Santa Barbara Unified School District Board Policy

INDEPENDENT STUDY

The Governing Board 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.

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 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 students’ needs, thereby improving academic outcomes.

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

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)

The minimum period of time for any independent study option shall be three consecutive school days. (Education Code 46300(e)(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 that participation. If a parent or guardian of an individual with exceptional needs requests independent study, the student’s individualized education program 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, the student’s need for adult support, or the student’s need for special education or related services shall not preclude the individualized education program team from determining that the student can receive a free appropriate education in an independent study placement. (Education Code 51745(c))

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

No course required for high school graduation under Section 51225.3 shall be offered exclusively through independent study. (Education Code 51745 (e))
General Independent Study Requirements

For the 2022-23 school year and thereafter, 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.

Because excessive leniency in the duration of independent study assignments may result in a pupil 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 student must complete the assigned work is fourteen consecutive school days for short-term independent study and no more than 20 consecutive school days for long-term independent study. 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 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 student record. The record shall be maintained for a period of three years from the date of the evaluation and, if the student 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 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 Superintendent or designee shall provide appropriate existing services and instructional resources to enable students to complete their independent study successfully and shall ensure the same access to all existing services and resources in the school in which the student is enrolled as is available to all other students in the school. (Education Code 51746). 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 the California State University as creditable under the A–G admissions criteria. (Education Code 51747)

Students requesting independent study and their parents/guardians should recognize that independent study at the elementary level realistically must emphasize a commitment on the part of the student’s parents/guardians. At the secondary level, the major commitment must be made by the student, assisted or supported as necessary by parents and others who may assist directly with instruction.
**Students Participating in Independent Study for 15 School Days or More: Opportunities for Live Interaction and/or Synchronous Instruction, Tiered Reengagement, and Transition to In-Person Instruction**

The following three requirements apply to students participating in independent study for 15 school days or more in a school year. These requirements do not apply to students who participate in an independent study program for fewer than 15 days in a school year and students 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 students to participate in independent study pursuant to Education Code 51747 (i).

The Superintendent 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)

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 students participating in independent study for 15 school days or more, 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 of the district’s approved instructional calendar, are found 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, or who are in violation of their written agreement. This requirement only applies to students participating in an independent study program for 15 school days or more. These tiered reengagement strategies shall include local programs intended to address chronic absenteeism, as applicable, with at least all of the following:

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.

For students participating in independent study for 15 school days or more, 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.
**Student-Parent-Educator Conferences**
Before signing a written agreement, the parent or guardian of a student may request that the district conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and if requested by the student, parent or guardian, an education 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 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)

**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, 51749.5) Independent study agreements shall include, but not limited to, all of the requirements of Education Code section 51747(g).

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 student, as applicable. (Education Code 51747)

Beginning in the 2022-23 school year, 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, and the certificated employee designated as having responsibility for the special education programming of the student, 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 written agreement for each participating student also shall include, but is not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

**Board Policy Requirement per Education Code 51747(g)(1), (2), (3), (4), (5), (6), (7), (8)**

**Written agreement requirements**

1. The manner, time, frequency, and place 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, including materials and personnel, that will be made available to the student. Resources include confirming or providing access to connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policies detailing the maximum length of time, by grade level and type of program, allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation to determine whether it is in the best interests of the student 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 to the student 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 CDE. (Education Code 51747)

The student's or parent/guardian's signature shall constitute permission for the student to receive instruction through independent study. (Education Code 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 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 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 independent study is provided. A student who does not participate in independent study on a school day shall be documented as nonparticipatory for that school day. (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
41020 Audit guidelines
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
46200-46208 Instructional day and year
46300-46307.1 Methods of computing average daily attendance
46390-46393 Emergency average daily attendance
46600 Interdistrict attendance computation
47612-47612.1 Charter school operation
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
52060 Local control and accountability plan
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
6550-6552 Authorization affidavits

CODE OF REGULATIONS, TITLE 5
11700-11703 Independent study

UNITED STATES CODE, TITLE 20
6301 Highly qualified teachers
6311 State plans

COURT DECISIONS

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Elements of Exemplary Independent Study
California Digital Learning Integration and Standards Guidance, April 2021

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS
Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting

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

SANTA BARBARA UNIFIED SCHOOL DISTRICT
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