

KERN COUNTY BOARD OF EDUCATION**INSTRUCTION****INDEPENDENT STUDY**

The Board of Education authorizes independent study as an optional alternative instructional strategy for eligible students whose needs may be best met through study outside of the regular classroom setting. Educational opportunities offered through independent study may include, but are not limited to:

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; and
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. (Education Code section 51745(a)(1)-(5)).

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. Short term independent study is defined as less than 15 school days.

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

A student's participation in independent study shall be voluntary. Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction. A request to transition back to a regular classroom will be handled expeditiously. The student will be transitioned back to a regular classroom within five instructional days of the request. (Education Code sections 51747(f) and 51749.5(a)(9)). The five instructional days' time limit for transitioning back to a regular classroom does not apply to students in independent study for less than 15 school days in a school year and students enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care of substance abuse. The independent study program must obtain evidence from appropriately licensed professionals of the need for students to participate in independent study pursuant to this section. (Education Code section 51747(i)).

The Board of Education’s independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the Board’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.

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 section 51747.9(g)(3)).

The County Superintendent of Schools or designee 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 local educational agency-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code section 51747, or to participate in an independent study course, as authorized by Education Code section 51749.5, shall not be considered funds or other things of value. (Education Code sections 46300.6 and 51747.3).

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 section 51745.5(a)).

“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 the teacher of record for that student pursuant to Section 51747.5 or by the certificated employee providing instruction for course-based independent study. (Education Code section 51745.5(d)).

“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 section 51747(g) or the written learning agreement pursuant to Education Code section 51749.6(b). (Education Code section 51745.5(c)).

Eligibility

Students are eligible for independent study as authorized by law, and as specified in board policy and administrative regulation. The minimum number of enrollment days for independent study is five days.

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 section 48204. (Education Code sections 46300.2 and 51747.3.)

A student with disabilities, as defined in Education Code section 56026, may participate in independent study if the student's individualized education program specifically provides for such participation. (Education Code section 41745(c).) If a parent or guardian of an individual with exceptional needs requests independent study because the student's health would be put at risk by in-person instruction or must quarantine pursuant to local or state public health guidance due to exposure or infection of COVID-19, the student's individualized education plan team shall make an individualized determination as to whether the student can receive a free appropriate public education in an independent study placement. A student's inability to work independently, the student's need for adult support, or the student's need for special education or related services shall not preclude the individualized education program team from determining that the student can receive a free appropriate education in an independent study placement.

Program Requirements

The Superintendent or designee shall ensure that students participating in independent study for 15 school days or more receive the following:

1. For students in transitional kindergarten through 3rd grade, inclusive, a plan to provide opportunities for daily synchronous instruction. Education Code states, "transitional kindergarten and grades 1 to 3."
2. For students in grades 4th through 8th grade, inclusive, a plan to provide opportunities for both daily live interaction and at least weekly synchronous instruction.
3. For students in grades 9th through 12th, inclusive, a plan to provide opportunities for at least weekly synchronous instruction for all students throughout the school year.

Synchronous and live interaction requirements do not apply to students enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Must obtain evidence from appropriately licensed professionals of the need for students to participate in independent study pursuant to this section. (Education Code section 51747(i)).

Students participating in independent study program shall:

1. Participate in synchronous and live interaction opportunities as stated above;
2. Report to supervising teacher or teachers as required by staff;

3. Complete assignments and submit in timely manner as required by supervising teacher or teachers; and
4. Participate in person when taking tests/assessments.

The maximum length of time allowed between an independent study assignment being made and the date by which the student must complete the work is two weeks.

Written Requirements

Each student participating in independent study must sign a written agreement. If the independent study program is scheduled for less than 15 school days, each written agreement shall be signed within 10 school days of the commencement of the first day of the student's enrollment in independent study. The written agreement must be signed by the student, the student's parent, legal guardian, or caregiver, and if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study and the certificated employee designated as having responsibility for the special education programming of the student as applicable.

If the independent study program is 15 days or more, the written agreement must be signed prior to the commencement of independent study. The written agreement must be signed by the student, the student's parent, legal guardian, or caregiver, and if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the student as applicable.

A student or parent/guardian may request a meeting prior to the signing of the independent study agreement regarding including, but not limited to, which curriculum will be offered and what non-academic supports will be made available to the student.

Pursuant to Education Code section 51747(g), this written agreement will include the following information:

1. The manner, time, frequency, and place for submitting assignments, reporting student's academic progress, and communicating with a student's parent/guardian regarding academic progress;
2. The objectives and methods of study for the student's work and the methods used to evaluate that work;
3. Specific resources, including materials and personnel, that will be made available to student. These resources will include confirming or providing access to all students to the connectivity and devices adequate to participate in the educational program and complete assigned work;

4. The Board's policy regarding maximum length of time allowed between assignment and completion of work, level of satisfactory educational progress, and number of missed assignments before an evaluation of whether or not the student may remain in independent study;
5. The start and end date of independent study (shall not exceed one year);
6. What the student will earn at the completion of independent study;
7. A statement detailing the academic and other supports that will be provided to address the needs of the student 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 student's individualized education program or plan pursuant to a Section 504 plan, students in foster care or experiencing homelessness, and students requiring mental health supports; and
8. A clear statement that independent study is an optional educational alternative and no student may be required to participate. If the student was referred to the program pursuant to Education Code section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through independent study only if the student is offered the alternative of classroom instruction.

Monitoring Progress and Reengaging Student

The Board adopts a tiered reengagement strategy for students who are not generating attendance for more than 10 percent of required minimum instructional time over four continuous weeks of a local educational agency's approved instructional calendar, students found not participatory in synchronous instruction 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 who violate the independent study written agreements. These procedures shall include local programs intended to address chronic absenteeism, as applicable, with at least all of the following:

1. Verification of current contact information for each enrolled student;
2. Notification to parents or guardians of lack of participation within one school day of the absence or lack of participation;
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary; and
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement, and reconsider the independent study program's impact on the student's achievement and well-being, consistent with the policies adopted in 51747(g)(4) (length of time between assignment and turning in and number of missed assignments).

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; and
4. An increase in the amount of time the student works under direct supervision.

If a student has failed to make satisfactory educational progress or violated any other portion of the independent study written agreement, such as missing assignments, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. In regard to missing assignments, if the student misses seven assignments, an evaluation will take place. 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. If the student has an Individualized Education Plan (IEP), this meeting will be conducted by the IEP team.

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. (Education Code section 51747(b)(1)).

Tiered reengagement strategies do not apply to students in independent study for less than 15 school days in a school year and students enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care of substance abuse. Must obtain evidence from appropriately licensed professionals of the need for students to participate in independent study pursuant to this section. (Education Code section 51747(i)).

Factors that will be considered in a meeting pursuant to this section include, but are not limited to:

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;
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; and

4. Progression toward successful completion of the course of study or individual course, as determined by the supervising teacher.
5. If the student has an IEP, a review of progress towards the goals in the student's IEP.

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 or employees who possesses a valid certification document pursuant to Education Code section 44865 or emergency credential pursuant to Education Code section 44300, registered as required by law, and who consents to the assignment. (Education Code sections 44865, 51747.5 and 5 CCR 11700). A teacher or teachers will be responsible for providing synchronous learning as described above.

The responsibilities of the supervising teacher, and special education teacher if applicable, 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. Providing direct instruction and counsel as necessary for individual student success.
5. Regularly meeting with the student to discuss the student's progress.
6. Determining the time value of assigned work or work products completed and submitted by the student.
7. Assessing student work and assigning grades or other approved measure of achievement.
8. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code section 51747 on each school day for which independent study is provided.

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers. The independent study teachers will be given access to digital assignment tracking systems to reduce workload associated with evaluating and accounting for student work and synchronous instruction participation.

Policy approved 9/14/21 as BP 6158; amended 11/8/22.