



**SANTA BARBARA COUNTY BOARD OF EDUCATION
POLICY COMMITTEE**

4400 Cathedral Oaks Road
Santa Barbara, CA 93110

MEETING
February 29, 2024 – 2:30 p.m.

MINUTES

UNAPPROVED

In Attendance: Bruce Porter, Marybeth Carty, Michelle de Werd, Susan Salcido, Kirsten Escobedo, Anna Freedland

GENERAL FUNCTIONS

1. Call to order

The meeting was called to order at 2:31 p.m. by Committee Chair Porter.

2. Changes to the agenda

None.

3. Public comments

None.

ACTION ITEMS

4. Approval of minutes of meeting held December 7, 2023

Minutes of the meeting held December 7, 2023 were approved.

MOVED: Mrs. Carty

SECONDED: Mr. Porter

**VOTE: Passed 2-0-0-1
de Werd abstained**

5. Review board policies

The committee reviewed the new and revised board policies listed below and decided to take action on each one separately:

BP 5141.6 – School Health Services (new)

MOTION: Not approve BP 5141.6 at this time and instead, obtain more information from legal counsel and consider the BP at a future committee meeting.

MOVED: **Mrs. de Werd** SECONDED: **Mr. Porter** VOTE: **Passed 3-0**

BP 5145.6 – Parent/Guardian Notifications (new)

MOTION: Approve BP 5145.6 and recommend adoption by the full board.

MOVED: **Mrs. Carty** SECONDED: **Mrs. de Werd** VOTE: **Passed 3-0**

BP 9010 – Public Statements (new)

MOTION: Approve BP 9010 with the amendments of incorporating BP 2009 – Request for Board Endorsements into it and changing the title of BP 9010 to “Public Statements and Board Endorsements,” and recommend adoption by the full board.

MOVED: **Mr. Porter** SECONDED: **Mrs. Carty** VOTE: **Passed 3-0**

BP 9011 – Disclosure of Confidential/Privileged Information (new)

MOTION: Approve BP 9011 and recommend adoption by the full board.

MOVED: **Mrs. Carty** SECONDED: **Mrs. de Werd** VOTE: **Passed 3-0**

BP 9100 – Organization (revised)

MOTION: Approve BP 9100 and recommend adoption by the full board.

MOVED: **Mrs. Carty** SECONDED: **Mrs. de Werd** VOTE: **Passed 3-0**

BP 9130 – Board Committees (revised)

MOTION: Approve BP 9130 without the exhibit at this time and with the amendment of incorporating BP 1010 – Organization: Ad Hoc Committees into BP 9130, and recommend adoption by the full board.

MOVED: **Mrs. Carty** SECONDED: **Mrs. de Werd** VOTE: **Passed 3-0**

BP 9200 – Limits of Board Member Authority (new)

MOTION: Approve BP 9200 and recommend adoption by the full board.

MOVED: **Mrs. Carty** SECONDED: **Mrs. de Werd** VOTE: **Passed 3-0**

BP 9220 – Governing Board Elections (revised)

MOTION: Approve BP 9220 as written.

MOVED: **Mrs. Carty** SECONDED: **Mr. Porter** VOTE: **Passed 2-1**
de Werd voted no

MOTION: Strike previous motion.

MOVED: **Mrs. Carty** SECONDED: **Mrs. de Werd** VOTE: **Passed 3-0**

MOTION: Approve language change in BP 9220 to adjust the number of words for candidate statements to be 200 rather than 400.

MOVED: **Mr. Porter** SECONDED: **Mrs. Carty** VOTE: **Passed 3-0**

MOTION: Approve BP 9220 with the approved amendment (adjust the number of words for candidate statements to be 200 rather than 400) and recommend adoption by the full board.

MOVED: **Mr. Porter** SECONDED: **Mrs. Carty** VOTE: **Passed 2-1**
de Werd voted no

BP 9222 – Resignation (new)

MOTION: Approve BP 9222 and recommend adoption by the full board.

MOVED: **Mrs. de Werd** SECONDED: **Mrs. Carty** VOTE: **Passed 3-0**

BP 9223 – Filling Vacancies (revised)

MOTION: Approve BP 9223 and recommend adoption by the full board.

MOVED: **Mrs. Carty** SECONDED: **Mrs. de Werd** VOTE: **Passed 3-0**

BP 9224 – Oath or Affirmation (new)

MOTION: Approve BP 9224 and recommend adoption by the full board.

MOVED: **Mrs. de Werd** SECONDED: **Mrs. Carty** VOTE: **Passed 3-0**

ADJOURNMENT

6. Adjourn

The meeting was adjourned at 3:42 p.m.

MOVED: **Mrs. Carty** SECONDED: **Mrs. de Werd** VOTE: **Passed 3-0**



INSTRUCTIONS

REVISED – MARKED COPY

BOARD POLICY – INDEPENDENT STUDY PROGRAMS

BP 6158

The County Board of Education and County Superintendent of Schools authorizes independent study programs in the SBCEO county-operated programs 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.~~ As necessary to meet student needs, independent study may be offered for short- or long-term placements, on a full-time or part-time basis, and/or in conjunction with part- or full-time classroom study.

The County Board shall hold a public hearing when considering the scope of its existing or prospective use of independent study as an instructional strategy, its purposes in authorizing independent study, and factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students. (Education Code 51747; 5 CCR 11701)

The County Superintendent or designee may provide a variety of independent study opportunities to students within the SBCEO county-operated programs, including, but not limited to, through a program or class within an alternative school or program of choice, and an online course.

An individual with exceptional needs, as defined in Education Code Section 56026, may participate in independent study, if the pupil'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 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. A pupil's inability to work independently, the pupil's need for adult support, or the pupil's need for special education or related services shall not preclude the IEP team from determining that the pupil can receive FAPE in an independent study placement. (Education Code 51745(c))

A student's participation in independent study shall be voluntary and no student shall be required to participate. (Education Code 51747, 51749.5, 51749.6)

Independent study for each student shall be under the general supervision of an SBCEO County Education Office 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)

An independent study student shall not be credited with more than one day of attendance per calendar day. (Education Code 46300)

~~GENERAL INDEPENDENT STUDY REQUIREMENTS~~ **General Independent Study Requirements**

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

~~For the 2022-23 school year and thereafter,~~ The County Superintendent or designee may continue to offer and approve independent study for an individual student **within a SBCEO county-operated program** upon determining that the student is prepared to meet the **SBCEO's** ~~County Education Office'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.

The minimum instructional minutes as required by the program type shall be the same for all students at each SBCEO county-operated program including students participating in independent study, except as otherwise permitted by law. (Education Code 46100)

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 programs. ~~However,~~ **When necessary,** based on the specific circumstances of the student's approved program, the County 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.~~ **However, in no event shall the due date of an assignment be extended beyond the termination date specified in the student's written 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 County 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 **SBCEO County Education Office** 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 County Superintendent or designee shall ensure that students participating in independent study for **16** ~~15~~ school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten **(TK)-3**, ~~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 County Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, 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. (Education Code 51747)~~

The County Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in independent study program for 16 school days or more in a school year who are: (Education Code 51747)

- 1. Not generating attendance for more than ten percent of required minimum instructional time over four continuous weeks of the SBCEO county-operated program approved instructional calendar**
- 2. Not participating in synchronous instructional offerings pursuant to Education Code 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span**
- 3. In violation of their written agreement.**

Tiered reengagement strategies procedures used in the SBCEO county-operated program independent study program shall include local programs intended to address chronic absenteeism, as applicable, including but not limited to 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 nonattendance day ~~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
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 County Superintendent or designee shall, ~~for students who participate in an independent study program for 16 or more school days or more in a school year,~~ 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)

~~When any student enrolled in classroom-based instruction is participating in independent study due to necessary medical treatment or inpatient treatment for mental health or substance abuse under the care of appropriately licensed professionals, the student shall be exempt from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements specified above. In such cases, evidence from appropriately licensed professionals, of the student's need to participate in independent study, shall be submitted to the County Superintendent or designee. (Education Code 51747)~~

The County Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

~~The County Education Office shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the County Education Office's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of independent study. (Education Code 51747)~~

Upon the request of the parent/guardian of a student, **and before signing a written agreement as described in "Master Agreement," below, making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so,** the County Education Office **SBCEO Program Manager** shall 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 parent/guardian an** ~~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~~ **Master Agreement**

~~For the 2021-22 school year only, the County Education Office shall obtain a signed written agreement for independent study no later than 30 days after the first day of instruction.~~

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~~)

For student participation for 16 school days or more, a signed written agreement shall be obtained before the student begins independent study. For student participation of 15 school days or fewer, a signed written agreement shall be obtained at any time during the school year in which the independent study program takes place. (Education Code 46300, 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 agreement for each participating student also shall include, but is not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The **manner, time,** frequency, ~~time,~~ and 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 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, by grade level and type of program, which ~~will trigger~~ **give rise to** 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 student 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

All learning agreements shall be signed by the student, the student's parent/guardian or caregiver if the student is less than 18 years of age, the certificated employee responsible for the general supervision of independent study, and as applicable for students with disabilities, their certificated employee designated as having responsibility for the special education programming of the student. If the independent study program is projected to last for more than 15 school days, the learning agreement shall be signed before the commencement of the program. For an independent study program that is projected to last for 15 or fewer school days, the learning agreement shall be signed at any time during the school year in which the independent study program is to take place (Education Code 51747)

For purposes of the above paragraph, caregiver means a person who has met the requirements of Family Code 6550-6552.

~~10. Before the commencement of independent study, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 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~~

~~However, for the 2021-22 school year, the County Education Office shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian 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 all persons who have direct responsibility for providing assistance to the pupil, no later than 30 days after the first day of 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~~ **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 in or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

~~RECORDS FOR AUDIT PURPOSES~~ **Records for Audit Purposes**

The County 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 County 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 TK-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 **signed or initialed and dated** 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.

Additionally, SBCEO shall maintain documentation of hours or fraction of an hour for student work products and the time that students engaged in asynchronous instruction. (Education Code 54747.5)

5. Appropriate documentation of compliance with the teacher-student ratios required by 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 **SBCEO County Education Office** 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 ~~County Education Office~~ **SBCEO county-operated program** 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 program, ~~is provided~~. A student who does not participate in **scheduled live interaction or synchronous instruction** independent study on a school day shall be documented as non-participatory for that school day. (Education Code 51747.5)

The County Superintendent or designee ~~also~~ shall **also** 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 ~~other evaluations issued to~~ assessments for each student for independent study assignments. (Education Code 51747.5)

The ~~Signed~~ **written and dated agreement, any supplemental agreements,** assignment records, work samples, and attendance records may be maintained as an **electronic file in accordance with Education Code 51747 and 51749.6, as applicable.** ~~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-~~

~~46600 Interdistrict attendance computation-~~

~~46390 46393 Emergency average daily attendance-~~

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
 Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365-
 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>

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 County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal	Description
20 USC 6311	<u>State plan</u>
State	Description
5 CCR 11700-11705	Independent study
Ed. Code 147610-47615	<u>Charter School Operation</u>
Ed. Code 17289	<u>Exemption for facilities</u>
Ed. Code 41020	<u>Requirement for annual audit</u>
Ed. Code 41422	<u>Emergency conditions and apportionments</u>
Ed. Code 42238	<u>Revenue limits</u>
Ed. Code 42238.05	<u>Local control funding formula; average daily attendance</u>
Ed. Code 44865	<u>Qualifications for independent study teachers</u>
Ed. Code 46100	<u>Length of school day</u>

Ed. Code 46200-46208	<u>Incentives for longer instructional day and year</u>
Ed. Code 46300-46307.1	<u>Methods of computing average daily attendance</u>
Ed. Code 46390-46393	<u>Emergency average daily attendance</u>
Ed. Code 46600	<u>Interdistrict attendance computation</u>
Ed. Code 47612.5	<u>Charter schools operations; general requirements</u>
Ed. Code 48204	<u>Residency requirements for school attendance</u>
Ed. Code 48206.3	<u>Home or hospital instruction; students with temporary disabilities</u>
Ed. Code 48220	<u>Classes of children exempted</u>
Ed. Code 48340	<u>Improvement of pupil attendance</u>
Ed. Code 48915	<u>Expulsion; particular circumstances</u>
Ed. Code 48916.1	<u>Educational program requirements for expelled students</u>
Ed. Code 48917	<u>Suspension of expulsion order</u>
Ed. Code 49010	<u>Educational activity; definition</u>
Ed. Code 49011	<u>Student fees; definition</u>
Ed. Code 49501.5	School Meals
Ed. Code 51225.3	<u>High school graduation requirements</u>
Ed. Code 51744-51749.6	<u>Independent study</u>
Ed. Code 52060	<u>Local control and accountability plan</u>
Ed. Code 52523	<u>Adult education as supplement to high school curriculum; criteria</u>
Ed. Code 56026	<u>Individual with exceptional needs; definition</u>
Ed. Code 58500-58512	<u>Alternative schools and programs of choice</u>
Fam. Code 6550-6552	<u>Caregivers</u>

Management Resources

California Department of Education
Publication
California Department of Education
Publication
California Department of Education
Publication
California Department of Education
Publication
Court Decision

Education Audit Appeals Panel
Publication
Website
Website
Website
Website

Description

Legal Requirements for Independent Study

[Conducting Individualized Determinations of Need](#)

[California Digital Learning Integration and Standards Guidance, May 2021](#)
Elements of Exemplary Independent Study

Modesto City Schools v. Education Audits Appeal Panel (2004)
123 Cal.App.4th 1365
Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
[CSBA District and County Office of Education Legal Services](#)
[California Consortium for Independent Study](#)
[California Department of Education, Independent Study](#)
[Education Audit Appeals Panel](#)

ADOPTED BY COUNTY BOARD:
REVISED:

April 7, 1983
October 3, 1991
January 6, 1994
April 7, 1994
August 5, 2021



INSTRUCTION

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law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

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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
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The County 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 SBCEO 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 County 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 (TK)-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 County Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in independent study program for 16 school days or more in a school year who are: (Education Code 51747)

1. Not generating attendance for more than ten percent of required minimum instructional time over four continuous weeks of the SBCEO county-operated program approved instructional calendar
2. Not participating in synchronous instructional offerings pursuant to Education Code 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span
3. In violation of their written agreement.

Tiered reengagement strategies procedures used in the SBCEO county-operated program independent study program shall include local programs intended to address chronic absenteeism, as applicable, including but not limited to 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 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

The County Superintendent or designee shall, for students who participate in an independent study program for 16 or more school days or more in a school year, 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. (Education Code 51747)

When any student enrolled in classroom-based instruction is participating in independent study due to necessary medical treatment or inpatient treatment for mental health or substance abuse under the care of appropriately licensed professionals, the student shall be exempt from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements specified above. In such cases, evidence from appropriately licensed professionals, of the student's need to participate in independent study, shall be submitted to the County Superintendent or designee. (Education Code 51747)

The County Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

Upon the request of the parent/guardian of a student, and before signing a written agreement as described in "Master Agreement," below, the SBCEO Program Manager shall 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 parent/guardian an 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

A written agreement shall be developed and implemented for each student participating in independent study. (Education Code 46300, 51747)

For student participation for 16 school days or more, a signed written agreement shall be obtained before the student begins independent study. For student participation of 15 school days or fewer, a signed written agreement shall be obtained at any time during the school year in which the independent study program takes place. (Education Code 46300, 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 agreement for each participating student also shall include, but is not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

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 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 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, by grade level and type of program, which give rise to 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 student 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

All learning agreements shall be signed by the student, the student's parent/guardian or caregiver if the student is less than 18 years of age, the certificated employee responsible

for the general supervision of independent study, and as applicable for students with disabilities, their certificated employee designated as having responsibility for the special education programming of the student. If the independent study program is projected to last for more than 15 school days, the learning agreement shall be signed before the commencement of the program. For an independent study program that is projected to last for 15 or fewer school days, the learning agreement shall be signed at any time during the school year in which the independent study program is to take place (Education Code 51747)

For purposes of the above paragraph, caregiver means a person who has met the requirements of Family Code 6550-6552.

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 reengagement strategy and/or if requested by a parent/guardian prior to enrollment in or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records for Audit Purposes

The County 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 County 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 TK-8 and the course credits attempted by and awarded to students in grades 9-12
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's signed or initialed and dated 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.

Additionally, SBCEO shall maintain documentation of hours or fraction of an hour for student work products and the time that students engaged in asynchronous instruction. (Education Code 54747.5)

5. Appropriate documentation of compliance with the teacher-student ratios required by 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 SBCEO employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300.

The SBCEO county-operated program 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 program. A student who does not participate in scheduled live interaction or synchronous instruction independent study on a school day shall be documented as non-participatory for that school day. (Education Code 51747.5)

The County Superintendent or designee shall also 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)

Signed written and supplemental agreements, assignment records, work samples, and attendance records may be maintained as an electronic file in accordance with Education Code 51747 and 51749.6, as applicable.

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 County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<p>Federal 20 USC 6311</p>	<p>Description State plan</p>
<p>State 5 CCR 11700-11705 Ed. Code 147610-47615 Ed. Code 17289 Ed. Code 41020</p>	<p>Description Independent study Charter School Operation Exemption for facilities Requirement for annual audit</p>

Ed. Code 41422	Emergency conditions and apportionments
Ed. Code 42238	Revenue limits
Ed. Code 42238.05	Local control funding formula; average daily attendance
Ed. Code 44865	Qualifications for independent study teachers
Ed. Code 46100	Length of school day
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 46600	Interdistrict attendance computation
Ed. Code 47612.5	Charter schools operations; general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	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 49010	Educational activity; definition
Ed. Code 49011	Student fees; definition
Ed. Code 49501.5	School Meals
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; definition
Ed. Code 58500-58512	Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers

Management Resources

California Department of Education
Publication
California Department of Education
Publication
California Department of Education
Publication
California Department of Education
Publication
Court Decision

Education Audit Appeals Panel
Publication
Website
Website
Website
Website

Description

Legal Requirements for Independent Study

[Conducting Individualized Determinations of Need](#)

[California Digital Learning Integration and Standards Guidance, May 2021](#)
Elements of Exemplary Independent Study

Modesto City Schools v. Education Audits Appeal Panel (2004)
123 Cal.App.4th 1365
Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
[CSBA District and County Office of Education Legal Services](#)
[California Consortium for Independent Study](#)
[California Department of Education, Independent Study](#)
[Education Audit Appeals Panel](#)

ADOPTED BY COUNTY BOARD: April 7, 1983
REVISED: October 3, 1991
January 6, 1994
April 7, 1994
August 5, 2021

County Board Policy 6158: Independent Study

Status: ADOPTED

Original Adopted Date: 03/01/2005 | **Last Revised Date:** 12/16/2024 | **Last Reviewed Date:** 12/16/2024

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. As necessary to meet student needs, independent study may be offered for short- or long-term placements, on a full-time or part-time basis, and/or in conjunction with part- or full-time classroom study.

The Board shall hold a public hearing when considering the scope of its existing or prospective use of independent study as an instructional strategy, its purposes in authorizing independent study, and factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult education students. (Education Code 51747; 5 CCR 11701)

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, a charter school, an alternative school or program of choice, and/or an online course.

Student participation in independent study shall be voluntary and no student shall be required to participate. (Education Code 51747, 51749.5, 51749.6)

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)

An independent study student shall not be credited with more than one day of attendance per calendar day. (Education Code 46300)

A nutritionally adequate breakfast and lunch shall be made available at no cost to any independent study student scheduled for educational activities lasting two or more hours at a school site, resource center, meeting space, or other satellite facility, who requests a meal. (Education Code 49501.5)

General Independent Study Requirements

The Superintendent or designee may offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for participation and is likely to succeed as well as or better than the student would in the regular classroom setting.

The minimum instructional minutes shall be the same for all students at each school including students participating in independent study, except as otherwise permitted by law. (Education Code 46100)

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 programs. 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. However, in no event shall the due date of an assignment be extended beyond the termination date specified in the student's written 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 of 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 (UC) or the California State University (CSU) as creditable under the A-G admissions criteria. (Education Code 51747)

The Superintendent or designee shall ensure that all students participating in independent study for 16 school days or more in a school year receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten (TK)-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 participating in an independent study program for 16 school days or more in a school year who are: (Education Code 51747)

1. Not generating attendance for more than ten percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar
2. Not participating in synchronous instructional offerings pursuant to Education Code 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span
3. In violation of their written agreement

Tiered reengagement strategies procedures used in district independent study programs shall include local programs intended to address chronic absenteeism, as applicable, including but not limited to 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 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

The Superintendent or designee shall, for students who participate in an independent study program for 16 school days or more in a school year, 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. (Education Code 51747)

When any student enrolled in classroom-based instruction is participating in independent study due to necessary medical treatment or inpatient treatment for mental health or substance abuse under the care of appropriately licensed professionals, the student shall be exempt from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements specified above. In such cases, evidence from appropriately licensed professionals, of the student's need to participate in independent study, shall be submitted to the Superintendent or designee. (Education Code 51747)

The Superintendent or designee shall ensure that a written agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

Upon the request of the parent/guardian of a student, and before signing a written agreement as described below in "Master Agreement," below, the district shall 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 parent/guardian an 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

A written agreement shall be developed and implemented for each student participating in independent study. (Education Code 46300, 51747)

For student participation lasting 16 school days or more, a signed written agreement shall be obtained before the student begins independent study. For student participation of 15 school days or fewer, a signed written agreement may be obtained at any time during the school year in which the independent study program takes place. (Education Code 46300, 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 agreement for each participating student also shall include, but is not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

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 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 give rise to 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 and 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

All learning agreements shall be signed by the student, the student's parent/guardian or caregiver if the student is less than 18 years of age, the certificated employee responsible for the general supervision of independent study, and as applicable for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student. If the independent study program is projected to last for more than 15 school days, the learning agreement shall be signed before the commencement of the program. For an independent study program that is projected to last for 15 or fewer school days, the learning agreement shall be signed at any time during the school year in which the independent study program is to take place. (Education Code 51747)

For purposes of the above paragraph, caregiver means a person who has met the requirements of Family Code 6550-6552.

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.

Course-Based Independent Study

The district's course-based independent study program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student, pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction
3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards

For high schools, this shall include access to all courses offered by the district for graduation and approved by UC or CSU as creditable under the A-G admissions criteria.

The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that a student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. Additionally, the certification shall include plans to provide opportunities throughout the school year for all students in TK-3 to receive daily synchronous instruction, for all students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for all students in grades 9-12 to receive at least weekly synchronous instruction.

4. Students enrolled in independent study courses shall meet the applicable age requirements established

pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3

5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on 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 set forth in Education Code 52060; completion of assignments, assessments, or other indicators that evidence that the student is working on assignments; learning of required concepts, as determined by the supervising teacher; and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher

If satisfactory educational progress in one or more independent study courses is not being made, the teacher providing instruction shall notify the student and, if the student is under 18 years of age, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student; a plan for outreach from the school to determine student needs, including connection with health and social services as necessary; and 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.

6. Examinations shall be administered by a proctor
7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district

Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.

8. A student shall not be required to enroll in courses included in the course-based independent study program
9. The student-teacher ratio in the courses in this program shall be in accordance with Education Code 51745.6
10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208
11. Courses required for high school graduation or for admission to UC or CSU shall not be offered exclusively through independent study
12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011
13. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course
14. A student with disabilities, as defined in Education Code 56026, may participate in course-based independent study if the student's individualized education program specifically provides for that participation
15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study
16. The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days

Learning Agreement for Course-Based Independent Study

Before enrolling a student in a course within a course-based independent study program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian, with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to Item #3 of "Course-Based Independent Study" above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. 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
6. 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
7. A statement that enrollment is an optional educational alternative and no student may be required to participate

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 course-based independent study only if the student is offered the alternative of classroom instruction.
8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress
9. The objectives and methods of study for the student's work, and the methods used to evaluate that work
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.

All learning agreements shall be signed by the student, the student's parent/guardian or caregiver if the student is less than 18 years of age, the certificated employee responsible for the general supervision of the independent study course, and as applicable for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student. If the independent study program is projected to last for more than 15 school days, the learning agreement shall be signed before the commencement of the program. For an independent study program that is projected to last for 15 or fewer school days, the learning agreement shall be signed at any time during the school year in which the independent study program is to take place. (Education Code 51749.6)

For purposes of the above paragraph, caregiver means a person who has met the requirements of Family Code 6550-6552.

Learning agreements may be signed using an electronic signature that complies with state and federal standards, as determined by CDE. (Education Code 51749.6)

A signed learning agreement from a parent/guardian of a student who is less than 18 years of age shall constitute the parent/guardian's permission for the student to receive instruction through course-based independent study. (Education Code 51749.6)

Upon the request of a student's parent/guardian, and before signing a learning agreement as described above, the district shall 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 parent/guardian, an 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 51749.6)

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)

Records

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 signed or initialed and dated 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

Additionally, the district shall maintain documentation of hours or fraction of an hour for student work products and the time that students engaged in asynchronous instruction. (Education Code 54747.5)

5. Appropriate documentation of compliance with the teacher-student ratios required by 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

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 program. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as non-participatory for that school day. (Education Code 51747.5)

The Superintendent or designee shall also 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)

Signed written and supplemental agreements, assignment records, work samples, and attendance records may be maintained as an electronic file in accordance with Education Code 51747 and 51749.6, as applicable.

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.



BYLAWS

NEW

BOARD POLICY – ROLE OF THE BOARD

BP 9000

The County Board of Education provides leadership and citizen oversight for educational programs and services operated by the county office of education.

In fulfilling its objectives, it is the role of the County Board to:

1. Adopt and update policies for its own governance and for programs under the statutory authority of the County Board
2. Ensure accountability for student learning in schools and programs under the statutory authority of the County Board
3. Fulfill responsibilities related to the local control funding formula (LCFF), including adopting the County Education Office local control and accountability plan or update and the LCFF budget overview for parents/guardians
4. Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state, and federal levels
5. Collaborate with the County Superintendent of Schools to ensure implementation of the shared vision, goals, and policies of the County Education Office
6. Collaborate with the County Superintendent to ensure the provision of a safe and appropriate educational environment for all County Education Office students
7. Adopt the annual budget and review interim reports of the County Superintendent
8. Fix the salary of the County Superintendent in accordance with law
9. Adopt rules and regulations governing the administration of the office of the County Superintendent
10. Acquire, lease, lease-purchase, hold, and convey real property for the purpose of housing the offices and the services of the County Education Office
11. Maintain a cooperative and supportive working relationship with local school districts, their school boards, and the community
12. Conduct appeals on the following actions by district governing boards: student expulsions; interdistrict transfer requests; denials, nonrenewals, or revocations of charter school petitions; and other matters when required by law

13. Conduct public hearings when appropriate

14. Consider petitions and provide oversight for charter schools approved by the County Board and fulfill other statutory responsibilities in connection with charter schools

The County Board is authorized to establish, carry on, and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law and does not conflict with the purposes for which the County Board is established. (Education Code 35160-35160)

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.

Management Resources

	Description
Attorney General Opinion	72 Ops.Cal.Atty.Gen. 205 (1989)
CA County Superintendents Ed Services Assoc Pub	Statutory Functions of County Boards of Education and County Superintendents of Schools, rev. 2014
California County Boards of Education Publication	County Board Member Handbook: A Guide to Effective Governance, 2015
CSBA Publication	Professional Governance Standards for County Boards, October 2014
Website	CSBA
Website	California County Superintendents Educational Services Association
Website	California County Boards of Education

State

	Description
5 CCR 17433	Claims for travel expense
5 CCR 18271	Child care and development programs; philosophy, goals, and objectives
CA Constitution Article 9, Section 3.1	County Superintendent qualifications and salary
Ed. Code 1000-1017	Election, jurisdiction, organization and procedure; county boards of education
Ed. Code 1040-1048	Duties and responsibilities; county boards of education
Ed. Code 1042	County boards; authority
Ed. Code 1080-1082	Transfer of duties and functions to county board
Ed. Code 1090	Compensation for county board member services
Ed. Code 1095	County board membership in organizations for promotion and advancement of public education
Ed. Code 1200	Actual and necessary travel expenses incurred by county superintendent
Ed. Code 1209	Approval by county board for determination of county superintendent salary
Ed. Code 1240	Duties of county superintendent
Ed. Code 1240-1281	Duties, responsibilities, and general powers; county superintendents of schools
Ed. Code 1279	Disposal of personal property
Ed. Code 1280	Budget revisions
Ed. Code 1294	Staff employed by county superintendent
Ed. Code 1295	Leaves of absence for non- certificated staff

Ed. Code 1302	Salary, bonus, and retirement benefits increases for county office of education staff
Ed. Code 1620-1630	County board budget approval and adoption, including appropriations limit resolution
Ed. Code 17150-17150.1	School bonds; public disclosure of non-voter-approved debt
Ed. Code 1720	Preparation of courses of study and development of curriculum and instructional materials
Ed. Code 1730	Supervision of instruction
Ed. Code 1740	Supervision of attendance
Ed. Code 1750	Supervision of health
Ed. Code 1760	Provision of guidance services
Ed. Code 1770	Provision of library services
Ed. Code 1900	Classes or schools for prisoners
Ed. Code 1920	Emergency schools
Ed. Code 1945	Provision of advisory services
Ed. Code 1946	Agreements with districts for centralized in-service training programs
Ed. Code 1980-1986	County community schools
Ed. Code 33050	Request to state board for waiver
Ed. Code 33319.5	Implementation of authority of local agencies
Ed. Code 35160	Authority of county boards
Ed. Code 35160.1	Authority of county boards; legislative intent
Ed. Code 4020-4024	Transfer of duties of county committee to county board
Ed. Code 41032	Gifts, donations, bequests, and devises
Ed. Code 44332	Temporary certificates for purpose of authorizing salary payments
Ed. Code 44422	Hearing by county board; immoral or unprofessional conduct by holder of credential
Ed. Code 46601	Parent/guardian appeal of interdistrict transfer request
Ed. Code 47600-47616.5	Charter Schools Act of 1992, as amended
Ed. Code 48321	County school attendance review board
Ed. Code 48645-48648	Juvenile court schools
Ed. Code 48919	Expulsion and appeals to county board
Ed. Code 5000	Election of district board members
Ed. Code 5091	Vacancy on district board
Ed. Code 52064.1-52077	Local control and accountability plan
Ed. Code 52300-52334.7	Career technical education; regional occupational centers
Ed. Code 60119	District requirements for instructional materials funding
Ed. Code 60200-60213	Selection and adoption of elementary school materials
Ed. Code 60400	Adoption and purchase of high school textbooks
Ed. Code 8321	County superintendent authority to establish and maintain child development programs
Elec. Code 9603	Advisory election during regular or special election
Gov. Code 53096	City or county ordinance inapplicable to proposed use of property
Gov. Code 53822	Temporary borrowing; notes, tax anticipation warrants or other evidences or indebtedness
Gov. Code 87300	Conflict of interest code
Gov. Code 910-915.4	Presentation and consideration of claims

ADOPTED BY COUNTY BOARD:

Board Bylaw 9000: Role Of The Board

Status: ADOPTED

Original Adopted Date: 01/01/2016 | **Last Revised Date:** 01/01/2019 | **Last Reviewed Date:** 01/01/2019

CSBA NOTE: The following optional County Board of Education bylaw reflects the roles and responsibilities of the County Board. The bylaw aligns closely with the Professional Governance Standards for County Boards adopted by CSBA and California County Boards of Education and Statutory Functions of County Boards of Education and County Superintendents of Schools published by the California County Superintendents Educational Services Association. The governance standards also address attributes of effective boards and individual trustees.

The County Board of Education provides leadership and citizen oversight for educational programs and services operated by the county office of education (COE), including services provided to school districts and the community. The primary objectives of the County Board are to work with the County Superintendent of Schools to establish direction and priorities for the COE and to provide leadership necessary for the success of public education.

In fulfilling its objectives, it is the role of the County Board to:

1. Adopt and update policies for its own governance and for programs under the statutory authority of the County Board
2. Ensure accountability for student learning in schools and programs under the statutory authority of the County Board
3. Fulfill responsibilities related to the local control funding formula (LCFF), including adopting the COE local control and accountability plan or update and the LCFF budget overview for parents/guardians
4. Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state, and federal levels
5. Collaborate with the County Superintendent to ensure implementation of the shared vision, goals, and policies of the COE
6. Collaborate with the County Superintendent to ensure the provision of a safe and appropriate educational environment for all COE students
7. Adopt the annual budget and review interim reports of the County Superintendent
8. Fix the salary of the County Superintendent in accordance with law
9. Adopt rules and regulations governing the administration of the office of the County Superintendent
10. 10. Acquire, lease, lease-purchase, hold, and convey real property for the purpose of housing the offices and the services of the COE
11. Maintain a cooperative and supportive working relationship with local school districts, their school boards, and the community
12. Conduct appeals on the following actions by district governing boards: student expulsions; interdistrict transfer requests; denials, nonrenewals, or revocations of charter school petitions; and other matters when required by law
13. Conduct public hearings when appropriate
14. Consider petitions and provide oversight for charter schools approved by the County Board and fulfill other statutory responsibilities in connection with charter schools

The County Board is authorized to establish, carry on, and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law and does not conflict with the purposes for which the County Board is established. (Education Code 35160-35160.)

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.

Management Resources References

	Description
Attorney General Opinion	72 Ops.Cal.Atty.Gen. 205 (1989)
CA County Superintendents Ed Services Assoc Pub	Statutory Functions of County Boards of Education and County Superintendents of Schools, rev. 2014
California County Boards of Education Publication	County Board Member Handbook: A Guide to Effective Governance, 2015
CSBA Publication	Professional Governance Standards for County Boards, October 2014
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California County Superintendents Educational Services Association - https://simbli.eboardsolutions.com/SU/FJy7Gf2dJxDpluso3aMdrmcKQ==
Website	California County Boards of Education - https://simbli.eboardsolutions.com/SU/mBYiSVbPfsIshozMvDPid7e3A==

State References

	Description
5 CCR 17433	Claims for travel expense
5 CCR 18271	Child care and development programs; philosophy, goals, and objectives
CA Constitution Article 9, Section 3.1	County Superintendent qualifications and salary
Ed. Code 1000-1017	Election, jurisdiction, organization and procedure; county boards of education
Ed. Code 1040-1048	Duties and responsibilities; county boards of education
Ed. Code 1042	County boards; authority
Ed. Code 1080-1082	Transfer of duties and functions to county board
Ed. Code 1090	Compensation for county board member services
Ed. Code 1095	County board membership in organizations for promotion and advancement of public education
Ed. Code 1200	Actual and necessary travel expenses incurred by county superintendent
Ed. Code 1209	Approval by county board for determination of county superintendent salary
Ed. Code 1240	Duties of county superintendent
Ed. Code 1240-1281	Duties, responsibilities, and general powers; county superintendents of schools
Ed. Code 1279	Disposal of personal property
Ed. Code 1280	Budget revisions
Ed. Code 1294	Staff employed by county superintendent
Ed. Code 1295	Leaves of absence for non- certificated staff
Ed. Code 1302	Salary, bonus, and retirement benefits increases for county office of education staff
Ed. Code 1620-1630	County board budget approval and adoption, including appropriations limit resolution
Ed. Code 17150-17150.1	School bonds; public disclosure of non-voter-approved debt
Ed. Code 1720	Preparation of courses of study and development of curriculum and instructional materials
Ed. Code 1730	Supervision of instruction

Ed. Code 1740	Supervision of attendance
Ed. Code 1750	Supervision of health
Ed. Code 1760	Provision of guidance services
Ed. Code 1770	Provision of library services
Ed. Code 1900	Classes or schools for prisoners
Ed. Code 1920	Emergency schools
Ed. Code 1945	Provision of advisory services
Ed. Code 1946	Agreements with districts for centralized in-service training programs
Ed. Code 1980-1986	County community schools
Ed. Code 33050	Request to state board for waiver
Ed. Code 33319.5	Implementation of authority of local agencies
Ed. Code 35160	Authority of county boards
Ed. Code 35160.1	Authority of county boards; legislative intent
Ed. Code 4020-4024	Transfer of duties of county committee to county board
Ed. Code 41032	Gifts, donations, bequests, and devises
Ed. Code 44332	Temporary certificates for purpose of authorizing salary payments
Ed. Code 44422	Hearing by county board; immoral or unprofessional conduct by holder of credential
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Ed. Code 47600-47616.5	Charter Schools Act of 1992, as amended
Ed. Code 48321	County school attendance review board
Ed. Code 48645-48648	Juvenile court schools
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Ed. Code 5000	Election of district board members
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Ed. Code 60119	District requirements for instructional materials funding
Ed. Code 60200-60213	Selection and adoption of elementary school materials
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Ed. Code 8321	County superintendent authority to establish and maintain child development programs
Elec. Code 9603	Advisory election during regular or special election
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Gov. Code 53822	Temporary borrowing; notes, tax anticipation warrants or other evidences or indebtedness
Gov. Code 87300	Conflict of interest code
Gov. Code 910-915.4	Presentation and consideration of claims

Cross References

0460

Description

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/i0SrRgYOXoslshnkZfgHx2omg==>

0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/OMMbaUVeR5yfx6oKOIWQvg==
5117.1	Interdistrict Attendance Appeals - https://simbli.eboardsolutions.com/SU/qau3cRPohhLfXKJIZ4xUOg==
9121	President - https://simbli.eboardsolutions.com/SU/UC24Z1DynNTT2Y8cHym0iQ==
9124	Attorney - https://simbli.eboardsolutions.com/SU/nyPlm0p9Wli3YXV3c8gTZw==
9230	Orientation - https://simbli.eboardsolutions.com/SU/Qld602O4t9GAgS8BeslshxZHw==
9240	Board Training - https://simbli.eboardsolutions.com/SU/YfEDOPbtLuoOL8fvCPnnGg==
9310	Board Policies - https://simbli.eboardsolutions.com/SU/BSSPD9rxtU467zs7JeQjhg==
9323.2	Actions By The Board - https://simbli.eboardsolutions.com/SU/w9HrDCela4HAr69BxBFZBQ==
9323.2-E(1)	Actions By The Board - https://simbli.eboardsolutions.com/SU/gDEslshpru6xeluwDIHrG4J6w==
9324	Minutes And Recordings - https://simbli.eboardsolutions.com/SU/HONslshYslshlwuiXKulRdrJ0wslshQ==
9400	Board Self-Evaluation - https://simbli.eboardsolutions.com/SU/BE34plusuxdccdnlwTjatFYwQ==
9500	County Superintendent's Remuneration - https://simbli.eboardsolutions.com/SU/W8t14Chpq5N00wfhNr28VQ==



BYLAWS

REVISED – MARKED COPY

BOARD POLICY – GOVERNANCE STANDARDS

BP 9005

The County Board of Education believes that its primary responsibility is to act in the best interests of every student in every school or program operated by the Santa Barbara County Education Office (SBCEO). The County Board has commitments to parents/guardians, all members of the community, SBCEO employees, and the state of California. The County Board is bound by laws pertaining to public education and the established policies of the SBCEO. To maximize County Board effectiveness and public confidence in its governance, County Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The County Board expects its members to work with each other and with the County Superintendent of Schools to ensure that a high-quality education is provided to all students in SBCEO schools and programs, and that high-quality services are provided to the school districts within the jurisdiction of the SBCEO. Each individual County Board member shall:

1. Keep learning and achievement, including college and career readiness and future-ready skills and development, for all students as the primary focus
2. Value, support, and advocate for public education
3. Recognize and respect differences of perspective and style on the County Board and among staff, students, parents/guardians, and the community
4. Act with dignity and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions of authority between the County Board and the County Superintendent, and refrain from performing management functions that are the responsibility of the County Superintendent and staff
8. Understand that authority rests with the County Board as a whole and not with individual County Board members

County Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the County Board shall

have a unity of purpose and:

1. Keep focused on student learning and achievement, as well as the role of the SBCEO in providing services to school districts and the community
2. Work collaboratively with the County Superintendent
3. Communicate a common vision
4. Operate openly, with trust and integrity
5. Govern in a dignified and professional manner, treating everyone with civility and respect
6. Govern within the law and County Board-adopted policies and procedures
7. Take collective responsibility for the County Board's performance
8. Periodically evaluate its own effectiveness
9. Ensure opportunities for the diverse range of views in the community to inform County Board deliberations

Legal Reference:

EDUCATION CODE

~~1040 Duties and responsibilities; county boards of education~~
~~1042 County boards; authority~~
~~35160-35160.1 Authority of county boards~~

GOVERNMENT CODE

~~1090 Financial interest in contract~~
~~1098 Disclosure of confidential information~~
~~1125-1129 Incompatible activities~~
~~54950-54962 The Ralph M. Brown Act~~
~~87300-87313 Conflict of interest code~~

Management Resources:

CSBA PUBLICATIONS

~~Professional Governance Standards for County Boards, October 2014~~

CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS

~~County Board Member Handbook: A Guide to Effective Governance, 2015~~

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.thecceb.org>

Policy Reference Disclaimer:

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Management Resources

California County Boards of Education
Publication
CSBA Publication

Website
Website

Description

County Board Member Handbook: A Guide to Effective Governance, 2015
Professional Governance Standards for County Boards, October 2014
CSBA
California County Boards of Education

State

Ed. Code 1040
Ed. Code 1042
Ed. Code 35160-35160.1
Gov. Code 1090
Gov. Code 1098
Gov. Code 1125-1129
Gov. Code 54950-54963
Gov. Code 87300-87313

Description

Duties and responsibilities; county boards of education
County boards; authority
Authority of county boards
Financial interest in contract
Disclosure of confidential information
Incompatible activities
The Ralph M. Brown Act
Conflict of interest code

ADOPTED BY COUNTY BOARD:
REVISED:

February 4, 2021



BYLAWS

REVISED – CLEAN COPY

BOARD POLICY – GOVERNANCE STANDARDS

BP 9005

The County Board of Education believes that its primary responsibility is to act in the best interests of every student in every school or program operated by the Santa Barbara County Education Office (SBCEO). The County Board has commitments to parents/guardians, all members of the community, SBCEO employees, and the state of California. The County Board is bound by laws pertaining to public education and the established policies of the SBCEO. To maximize County Board effectiveness and public confidence in its governance, County Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The County Board expects its members to work with each other and with the County Superintendent of Schools to ensure that a high-quality education is provided to all students in SBCEO schools and programs, and that high-quality services are provided to the school districts within the jurisdiction of the SBCEO. Each individual County Board member shall:

1. Keep learning and achievement, including college and career readiness and future-ready skills and development, for all students as the primary focus
2. Value, support, and advocate for public education
3. Recognize and respect differences of perspective and style on the County Board and among staff, students, parents/guardians, and the community
4. Act with dignity and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions of authority between the County Board and the County Superintendent, and refrain from performing management functions that are the responsibility of the County Superintendent and staff
8. Understand that authority rests with the County Board as a whole and not with individual County Board members

County Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the County Board shall

have a unity of purpose and:

1. Keep focused on student learning and achievement, as well as the role of the SBCEO in providing services to school districts and the community
2. Work collaboratively with the County Superintendent
3. Communicate a common vision
4. Operate openly, with trust and integrity
5. Govern in a dignified and professional manner, treating everyone with civility and respect
6. Govern within the law and County Board-adopted policies and procedures
7. Take collective responsibility for the County Board's performance
8. Periodically evaluate its own effectiveness
9. Ensure opportunities for the diverse range of views in the community to inform County Board deliberations

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Management Resources

California County Boards of Education
Publication
CSBA Publication

Website
Website

Description

County Board Member Handbook: A Guide to Effective
Governance, 2015
Professional Governance Standards for County Boards, October
2014
CSBA
California County Boards of Education

State

Ed. Code 1040
Ed. Code 1042
Ed. Code 35160-35160.1
Gov. Code 1090
Gov. Code 1098
Gov. Code 1125-1129
Gov. Code 54950-54963
Gov. Code 87300-87313

Description

Duties and responsibilities; county boards of education
County boards; authority
Authority of county boards
Financial interest in contract
Disclosure of confidential information
Incompatible activities
The Ralph M. Brown Act
Conflict of interest code

ADOPTED BY COUNTY BOARD: February 4, 2021
REVISED:

Board Bylaw 9005: Governance Standards

Status: ADOPTED

Original Adopted Date: 01/01/2016 | **Last Reviewed Date:** 01/01/2016

CSBA NOTE: The following optional County Board of Education bylaw is based on the Professional Governance Standards for County Boards adopted by CSBA and California County Boards of Education in October 2014.

The County Board of Education believes that its primary responsibility is to act in the best interests of every student in every school or program operated by the county office of education (COE). The County Board has commitments to parents/guardians, all members of the community, COE employees, and the state of California. The County Board is bound by laws pertaining to public education and the established policies of the COE. To maximize County Board effectiveness and public confidence in its governance, County Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The County Board expects its members to work with each other and with the County Superintendent of Schools to ensure that a high-quality education is provided to all students in COE schools and programs and that high-quality services are provided to the community and to the school districts within the jurisdiction of the COE. Each individual County Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support, and advocate for public education
3. Recognize and respect differences of perspective and style on the County Board and among staff, students, parents/guardians, and the community
4. Act with dignity and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions of authority between the County Board and the County Superintendent, and refrain from performing management functions that are the responsibility of the County Superintendent and staff
8. Understand that authority rests with the County Board as a whole and not with individual County Board members

County Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the County Board shall have a unity of purpose and:

1. Keep focused on student learning and achievement, as well as the role of the COE in providing services to school districts and the community
2. Work collaboratively with the County Superintendent
3. Communicate a common vision
4. Operate openly, with trust and integrity
5. Govern in a dignified and professional manner, treating everyone with civility and respect
6. Govern within the law and County Board-adopted policies and procedures
7. Take collective responsibility for the County Board's performance
8. Periodically evaluate its own effectiveness
9. Ensure opportunities for the diverse range of views in the community to inform County Board deliberations

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CSBA Publication	Professional Governance Standards for County Boards, October 2014
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California County Boards of Education - https://simbli.eboardsolutions.com/SU/mBYiSVbPfsIshozMvDPid7e3A==

State References

Description

Ed. Code 1040	Duties and responsibilities; county boards of education
Ed. Code 1042	County boards; authority
Ed. Code 35160-35160.1	Authority of county boards
Gov. Code 1090	Financial interest in contract
Gov. Code 1098	Disclosure of confidential information
Gov. Code 1125-1129	Incompatible activities
Gov. Code 54950-54963	The Ralph M. Brown Act - https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==
Gov. Code 87300-87313	Conflict of interest code - https://simbli.eboardsolutions.com/SU/YaQbxMYA749OVplusgURs6YDA==

Cross References

Description

9012	Board Member Electronic Communications - https://simbli.eboardsolutions.com/SU/5ki2bslshANYs5X2GeRI83bdw==
9121	President - https://simbli.eboardsolutions.com/SU/UC24Z1DynNTT2Y8cHym0iQ==
9230	Orientation - https://simbli.eboardsolutions.com/SU/Qld602O4t9GAgS8BeslshxZHw==
9240	Board Training - https://simbli.eboardsolutions.com/SU/YfFDOPbtLuoOL8fvCPnnGg==
9323.2	Actions By The Board - https://simbli.eboardsolutions.com/SU/w9HrDCela4HAr69BxBFBZBQ==
9323.2-E(1)	Actions By The Board - https://simbli.eboardsolutions.com/SU/gDEslshpru6xeluwDIHrG4J6w==
9324	Minutes And Recordings - https://simbli.eboardsolutions.com/SU/HONslshYslshlwuiXKulRdrJ0wslshQ==
9400	Board Self-Evaluation - https://simbli.eboardsolutions.com/SU/BE34plusuxdcdcnjwTjatFYwQ==



BYLAWS

NEW

BOARD POLICY – PRESIDENT

BP 9121

The County Board of Education shall elect a president and vice president from among its members to provide leadership on behalf of the County Board and the educational community it serves.

To ensure that County Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:

1. Call such meetings of the County Board as deemed necessary, giving notice as required by law
2. Work with the County Superintendent of Schools, as secretary to the County Board, on the preparation of County Board meeting agendas
3. Call the meeting to order at the appointed time and preside over the meeting
4. Announce the business to come before the County Board in its proper order
5. Work to ensure the County Board's compliance with Brown Act requirements and County Board bylaws related to the conduct of meetings
6. Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference
7. Facilitate the County Board's effective deliberation, ensuring that each County Board member has an opportunity to participate in the deliberation and that the discussion remains focused
8. Rule on issues of parliamentary procedure
9. Put motions to a vote, and clearly state the results of the vote

The president shall have the same rights as other members of the County Board, including the right to discuss and vote on all matters before the County Board.

The president shall perform other duties in accordance with law and County Board policy, including, but not limited to:

1. Signing all instruments, acts, orders, and resolutions necessary to comply with legal requirements and carry out the will of the County Board

2. Working with the County Superintendent or designee to ensure that County Board members have necessary materials and information
3. Appointing members of the County Board to fill the vacant seats of a school district board when a majority of those seats are vacant (Education Code 5094)
4. Subject to County Board approval, appointing and dissolving all committees
5. Subject to County Board approval, appointing County Board members to serve as representatives on committees on matters of concern to the County Board, the county office of education, or the districts, schools, and students within its jurisdiction
6. Representing the County Board as spokesperson
7. Leading the County Board's advocacy efforts to build support within the local community and at the state and national levels

When the president resigns or is absent, the vice president shall perform the president's duties. When both the president and vice president are absent, the County Board shall choose a president pro tempore to perform the president's duties.

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.

Management Resources

California County Boards of Education
 Publication
 CSBA Publication

 CSBA Publication
 Website
 Website

Description

County Board Member Handbook: A Guide to Effective
 Governance, 2015
 Professional Governance Standards for County Boards,
 October 2014
 Call to Order: A Blueprint for Great Board Meetings, 2015
[CSBA](#)
[California County Boards of Education](#)

State

Ed. Code 1009
 Ed. Code 1012
 Ed. Code 5094
 Gov. Code 54950-54963

Description

Annual organization of the board
 Special meetings
 Power to fill district board vacancies
[The Ralph M. Brown Act](#)

ADOPTED BY COUNTY BOARD:

Board Bylaw 9121: President

Status: ADOPTED

Original Adopted Date: 01/01/2019 | **Last Reviewed Date:** 01/01/2019

CSBA NOTE: Education Code 1009 requires the County Board of Education to elect a president from among its members at the annual organizational meeting. The law does not specify all of the duties of a County Board president. The following optional bylaw details some typical duties of a County Board president and should be modified to reflect County Board practice.

The County Board of Education shall elect a president from among its members to provide leadership on behalf of the County Board and the educational community it serves.

To ensure that County Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:

1. Call such meetings of the County Board as deemed necessary, giving notice as required by law
2. Work with the County Superintendent of Schools, as secretary to the County Board, on the preparation of County Board meeting agendas
3. Call the meeting to order at the appointed time and preside over the meeting
4. Announce the business to come before the County Board in its proper order
5. Work to ensure the County Board's compliance with Brown Act requirements and County Board bylaws related to the conduct of meetings
6. Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference
7. Facilitate the County Board's effective deliberation, ensuring that each County Board member has an opportunity to participate in the deliberation and that the discussion remains focused
8. Rule on issues of parliamentary procedure
9. Put motions to a vote, and clearly state the results of the vote

The president shall have the same rights as other members of the County Board, including the right to discuss and vote on all matters before the County Board.

The president shall perform other duties in accordance with law and County Board policy, including, but not limited to:

1. Signing all instruments, acts, orders, and resolutions necessary to comply with legal requirements and carry out the will of the County Board
2. Working with the County Superintendent or designee to ensure that County Board members have necessary materials and information
3. Appointing members of the County Board to fill the vacant seats of a school district board when a majority of those seats are vacant (Education Code 5094)
4. Subject to County Board approval, appointing and dissolving all committees
5. Subject to County Board approval, appointing County Board members to serve as representatives on committees on matters of concern to the County Board, the county office of education, or the districts, schools, and students within its jurisdiction
6. Representing the County Board as spokesperson
7. Leading the County Board's advocacy efforts to build support within the local community and at the state and national levels

CSBA NOTE: CSBA offers the Board President's Workshop and other education opportunities that could assist county board presidents in fulfilling their responsibilities, such as the Brown Act workshop, Annual Education Conference and Trade Show, and Masters in Governance program. California County Boards of Education offers an annual conference and County Board Governance Workshop. See CSBA's web site for further information.

The president shall participate in the California School Boards Association's Board President's Workshop and other professional development opportunities to enhance leadership skills.

CSBA NOTE: Education Code 1009 only requires the County Board to elect a president. Election of other officers may be done at the discretion of the County Board. The following paragraph should be revised to reflect County Board practice.

When the president resigns or is absent, the vice president/clerk shall perform the president's duties. When both the president and clerk are absent, the County Board shall choose a president pro tempore to perform the president's duties.

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.

Management Resources References

Description

California County Boards of Education Publication	County Board Member Handbook: A Guide to Effective Governance, 2015
CSBA Publication	Professional Governance Standards for County Boards, October 2014
CSBA Publication	Call to Order: A Blueprint for Great Board Meetings, 2015
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California County Boards of Education - https://simbli.eboardsolutions.com/SU/mBYiSVbPfsIshozMvDPid7e3A==

State References

Description

Ed. Code 1009	Annual organization of the board
Ed. Code 1012	Special meetings
Ed. Code 5094	Power to fill district board vacancies
Gov. Code 54950-54963	The Ralph M. Brown Act - https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==

Cross References

Description

1112	Media Relations - https://simbli.eboardsolutions.com/SU/WBUe1assIshalcTU51Yhspb1g==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/fxM4w9tH0S8cplusMg0b6vGQg==
9000-E(1)	Role Of The Board - https://simbli.eboardsolutions.com/SU/Nz77w4WmS3rKj6S5qyMEjg==
9005	Governance Standards - https://simbli.eboardsolutions.com/SU/3H9KPT3OfhgpECTplusnKkMA==
9012	Board Member Electronic Communications - https://simbli.eboardsolutions.com/SU/5ki2bsIshANYs5X2GeRI83bdw==
9100	Organization - https://simbli.eboardsolutions.com/SU/goJBGAVQA99QL7MtuLK2HA==
9130	Board Committees - https://simbli.eboardsolutions.com/SU/0ay5HzhaNsDoRcNPqVrFQw==
9240	Board Training - https://simbli.eboardsolutions.com/SU/YfFDOPbtLuoOL8fvCPnnGg==

- 9320 Meetings And Notices -
<https://simbli.eboardsolutions.com/SU/1yaPHBcl3eBr6cNnHVr2ww==>
- 9321 Closed Session -
<https://simbli.eboardsolutions.com/SU/jPWKc29NJaJknPewLMtO6Q==>
- 9321-E(1) Closed Session -
<https://simbli.eboardsolutions.com/SU/5a8DE1W01Wdwk9JvJILBag==>
- 9321-E(2) Closed Session -
<https://simbli.eboardsolutions.com/SU/ZqILFGVP4slshCplusKU65e9mtcQ==>
- 9322 Agenda/Meeting Materials -
<https://simbli.eboardsolutions.com/SU/2OBy41sO9vslstsexvpxZplusbw==>
- 9323 Meeting Conduct -
<https://simbli.eboardsolutions.com/SU/j5zljrJ9G6ekpslshdttwGIEQ==>



BYLAWS

NEW

BOARD POLICY – LEGAL PROTECTION

BP 9260

Liability Insurance

The County Board of Education shall provide insurance necessary to protect its members against liability for death, personal injury, or damage or loss of property caused by their negligent act or omission when acting within the scope of their office.

Protection Against Liability

No County Board member shall be liable for harm caused by their act or omission when acting within the scope of his/her responsibilities for the County Education Office. The act or omission must be in conformity with federal, state, and local laws and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 6733, 6736)

The protection against liability shall not apply when: (20 USC 6736)

1. The County Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety.
2. The County Board member caused harm by operating a motor vehicle.
3. The County Board member was not properly licensed, if required, by the state for such activities.
4. The County Board member was found by a court to have violated a federal or state civil rights law.
5. The County Board member was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the County Board member has been convicted in a court.
7. The misconduct involved a sexual offense for which the County Board member has been convicted in a court.

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the subject matter of the policy.

Federal

18 USC 16
20 USC 6731-6738

Description

Crime of violence defined
Teacher Protection Act

Management Resources

Court Decision

Description

Caldwell v. Montoya (Paramount Unified School District) 10
Cal 4th 972 (1995)

State

Ed. Code 35208
Gov. Code 1090-1098
Gov. Code 54950-54963
Gov. Code 815.3
Gov. Code 820-823
Gov. Code 825.6
Gov. Code 87100-89503

Description

Liability insurance
Conflicts of interest, prohibitions applicable to specified officers
[The Ralph M. Brown Act](#)
Intentional torts
Tort Claims Act
Indemnification of public entity
Conflicts of interest

ADOPTED BY COUNTY BOARD:

Board Bylaw 9260: Legal Protection

Status: ADOPTED

Original Adopted Date: 01/01/2016 | **Last Reviewed Date:** 01/01/2016

Liability Insurance

CSBA NOTE: Education Code 35208 requires the governing boards of school districts to insure against liability of the district, board members, district officers, and employees for death, personal injury, or damage/loss of property caused by their negligent act or omission when acting within the scope of their office or employment. Although not expressly stated in Education Code 35208, similar requirements likely apply to county boards of education.

The County Board of Education shall provide insurance necessary to protect its members against liability for death, personal injury, or damage or loss of property caused by their negligent act or omission when acting within the scope of their office.

Protection Against Liability

CSBA NOTE: The Teacher Protection Act, 20 USC 6731-6738, limits the liability of County Board members when they are acting within the scope of their office.

Pursuant to Government Code 820.9, County Board members are not vicariously liable for injuries caused by the county office of education's acts or omissions. The California Supreme Court determined, in Caldwell v. Montoya, that County Board members are also immune from suits when performing "discretionary acts," such as basic governmental policy decisions, within the scope of their duties. Personal liability exists, however, for injuries caused by the individual's own wrongful conduct and may also exist, in some circumstances, for civil rights violations or knowing violations of the Brown Act. Because the determination as to whether personal liability exists is dependent on the specific facts of each case, it is strongly recommended that legal counsel be consulted when questions arise.

No County Board member shall be liable for harm caused by his/her act or omission when acting within the scope of his/her responsibilities for the county office of education. The act or omission must be in conformity with federal, state, and local laws and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 6733, 6736)

The protection against liability shall not apply when: (20 USC 6736)

1. The County Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety.
2. The County Board member caused harm by operating a motor vehicle.
3. The County Board member was not properly licensed, if required, by the state for such activities.
4. The County Board member was found by a court to have violated a federal or state civil rights law.
5. The County Board member was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the County Board member has been convicted in a court.
7. The misconduct involved a sexual offense for which the County Board member has been convicted in a court.

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Federal References

18 USC 16

20 USC 6731-6738

Description

Crime of violence defined

Teacher Protection Act

Management Resources References

Description

Court Decision

Caldwell v. Montoya (Paramount Unified School District) 10 Cal 4th 972 (1995)

State References

Ed. Code 35208

Gov. Code 1090-1098

Gov. Code 54950-54963

Gov. Code 815.3

Gov. Code 820-823

Gov. Code 825.6

Gov. Code 87100-89503

Cross References

9124

Description

Liability insurance

Conflicts of interest, prohibitions applicable to specified officers

The Ralph M. Brown Act -

<https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==>

Intentional torts

Tort Claims Act

Indemnification of public entity

Conflicts of interest

Description

Attorney -

<https://simbli.eboardsolutions.com/SU/nyPlm0p9Wli3YXV3c8gTZw==>