

InstructionIndependent Study Program

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 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 in conjunction with part- or full-time classroom study. A student's participation in independent study shall be voluntary. (Education Code 51747, 51749.5)

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.

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 independent study option may be applied to a period of any length in duration. The maximum short-term Independent Study (continuing and special study during travel) is 15 days over the course of a year. The maximum period of time for any long-term independent study option shall be one year. (Education Code 44300, 51747, 51749.6)

General Independent Study Requirements

The Superintendent or designee will 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 student falling behind 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 educational 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 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
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 ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge 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)

The Superintendent or designee shall ensure that students participating in independent study for 16 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 (EC 51747[d]) are used for all students who are:

- Not generating attendance for more than 10 percent of the required minimum instructional time over four continuous weeks of the District's approved instructional calendar.
- Not participating in synchronous instructional offerings for more than 50% of the scheduled times for such instruction in a school-based month based on the students' grade span.
- In violation of the Independent Study Master Agreement

This requirement only applies to students participating in an independent study program for 16 school days or more. The procedures shall include, but are not necessarily limited to, 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 absence 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. An SST meeting will be set up between parent(s), student, site administrator and counselor to outline a plan of success. The student's written agreement will be reviewed at this meeting.
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
5. Collaboration between parents, students and school to help improve attendance with resources from the Orange Unified School District's Re-Engagement Plan for all students.

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 16 school days or more. (Education Code 51747)

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

Upon the request of the parent/guardian of a student, before making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so, the District shall conduct a telephone, videoconference, 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)

Master Agreement

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 needs support in other areas, such as English Learners, student with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, student 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 case of a suspended or expelled student who is referred 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
10. Prior to the commencement of long-term independent study participation, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student. Written agreements for short-term independent study may be signed at any point during the school year. (Education Code 51747, 51749.6)

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 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) The minimum number of individuals involved in the "pupil-parent-educator" conference shall be all parties who signed the pupil's written independent study agreement.

Special Education

An individual with exceptional needs, as defined in Section 56026, may participate in independent study, if the pupil's individualized education program IEP specifically provides for that participation.

If independent is requested by a parent/guardian for a pupil whose health would be placed at risk by in-person instruction, the pupil's IEP team shall make an individualized determination as to whether the pupil can receive a free appropriate public education (FAPE) in an independent study placement. (Education Code Section [EC§] 51745[c])

Where Independent Regulations Do Not Apply

Tiered reengagement, live synchronous interaction and plan to transition back to in-person instruction within 5 days does not apply to those students who are under the care of an appropriately licensed professionals due to medical treatments or inpatient treatment for mental health care or substance abuse (EC § 51747[i])

Records for Audit Purposes

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not 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 sample 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)

The definition of eligible evidence of student work products for asynchronous instruction include work completed on online or computer-based platforms. (Education Code 51747.5)

Program Evaluation

The Superintendent or designee shall annually report to the Board the number of District 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 Superintendent shall determine areas for program improvement as needed.

(Legal references next page)

Legal References:

EDUCATION CODE

17289 Exemption for facilities
41020 Requirement for annual audit
41422 Emergency conditions and apportionments
42238 Revenue limits
42238.05 Local control funding formula; average daily attendance
44865 Qualifications for independent study teachers
46100 Length of school day
46200-46208 Incentives for longer 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 Charter schools operations; general requirements
48204 Residency requirements for school attendance
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 High school graduation requirements
51744-51749.6 Independent study
52060 Local control and accountability plan
52523 Adult education as supplement to high school curriculum; criteria
56026 Individual with exceptional needs
58500-58512 Alternative schools and programs of choice

FAMILY CODE

6550-6552 Caregivers

CODE OF REGULATIONS, TITLE 5

11700-11705 Independent study

UNITED STATES CODE, TITLE 20

6301 Highly qualified teachers

6311 State plan

ORANGE UNIFIED SCHOOL DISTRICT

Adopted: (7-88 12-92 3-08 8-13 8-16 8-21 10-21 10-22) 11-24

Orange, California