

BIRMINGHAM COMMUNITY CHARTER HIGH SCHOOL

BOARD POLICIES FOR INDEPENDENT STUDY

Charter School Policy: #20

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TRADITIONAL INDEPENDENT STUDY

Birmingham Community Charter High School (the “Charter School”) may offer independent study to meet the educational needs of pupils enrolled in the Charter School. Independent study is an optional educational alternative in which no pupil may be required to participate and is designed to teach the knowledge and skills of the core curriculum. Birmingham Community Charter High School shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully. The following written policies have been adopted by the Board for implementation at the Charter School in alignment with Education Code Section 51747:

1. For pupils in grades 9-12 offered by the Charter School, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be 20 instructional days. In extenuating circumstances, the supervising teacher and pupil may extend this time period for up to a total of 30 instructional days.
2. The CEO/Principal or designee shall conduct an evaluation to determine whether it is in the best interests of the pupil to remain in independent study upon the following triggers:
 - a. When any pupil fails to complete 10 assignments during any period of 30 school days.
 - b. In the event a student’s educational progress falls below satisfactory levels as determined by the Student’s Progress Report, SSPT (Student Success Progress Team), SST (Student Success Team), or as indicated in the course syllabus which considers ALL of the following indicators:
 - i. The pupil’s achievement and engagement in the independent study program, as indicated by the pupil’s performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in Education Code Section 52060(d) paragraphs (4) and (5).
 - ii. The completion of assignments, assessments, or other indicators, such as student’s attendance record and parental involvement that evidence that the pupil is working on assignments. Student absences, any falsification of information by student and/or parent, failure to return school equipment, unresponsiveness by parent/student to school communications, and/or lack of parental involvement are all indicators to be considered as a trigger for evaluation.
 - iii. Learning required concepts, as determined by the supervising teacher.
 - iv. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim pupil record. Should it be determined that independent study is not in the best interest of the pupil, the Independent Study Coordinator shall issue a notice of involuntary removal student and parent/guardian. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

3. The Charter School shall provide content aligned to grade level standards that is substantially equivalent to in-person instruction. For high school grade levels this shall include access to all courses offered by the Charter School for graduation and approved by the UC or CSU as creditable under the A-G admissions criteria.
4. Tiered Reengagement: The Charter School shall implement tiered reengagement strategies for all pupils who are not generating attendance for more than 10 percent of required minimum instructional time over four continuous school weeks of the School's approved instructional calendar, pupils found not participatory in synchronous instructional offerings pursuant to Education Code Section 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span, or pupils who are in violation of their written independent study agreement. These procedures shall include local programs intended to address chronic absenteeism, as applicable, with at least all of the following:
 - a. Verification of current contact information and confirmation of access to devices and internet connectivity for each enrolled pupil.
 - b. Notification to parents or guardians of lack of participation within one school day of the recording of a non-attendance day or lack of participation.
 - c. A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.
 - d. A clear standard for requiring a pupil-parent-educator conference to review the pupil's written agreement and reconsider the independent study program's impact on the pupil's achievement and well-being, consistent with the Board Policies adopted by the Board, as described above in paragraphs 2-4, and pursuant Education Code Section 51747(g)(4).
5. The following plan shall be in place in accordance with Education Code Section 51747(e) for synchronous instruction and live interaction*: For pupils in grades 9-12, inclusive, the plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year by each pupil's teacher or teachers of record shall be as follows:
 - a. Synchronous learning, online and/or on-site, shall be provided to students a minimum of 1 time per week.
 - b. A schedule of content-specific synchronous learning periods/time shall be provided to students for group and/or one-on-one instruction
6. BCCHS shall transition pupils whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days.

** The tiered reengagement strategies, plan for synchronous instruction and live*

interaction, and plan to transition pupils whose families wish to return to in-person instruction shall not apply to pupils who participate in an independent study program for fewer than 16 schooldays in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to this subdivision. These sections shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected pupils under one or more of the circumstances described in Education Code Sections 41422 and/or 46392, and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

7. A current written agreement shall be maintained on file for each independent study pupil, including but not limited to, all of the following:
 - a. The manner, time, frequency, and place for submitting a pupil's assignments, for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding a pupil's academic progress.
 - b. The objectives and methods of study for the pupil's work, and the methods used to evaluate that work.
 - c. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to connectivity and devices adequate to participate in the educational program and complete assigned work.
 - d. A statement of the policies adopted herein, pursuant to Education Code Section 51747(a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, and the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in independent study.
 - e. The duration of the independent study agreement, including beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.
 - f. 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 pupil upon completion.
 - g. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.
 - h. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class or program pursuant to Education Code sections 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the

pupil through independent study only if the pupil is offered the alternative of classroom instruction.

- i. For a pupil participating in an independent study program that is scheduled for more than 15 school days, each written agreement shall be signed, prior to the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or care giver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. For a pupil participating in an independent study program that is scheduled for 15 schooldays or fewer, each written agreement shall be signed, during the school year in which the independent study program takes place, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. The written agreement may be signed at any time during the school year, but it is the intent of the Legislature that parents or guardians of pupils be provided the agreement at or before the beginning of the school year. For purposes of this paragraph "caregiver" means a person who has met the requirements Family Code section 6550.
 - i. Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education, that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.
- j. Before signing a written agreement pursuant to this section, the parent or guardian of a pupil may request that the local educational agency conduct a telephone, videoconference, or in-person pupil-parent-educator conference or other school meeting during which the pupil, parent or guardian, and, if requested by the pupil or parent, an education advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the pupil in independent study, before making the decision about enrollment or disenrollment in the various options for learning.
- k. **Amendments to the Independent Study Agreement During Term of Agreement:** If a material change to the student's independent study program occurs during the term of the written independent study agreement the School shall provide written notification of the change.

A "material change" may include but is not limited to the following:

 - i. Change of course(s);
 - ii. Change of supervising teacher;
 - iii. Change of certificated employee responsible for special education programming;
 - iv. Change of grade level;

Required Notification: Written notification shall be provided to:

- i. All individuals who signed the original independent study agreement;
- ii. Any newly assigned supervising teacher; and
- iii. Any newly assigned certificated employee responsible for the student's special education programming, if applicable.

Such written notification shall be in an electronic form and shall describe the change and the effective date of the modification.

No Requirement for Re-Execution: Unless otherwise required by law or regulation, changes to the student's independent study program during the term of an agreement shall not require the execution of a new independent study agreement, nor an addendum to the agreement. The written notification described above shall serve to document the modification.

Maintenance of Records: The School shall maintain documentation of any written notifications of modifications to the independent study agreement in the student's educational record

8. The Charter School shall comply with the Education Code sections 51745 through 51749.3 and the provisions of the Charter Schools Act of 1992 and the State Board of Education regulations adopted there under.
9. No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of the Charter School's intent to remove the student ("Involuntary Removal Notice"). The Involuntary Removal Notice must be provided to the parent or guardian no less than five (5) schooldays before the effective date of the proposed disenrollment date.

The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include:

1. The charges against the student
2. An explanation of the student's basic rights including the right to request a hearing before the effective date of the action
3. The CDE Enrollment Complaint Notice and Form

If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until a final decision is issued. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the Charter School's suspension and expulsion policy.

Upon a parent's or guardian's request for a hearing, the Charter School will provide notice of hearing, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless

child or youth, the student's educational rights holder and shall include a copy of the Charter School's involuntary removal hearing process.

The hearing shall be adjudicated by a neutral officer. The Administrative Director shall serve in the role of neutral officer unless, in the Administrative Director's discretion, this duty is delegated to another individual to serve in this capacity. The hearing shall be scheduled within a reasonable time, not to exceed thirty (30) school days from the date of the request for appeal. The hearing may be held in-person or virtually at the discretion of the assigned neutral officer. The IS Coordinator (or designee) will be given no less than ten (10) minutes to present any evidence in support of the recommendation for involuntary removal. The student, through parent/guardian, advocate, or legal counsel, will be given no less than ten (10) minutes to present evidence, testimony, and witnesses to support their appeal and may cross-examine any witness presented by the Charter School. This hearing shall be held in a confidential setting. The neutral officer shall issue a written determination as to the appeal within ten (10) school days of the completion of the hearing.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If parent/guardian requests a hearing and does not attend on the date scheduled for the hearing, the student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known school district of residence within thirty (30) calendar days.

A hearing decision not to disenroll the student does not prevent the Charter School from making a similar recommendation in the future should student truancy continue or re-occur.

10. The CEO/Principal may establish regulations to implement these policies in accordance with the law.

COURSE-BASED INDEPENDENT STUDY

The Board of Directors of BCCHS hereby adopts the following policies regarding course-based independent study in accordance with Education Code Section 51749.5:

1. Every student that engages in course-based independent study does so in accordance with a signed learning agreement which is completed and on file pursuant to Education Code Section 51749.6. For a pupil participating in an independent study program that is scheduled for more than 15 schooldays, each written agreement shall be signed, before the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. For a pupil participating in an independent study program that is scheduled for 15 schooldays or fewer, each written agreement shall be signed, during the school year in which the independent study program takes place, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of

age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. The written agreement may be signed at any time during the school year, but it is the intent of the Legislature that parents or guardians of pupils be provided the agreement at or before the beginning of the school year.

2. All courses are taught under the general supervision of certificated employees who hold the appropriate subject matter credential pursuant to Section 44300 or 44865, or subdivision (l) of Section 47605, and are employed by BCCHS or by a local educational agency that has a memorandum of understanding to provide the instruction in coordination with BCCHS.
3. All course based independent study courses are annually certified, by BCCHS Board of Directors resolution, to be of the same rigor, educational quality, and intellectual challenge substantially equivalent to in-person instruction and equivalent classroom-based courses, and shall be aligned to all relevant local and state content standards. As a high school, this shall include access to all courses offered by the local educational agency for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria.
4. This certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each schoolday that a pupil is enrolled, number of equivalent total instructional minutes, number of course credits for each course, and a plan for at least weekly synchronous instruction throughout the school year.
5. All pupils enrolled in courses authorized by this section shall meet the applicable age requirements established pursuant to Education Code Section 47612.1 and shall meet the applicable residency and enrollment requirements established pursuant to Education Code Sections 47612 and 51747.3.
6. An individual with exceptional needs, as defined in Education Code Section 56026, may participate in course-based independent study, if the pupil's individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 specifically provides for that participation.
7. A temporarily disabled pupil shall not receive individual instruction pursuant to Section 48206.3 through course-based independent study.

8. For all pupils in grades 9-12, the maximum length of time allowed between the date the assignment is made and the date the assignment is due is five (5) school days. After 5 missed assignments during any period of twenty (20) school days, or if the pupil is not making satisfactory educational progress as defined, below, an evaluation will be made to determine whether course-based independent study is an appropriate strategy for this pupil.
9. Satisfactory educational progress shall be determined based on all of the following indicators:
 - a. The pupil's achievement and engagement in the independent study program, as indicated by the pupil's performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in paragraphs (4) and (5) of subdivision (d) of Education Code Section 52060.
 - b. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
 - c. Learning required concepts, as determined by the supervising teacher.
 - d. Progressing 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 courses is not being made, certificated employees providing instruction shall notify the pupil and, if the pupil is less than 18 years of age, the pupil's parent or legal guardian, and conduct an evaluation to determine whether it is in the best interest of the pupil to remain in the course or whether the pupil should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the findings of an evaluation made pursuant to this subdivision shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

10. Procedures for tiered reengagement strategies for all pupils who are not making satisfactory educational progress in one or more courses, or who are in violation of the written learning agreement pursuant to Education Code Section 51749.6. These procedures shall include, but are not necessarily limited to, all of the following:
 - a. Verification of current contact information for each enrolled pupil.
 - b. A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.
 - c. A clear standard for requiring a pupil-parent-educator conference to review a pupil's written learning agreement, and reconsider the independent study course's impact on the pupil's achievement and well-being.*
11. Written or computer-based evidence of satisfactory educational progress, as described above, shall be retained for each course and pupil. At a minimum, this evidence shall include a grade book or summary document that, for each course, lists all assignments, examinations, and associated grades.
12. BCCHS shall transition pupils whose families wish to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days.*
13. A proctor shall administer examinations.

14. Statewide testing results for pupils enrolled in any course authorized pursuant to this section shall be reported and assigned to the BCCHS. Statewide testing results for pupils enrolled in a course or courses pursuant to this section shall be disaggregated for purposes of comparing the testing results of those pupils to the testing results of pupils enrolled in classroom-based courses.
15. A pupil shall not be required to enroll in courses authorized by this section.
16. BCCHS shall comply with the pupil-to-certificated-employee ratio limitations established pursuant to Education Code Section 51745.6.
17. For each pupil, the combined equivalent daily instructional minutes for enrolled courses authorized by this section and enrolled courses authorized by all other laws and regulations shall meet the minimum instructional day requirements applicable to the local educational agency. Pupils enrolled in courses authorized by this section shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code Section 47612.5.
18. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.
19. A pupil participating in independent study shall not be assessed a fee prohibited by Section 49011.
20. A pupil shall not be prohibited from participating in independent study solely on the basis that the pupil does not have the materials, equipment, or internet access that are necessary to participate in the independent study course.
21. For purposes of computing average daily attendance for each pupil enrolled in course based independent study, the following computations shall apply:
 - a. For each schoolday, add the combined equivalent daily instructional minutes, as certified above, for courses authorized by this section in which the pupil is enrolled.
 - b. For each schoolday, add the combined daily instructional minutes of courses authorized by all other laws and regulations in which the pupil is enrolled and for which the pupil meets applicable attendance requirements.
 - c. For each schoolday, add the sum of subparagraphs (a) and (b).
 - d. If subparagraph (c) meets applicable minimum schoolday requirements for each schoolday, and all other requirements in this section have been met, credit each schoolday that the pupil is demonstrating satisfactory educational progress pursuant to the requirements of this section, with up to one school day of attendance.
 - e. Using credited schoolday attendance pursuant to paragraph (2), calculate average daily attendance pursuant to Education Code Section 47612 for each pupil.
 - f. The average daily attendance computed herein shall not result in more than one unit of average daily attendance per pupil.
 - g. Average daily attendance computed for pupils enrolled in courses authorized by this policy shall not be credited with average daily attendance other than what is specified in this policy and Education Code Section 51749.5.
 - h. If more than 10 percent of the total average daily attendance of BCCHS is claimed pursuant to this policy, then the amount of average daily attendance for all pupils

enrolled by BCCHS in courses authorized pursuant to this section that is in excess of 10 percent of the total average daily attendance for BCCHS shall be reduced by either the statewide average rate of absence for high school districts for grades 9 to 12, inclusive, as calculated by the California Department of Education for the prior fiscal year, with the resultant figures and ranges rounded to the nearest 10th.

22. All pupils shall have opportunities for at least weekly synchronous instruction throughout the school year with their teacher or teachers of record.*

*Paragraphs 10, 12, and 22 regarding tiered reengagement, synchronous instruction, and transitioning a pupil from course-based independent study shall not apply to pupils who participate in an independent study program for fewer than 16 schooldays in a school year or to pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study.