, the student's parent, legal 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 independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable.
2. For a student 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 student's enrollment in independent study, by the student, the student's parent, legal 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 independent study,

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and the certificated employee designated as having responsibility for the special education programming of the student, as applicable.

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 are 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.

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a re-

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engagement strategy. A parent/guardian may also request a conference or other school meeting prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747)

Records for Audit Purposes

The Superintendent 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.
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 district 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 district 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. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as non-participatory for that school day for purposes of student participation reporting and tiered engagement. (Education Code 51747.5)

The Superintendent or designee also shall 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)

*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*

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46200-46208 *Instructional day and year*
 46300-46307.1 *Methods of computing average daily attendance*
 47612.5 *Independent study in charter schools*
 48204 *Residency*
 48206.3 *Home or hospital instruction; students with temporary disabilities*
 48220 *Classes of children exempted*
 48340 *Improvement of pupil attendance*
 48915 *Expulsion; particular circumstances*
 48916.1 *Educational program requirements for expelled students*
 48917 *Suspension of expulsion order*
 49011 *Student fees*
 51225.3 *Requirements for high school graduation*
 51745-51749.6 *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

Approaches to Satisfying No Child Left Behind Act of 2001 Teacher Requirements for Independent Study in Secondary Schools, January 28, 2010

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>

SAN DIEGO UNIFIED SCHOOL DISTRICT

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