

Regulation 6158: Independent Study

Original Adopted Date: 04/15/2015 | **Last Revised Date:** 08/18/2021

New Revised Date: 06/21/2023 (Pending Board Approval)

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~~a 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.—~~

1. Special assignments extending the content of regular courses of instruction

(cf. ~~6143—Courses of Study~~)

~~2.—~~

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, but not provided as an alternative curriculum~~

~~4. —~~

~~3. Continuing and special study during travel~~

~~(cf. 5112.3 – Student Leave of Absence)~~

~~5. —~~

~~4. Volunteer community service activities and leadership opportunities that support and strengthen student achievement
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~~6. —~~

~~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~~

~~(cf. 0420.4 — 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)~~

~~Charter School Authorization)~~

~~(cf. 6142.4 – Service Learning/Community Service Classes)~~

~~(cf. 6181 – Alternative Schools/Programs of Choice)~~

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.

~~(cf. 5113 – Absences and Excuses)~~

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

~~(cf. 6146.1 – High School Graduation Requirements)~~

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)

~~(cf. 0410 – Nondiscrimination in District Programs and Activities)~~

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

Students are eligible for

To participate in independent study as authorized in law, and as specified, a student shall be enrolled in board policy and administrative regulation.

For the 2022-23 a district school year and thereafter, the. (Education Code 51748)

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-AR 6158(c)

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)

~~(cf. 5111.1 - District Residency)~~

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)

(cf.

In addition, any student with disabilities who receives services from a nonpublic, nonsectarian school through a virtual program may be permitted to participate in 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.~~6159-- Individualized Education Program)~~

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 ~~by means of~~ through independent study. (Education Code 51745)

(cf.

Except for ~~6183-- Home and Hospital Instruction)~~

~~Students age 21 or older, and 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)

(cf. ~~6200-- Adult Education)~~

~~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)

(cf. ~~5146-- Married/Pregnant/Parenting Students)~~

(cf. ~~6184-- Continuation Education)~~

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:

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1. —

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.
 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.—
5. Approving all credits earned through independent study

6.—
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.

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(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.—

1. Completing designated portions of the written independent study agreement and signing the agreement

2.—

2. Supervising and approving coursework and assignments

3.—

3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due

4.—

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. ~~5.~~ Providing direct instruction and counsel as necessary for individual student success
6. ~~6.~~ Regularly meeting with the student to discuss the student's progress
7. ~~7.~~ Determining the time value of assigned work or work products completed and submitted by the student
8. ~~8.~~ Assessing student work and assigning grades or other approved measures of achievement
9. ~~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 ~~is provided~~ program

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

(cf. ~~4131~~ Staff Development)

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	Description
5 CCR 11700-11705	Independent study <u>Independent study</u>
Ed. Code 17289	Exemption for facilities <u>Exemption for facilities</u>
Ed. Code 41020	Requirement for annual audit <u>Requirement for annual audit</u>
Ed. Code 41422	Emergency conditions and apportionments <u>Emergency conditions and apportionments</u>
Ed. Code 42238	Revenue limits <u>Revenue limits</u>
Ed. Code 42238.05	Local control funding formula; average daily attendance <u>Local control funding formula; average daily attendance</u>
Ed. Code 44865	Qualifications for independent study teachers <u>Qualifications for independent study teachers</u>

Ed. Code 46100	Length of school day Length of school day
Ed. Code 46200-46208	Incentives for longer instructional day and year Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance Emergency average daily attendance
Ed. Code 46600	Interdistrict attendance computation Interdistrict attendance computation
Ed. Code 47612-47612.1	Charter School Operation Charter School Operation
Ed. Code 47612.5	Charter schools operations; general requirements Charter schools operations; general requirements
Ed. Code 48204	Residency requirements for school attendance Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order Suspension of expulsion order
Ed. Code 49011	Student fees Student fees
Ed. Code 51225.3	High school graduation requirements High school graduation requirements
Ed. Code 51744-51749.6	Independent study Independent study
Ed. Code 52060	Local control and accountability plan Local control and accountability plan
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers Caregivers
Federal	Description
20 USC 6301	Highly qualified teachers Highly qualified teachers
20 USC 6311	State plan State plan
Management Resources	Description
California Department of Education Publication	Legal Requirements for Independent Study Legal Requirements for Independent Study

California Department of Education Publication	Conducting Individualized Determinations of Need Conducting Individualized Determinations of Need
California Department of Education Publication	2021-22 AA & IT Independent Study FAQs 2021-22 AA & IT Independent Study FAQs
California Department of Education Publication	California Digital Learning Integration and Standards Guidance, May 2021 California Digital Learning Integration and Standards Guidance, May 2021
California Department of Education Publication	Elements of Exemplary Independent Study Elements of Exemplary Independent Study
Court Decision	Modesto City Schools v. Education Audits Appeal Panel (2004) 123 Cal.App.4th 1365 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 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
Website	CSBA District and County Office of Education Legal Services CSBA District and County Office of Education Legal Services
Website	California Consortium for Independent Study California Consortium for Independent Study
Website	California Department of Education, Independent Study California Department of Education, Independent Study
Website	Education Audit Appeals Panel Education Audit Appeals Panel

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities Nondiscrimination In District Programs And Activities
0420.4	Charter School Authorization Charter School Authorization
0420.4	Charter School Authorization Charter School Authorization
0470	COVID-19 Mitigation Plan COVID-19 Mitigation Plan
0500	Accountability Accountability
3260	Fees And Charges Fees And Charges
3260	Fees And Charges Fees And Charges
3516.5	Emergency Schedules Emergency Schedules
3580	District Records District Records
3580	District Records District Records
4112.2	Certification Certification
4112.2	Certification Certification
4131	Staff Development Staff Development
5111.1	District Residency District Residency
5111.1	District Residency District Residency
5112.3	Student Leave Of Absence Student Leave Of Absence

5112.3	Student Leave Of Absence Student Leave Of Absence
5113	Absences And Excuses Absences And Excuses
5113	Absences And Excuses Absences And Excuses
5113.1	Chronic Absence And Truancy Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy Chronic Absence And Truancy
5121	Grades/Evaluation Of Student Achievement Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement Grades/Evaluation Of Student Achievement
5125	Student Records Student Records
5125	Student Records Student Records
5126	Awards For Achievement Awards For Achievement
5126	Awards For Achievement Awards For Achievement
5141.22	Infectious Diseases Infectious Diseases
5141.22	Infectious Diseases Infectious Diseases
5141.31	Immunizations Immunizations
5141.31	Immunizations Immunizations
5144.1	Suspension And Expulsion/Due Process Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process Suspension And Expulsion/Due Process
5146	Married/Pregnant/Parenting Students Married/Pregnant/Parenting Students
5147	Dropout Prevention Dropout Prevention
6000	Concepts And Roles Concepts And Roles
6011	Academic Standards Academic Standards
6111	School Calendar School Calendar
6112	School Day School Day
6112	School Day School Day
6142.4	Service Learning/Community Service Classes Service Learning/Community Service Classes
6143	Courses Of Study Courses Of Study
6143	Courses Of Study Courses Of Study
6146.1	High School Graduation Requirements High School Graduation Requirements
6146.1 11	High School Graduation Requirements Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation Alternative Credits Toward Graduation
6152 6146.11	Alternative Credits Toward Graduation Class Assignment
6146.11-E PDF(1) 6159	Alternative Credits Toward Graduation Individualized Education Program
6159 6152	Class Assignment Individualized Education Program
6162.5 6159	Individualized Education Program Student Assessment
6162.51 6159	Individualized Education Program State Academic Achievement Tests

6162.5	51	Student Assessment	<u>State Academic Achievement Tests</u>
6164.5	6162.51	State Academic Achievement Tests	<u>Student Success Teams</u>
6164.5	6162.51	State Academic Achievement Tests	<u>Student Success Teams</u>
6172	6164.5	Student Success Teams	<u>Gifted And Talented Student Program</u>
6172	6164.5	Student Success Teams	<u>Gifted And Talented Student Program</u>
6181	6172	Gifted And Talented Student Program	<u>Alternative Schools/Programs Of Choice</u>
6181	6172	Gifted And Talented Student Program	<u>Alternative Schools/Programs Of Choice</u>
6183	6181	Alternative Schools/Programs Of Choice	<u>Home And Hospital Instruction</u>
6183	6184	Home And Hospital Instruction	<u>Continuation Education</u>
6184	6183	Home And Hospital Instruction	<u>Continuation Education</u>
6185	6184	Continuation Education	<u>Community Day School</u>
6184	6185	Continuation Education	<u>Community Day School</u>
6200		Adult Education	<u>Adult Education</u>
6200		Adult Education	<u>Adult Education</u>