Regulation 6158: Independent Study **Status:** ADOPTED

Original Adopted Date: 10/01/2015 | **Last Revised Date:** 02/08/2024 | **Last Reviewed Date:** 02/08/2024

Definitions

Live interaction means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in-person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

Student-parent-educator conference means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

Synchronous instruction means classroom-style instruction or designated small group or one-on-one instruction delivered in-person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by a teacher or teachers of record for that student pursuant to Education Code 51747.5 or the certificated employee providing instruction for course-based independent study. (Education Code 51745.5)

Definition of Terms:

1. Independent Study - A voluntary alternative to a regular classroom program of instruction.
2. Short-Term Independent Study - Short-term voluntary Independent Study Program may extend for not less than five (5) days and not more than fourteen (14) consecutive school days.
3. Certificated Supervisor - Any appropriately credentialed teacher who is currently in a teaching assignment and who is assigned time and/or responsibility to supervise or oversee a student engaged in Independent Study.
4. Student - A student enrolled in grades TK through 12 in school for which Education Code Sections 46112, 46113, 46141, 51745 or 51746 provides for the minimum school day.

Educational Opportunities

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

1. Special assignments extending the content of regular courses of instruction
2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
3. Continuing and special study during travel

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

5. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction or for a student who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

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

Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and district-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

To participate in independent study, a student shall be enrolled in a district school. (Education Code 51748)

The Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

A student with disabilities, as defined in Education Code 56026, may participate in independent study if the student's individualized education program (IEP) specifically provides for such participation. If a parent/guardian of a student with disabilities requests independent study because the student's health would be put at risk by in-person instruction, the student's IEP team shall make an individualized determination as to whether the student can receive a free appropriate public education (FAPE) in an independent study placement. A student's inability to work independently, need for adult support, or need for special education or related services shall not preclude the IEP team from determining that the student can receive FAPE in an independent study placement. (Education Code 51745)

In addition, any student with disabilities who receives services from a nonpublic, nonsectarian school through a virtual program may be permitted to participate in independent study if the student's IEP team determines that FAPE can be provided to the student by means of the virtual program and other conditions of law are satisfied.

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

Except for students participating in independent study due to an emergency as described in Education Code 41422 and 46392 and pregnant and parenting students who are the primary caregiver for their child(ren), no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program shall be enrolled in independent study. (Education Code 51745) Requirement for approval of enrollment in Long-Term and Short-Term Independent Study:

A. A written independent study agreement/contract must be executed and maintained for each participating student and contain all of the components prescribed by law.
B. Applications will be screened and approved by the assistant principal or principal. All Independent Study contracts must be reviewed by attendance clerk or assigned clerical staff before the student begins independent study.
C. Criteria for approval of application include the following:
    a. Independent study is an optional educational alternative. No student may be required or coerced to participate (EC 51747)
    b. Evidence that the applicant can work independently.
    c. An acceptable written statement of educational objectives and competencies and the means of achieving them.
    d. Time spent in independent study must approximate the amount of time spent in the classroom for the equivalent of credit.
    e. No individual with disabilities, as defined in Education Code 56026, may participate in independent study unless their Individualized Education Plan (IEP) specifically provides for such participation (EC 51745)
    f. No temporarily disabled student may receive individual instruction pursuant to EC 48206.3 by means of independent study. ("Home and Hospital" instruction may not be provided through independent study. However, if the parents/guardians and district agree, the student may instead receive instruction through independent study as an alternative to "home and hospital instruction). (EC 51745)
    g. Independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within the district boundaries pursuant to Education Code 48204. (EC 51747.3(b) Students must be residents of the local county or an adjacent county.)

For Short-Term Independent Study

D. A student must be absent from school for five (5) consecutive school days in order to qualify for short-term Independent Study.

E. The short-term Independent Study contract may not extend for a period longer than fourteen (14) school days.
F. The student/parent must notify the school administrator of intentions to go on a trip or to be absent for other non-medical reasons at least ten school (10) days prior to the absence.
G. Students whose achievement is below grade level standards, based on multiple measures, in Language Arts or Math may not be eligible for short-term Independent Study.
H. Students referred to SART or SARB may not be eligible for short-term Independent Study.
I. Students may not be on short-term independent study more than six times while in grades TK-12.
J. Students who have previously been granted an Independent Study Agreement and have not successfully completed a previous Independent Study agreement are not eligible for any subsequent short-term Independent Study agreements.
K. There are no Short-Term Independent Study agreements issued the first twenty (20) school days of the year.
L. No Short-Term Independent Study agreements will be given for any of the last twenty (20) days of the school year.

Attendance in the California Public School System is compulsory; students are required to attend school per law (Education Code 48200). As a result, failure to meet the provisions established in the Independent Study Agreement are subject to:

A. Loss of eligibility for future independent study contracts
B. SART/SARB referral for unexcused absences prior to or following Independent Study
C. Activity Restriction/Loss of Privileges
D. Mandatory Saturday School
E. Loss of school and/or class placement on Day 18 without verification
F. Citation from San Joaquin County Sheriff's Department

Monitoring Student Progress

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether independent study is in the student's best interest. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program. (Education Code 51747, 51749.5; 5 CCR 11701)

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation, and if the student transfers to another public school in California, the record shall be forwarded to that school. (Education Code 51747, 51749.5)

Responsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with Item #4 in the section on "Records" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress
7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement
9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program

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

Appeals Process

Students/parents whose request for independent study is denied may appeal the denial to the Superintendent. Denials must be appealed within ~~thirty (30)~~ ten (10) school days from the date the student/parent received their denial. The student/parent must submit the Short-term Independent Study Request form with the Appeal Section Only completed. ~~appeal request on the District's Independent Study Appeal form, found at (https://www.lammersvilleschooldistrict.net/apps/pages/index.jsp?uREC_ID=1243883&type=d&pREC_ID=2369559)~~

Upon appeal the Superintendent ~~Board~~ shall consider whether the denial was appropriate. In considering whether the denial was appropriate the Superintendent ~~Board~~ shall consider:

1. Whether the request was submitted at least ten (10) calendar days before the first day of the planned independent study.
2. Whether the student's/parent's request for independent study was for the appropriate length of time. Requests for short-term independent study must be for five (5) to fourteen (14) consecutive school days, and long-term independent study requests are for period of more than ten (10) consecutive school days for up to one school year. Long-term independent study may not span two school years.
3. Whether the student's achievement is below grade level standards, based on multiple measures, in Language Arts or Math.
4. Whether the student has been on independent study more than six times while in grades K-12. Students may only be on short-term or long-term independent study for up to six times while enrolled in grades K-12.
5. Whether the student has previously been granted an independent study was not successful in completing same.
6. ~~Whether the student is a resident of the District, or a resident of the county or an adjacent county. Students who do not meet these residency requirements are not eligible for independent study. Additionally, full-time independent study is not available to students whose residency is based on their parent/guardian's employment within the District boundaries under Education Code section 48204.~~

If any of the above are found, the denial shall be upheld. The Superintendent's ~~Board's~~ decision regarding the appeal shall be final. ~~Requests for an appeal of a denial for independent study shall be heard in closed session, unless the parent/guardian requests that the appeal be heard in open session. Such requests must be submitted at least ten (10) calendar days before the Board meeting.~~

Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 11700-11705	Independent study
Ed. Code 17289	Exemption for facilities
Ed. Code 41020	Requirement for annual audit
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 47612-47612.1	Charter School Operation
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 49011	Student fees
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

Ed. Code 58500-58512	Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers

Federal	**Description**
20 USC 6301	Highly qualified teachers
20 USC 6311	State plan

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

Cross References

Code	**Description**
0410	Nondiscrimination In District Programs And Activities
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0470	COVID-19 Mitigation Plan
0500	Accountability
3260	Fees And Charges
3260	Fees And Charges
3516.5	Emergency Schedules
3580	District Records
3580	District Records
4112.2	Certification

4112.2	Certification
4131	Staff Development
5111.1	District Residency
5111.1	District Residency
5112.3	Student Leave Of Absence
5112.3	Student Leave Of Absence
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5125	Student Records
5125	Student Records
5126	Awards For Achievement
5126	Awards For Achievement
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.31	Immunizations
5141.31	Immunizations
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5146	Married/Pregnant/Parenting Students
5147	Dropout Prevention
6000	Concepts And Roles
6011	Academic Standards
6111	School Calendar
6112	School Day
6112	School Day
6142.4	Service Learning/Community Service Classes
6143	Courses Of Study

6143	Courses Of Study
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation
6152	Class Assignment
6159	Individualized Education Program
6159	Individualized Education Program
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.5	Student Success Teams
6164.5	Student Success Teams
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice
6183	Home And Hospital Instruction
6184	Continuation Education
6184	Continuation Education
6185	Community Day School
6185	Community Day School
6200	Adult Education
6200	Adult Education

SHORT-TERM INDEPENDENT STUDY REQUEST

Short-Term Independent Study Policies

Please submit this form to request short-term (max: 14 days, min: 5 days) independent study. Requests must be submitted at least ten (10) school days prior to the absence.

Student Full Name: _____ Student ID#: _____
Student Age: _____ Date of Birth: _____
Parent Name: _____ Parent Email: _____

Additional Information you would like to provide regarding your request:

School Site	Grade Level		Additional Information
☐ Jefferson School	☐ TK	☐ 4th	☐ Student has a 504 Plan
☐ Tom Hawkins School	☐ K	☐ 5th	☐ Student has an IEP
☐ Monticello School	☐ 1st	☐ 6th	☐ Student is an EL Student
☐ Anthony Traina School	☐ 2nd	☐ 7th	☐ None of the above apply
☐ Corral Hollow School	☐ 3rd	☐ 8th	

Reason for Independent Study Request:

☐ Family Emergency – Non-Local
☐ Family Emergency - Local
☐ Personal/Social Student Needs
☐ Health or Medical Related
☐ Vacation Travel

First day of Independent Study: _____
Last day of Independent Study: _____
Date student returning to school: _____

☐ I understand all independent study work is due on the day the student returns to school.

☐ I understand if a student does not return on the day they are scheduled to return, absences past the return date will be unexcused and the student will be ineligible for future independent study contracts. Student may lose their place in their assigned school/courses if they do not return as scheduled.

☐ I understand students/caregivers should reach out to their assigned teachers if they have any questions regarding assignments.

☐ I understand after submitting this form the school site will reach out to let you know if the request has been approved. Upon approval, parents/guardians and the student must sign the Independent Study Master Agreement. Independent Study Master Agreements must be signed/approved prior to the beginning of Independent Study.

_____ _____
Parent/Guardian Signature Date

SHORT-TERM INDEPENDENT STUDY REQUEST

Short-Term Independent Study Policies

☐ APPROVED

☐ DENIED

- ☐ Minimum 5 days requirement not met
- ☐ Maximum 14 days requirement exceeded
- ☐ Request not received 10 days prior to absence
- ☐ Student grades below standard grade level
- ☐ Student referred to SART/SARB, not eligible
- ☐ Exceeds 6 requests from grades K-12
- ☐ Incomplete prior Independent-study plans
- ☐ Falls within first 20 days of school year
- ☐ Falls within last 20 days of school year

Signature	Name	Date

Appeal Section Only

Appeals must be submitted within thirty (10) school days from date denial was received.

Student Full Name: _____ Student ID#: _____

Parent/Guardian Name: _____ Date: _____

Appeal requested for the following reasons:

Parent/Guardian Signature	Date

JEFFERSON SCHOOL DISTRICT

☐ APPEAL APPROVED

☐ APPEAL DENIED

Reason: _____

Superintendent Signature	Superintendent Name	Date
1219 Whispering Wind Drive	Tracy, CA 95377	(209) 836-3388