

INDEPENDENT STUDY BOARD POLICIES

These policies apply to all pupils participating in independent study at the **[insert name of charter school]** (the “School”).

Each student’s independent study shall be coordinated, evaluated, and carried out under the general supervision of an assigned certificated employee or employees.

For students in all programs of independent study, the maximum length of time that may elapse between the time an assignment is made and the date by which the student must complete the assigned work shall be as follows:

- For pupils in kindergarten and grades one through three, **[insert number of days]**
- For pupils in grades four through eight, **[insert number of days]**
- For students in grades nine through twelve, **[insert number of days]**

When special or extenuating circumstances justify a longer time for individual students, the director or their designee may approve a period not to exceed **[insert number of days]**.

Note: The laws governing independent study policies require that they address the “level of satisfactory progress and the number of missed assignments that will be allowed before an evaluation is conducted to determine whether independent study is in the best interest of the student. This law leaves it up to the school to determine the specific number of assignments but requires determining “satisfactory progress” using a long list of specified variables that are included in the sample policy verbiage below. The satisfactory progress provisions in law were added by AB 130 (2021) and further amended by AB 167 (2021) whereas the missed assignments provisions have been a long-standing part of independent study law for decades.

Missed Assignments and Level of Satisfactory Progress: When any student fails to complete **[insert number]** missed assignments during any period of **[insert # of days to reflect learning period]** or fails to make satisfactory progress (as defined below) the School will conduct an evaluation to determine whether it is in the best interests of the pupil to remain in independent study or to return to the regular school program. A written record of the findings of any evaluation made pursuant to this subdivision shall be maintained in the pupil's permanent record

and 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.

Satisfactory educational progress shall be based on all of the following indicators, as applicable:

- Pupil achievement and engagement, as measured by all of the following, as applicable:
 - Statewide assessments that are part of the California Assessment of Student Performance and Progress (a.k.a., “CAASPP”, or any other subsequent assessment as certified by the state board of education),
 - The percentage of pupils that have successfully completed courses that satisfy the requirements for entrance to the University of California and California State University,
 - The percentage of pupils who have successfully completed courses that satisfy the requirements for career technical education sequences or programs that align with state board-approved career technical education standards and frameworks,
 - The percentage of pupils who have successfully completed both the university entrance and career technical courses specified above,
 - The percentage of English learner pupils who make progress towards English proficiency as measured by the English Language Proficiency Assessments for California (“ELPAC” or subsequent assessments of English proficiency certified by the state board),
 - The English learner reclassification rate,
 - The percentage of pupils who have passed an advanced placement exam with a score of “3” or higher, and
 - The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program (or any subsequent assessment of college preparedness).

- Pupil engagement, as measured by all of the following, as applicable:
 - School attendance rates,
 - Chronic absenteeism rates,
 - Middle school dropout rates,

- High school dropout rates, and
- High school graduation rates.
- The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
- Learning requirement concepts, as determined by the supervising teacher.
- Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

Academic Content: Independent study shall include the provision of content aligned to grade level standards that is substantially equivalent to in-person instruction.

Independent study shall include access to all courses offered by the School for graduation and approved by the University of California or the California State University as creditable under the A-G admission criteria.

Note: The AB 181 (2022) amended the “triggers” for mandated tiered reengagement, generally softening them as specified below.

Tiered Reengagement: For all pupils participating in independent study for 15 or more schooldays in a school year and who are not generating attendance for more than 10 percent of the required minimum instructional time over four continuous weeks of the School’s approved instructional calendar, found not participatory in required synchronous instructional offerings for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable to the student’s grade span, or who are in violation of their written agreement, the School shall have local programs intended to address chronic absenteeism, as applicable, including at least the following reengagement strategies:

- Verifying current contact information for the pupil,
- Notifying parents or guardians of lack of participation within one school day of the recording of a nonattendance day or lack of participation,
- A plan for outreach from the School to determine pupil needs, including a connection with health and social services, as necessary,
- A clear standard requiring a pupil-parent-educator conference, as defined below, to

review the pupil’s written agreement, reconsider the independent study program’s impact on the pupil’s achievement and well-being, consistent with the school’s policies regarding the maximum amount of time allowed between the assignment and completion of pupil’s assigned work, satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in independent study.

For the purposes of this policy, “pupil-parent-educator conference” means a meeting involving, at a minimum, all parties who signed the pupil’s written independent study agreement.

Note: AB 130 (2021) added a requirement that board-adopted independent study policies include “a plan to provide” varying levels of “live interaction” and “synchronous instruction.” What these poorly-worded requirements mean in practice seems unclear. Whether these new required policies imply a requirement that independent study students actually participate in these offerings is unclear, among other issues.

Opportunities for Live Interaction and Synchronous Instruction: The School shall plan to provide opportunities for live interaction and synchronous instruction as follows for all pupils participating in independent study for 15 or more schooldays in a school year:

- For pupils in transitional kindergarten through grades 1 to 3 inclusive, the School shall plan to provide opportunities for daily synchronous instruction for all pupils throughout the year,
- For pupils in grades 4 to 8 inclusive, the School shall plan to provide opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the year,
- For pupils in grades 9-12 inclusive, the School shall plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the year,

For the purposes of this policy, “live interaction” means interaction between the pupil and certificated or non-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 live interaction may take place in-person, or in the form of internet or telephonic communication.

For the purposes of this policy, “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 a teacher of record and the pupil.

***Note:** AB 130 added a requirement that board-adopted independent study policies include a plan to transition pupils whose families wish to return to in-person instruction from independent study expeditiously, and in no case, later than five instructional days. This new law does not define “in-person” instruction. This change also seemed to reflect an assumption that subject schools generally offer both in-person and independent study instruction (however defined), which typically isn’t the case for many nonclassroom-based charter schools that offer only independent study. CSDC presumes that, for nonclassroom-based charter schools that do not offer in-person instruction, the option to return to in-person instruction would be to return to a traditional, district-operated school, but this is not explicit in law.*

Classroom-based charter schools presumably should amend the sample language below to address their specific circumstances, mindful of the new mandate to allow students to return to in-person instruction while also understanding the operational challenges this may create.

Return to In-Person Instruction: For pupils who participate in independent study for 15 or more schooldays in a school year and whose families wish to return to in-person instruction from independent study, the School shall allow the student to return expeditiously, and in no case later than five instructional days,

***Note:** The exceptions reflected below respond to a law that speaks to pupils who generally are enrolled in classroom-based instruction. As such, schools that do not offer classroom-based instruction may want to delete it.*

Exceptions for Pupils Under Professional Care: 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, are not subject to the tiered reengagement, live interaction, synchronous instruction, nor return to in-person instruction provisions described above. The School shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to this subdivision.

Note: *Independent study law has, for decades, required detailed written agreements containing a long and growing list of specified elements. Complying with these requirements is a high-stakes mandate and a condition of funding that is subject to annual audit.*

AB 130 substantially expanded the number and scope of required elements in 2021 and the language below is intended to reflect them. The signature requirements were amended again in 2022. Given varying interpretations of these requirements, CSDC suggests conferring with the School's independent auditor when adopting this policy and when amending the form, format, and content of the School's written agreements. CSDC also suggests carefully reviewing the school's written agreement template for congruence between the school's adopted policy and actual practice, as documented in the written agreement.

Written Agreements: A current written agreement for each independent study pupil shall be maintained on file for each participating student.

For a pupil participating in an independent study program that is scheduled for more than 14 school days, 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 less than 15 school days, each written agreement shall be signed within 10 school days of the commencement of the first day of the pupil's enrollment in 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.

The independent study agreement for a student will require and cover a study plan that represents the same amount of study that would be required of a student in the classroom and be consistent with the School curriculum and course of study of students participating in the regular classroom setting.

Agreement Content: Each independent study written agreement shall contain at least all of the following provisions:

- 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 academic progress.

- The objectives and methods of study for the pupil's work, and the methods used to evaluate that work.
- The specific resources, including materials and personnel that will be made available to the pupil. These resources shall include confirming or providing access for all pupils to the connectivity and devices adequate to participate in the academic program and complete assigned work.
- A statement of the policies adopted regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed prior to an evaluation of whether or not the pupil should be allowed to continue in independent study. The level of satisfactory educational progress and missed assignments shall conform to the requirements specified above in this policy.
- The duration of the independent study agreement, including the beginning and ending dates for participating in independent study, recognizing that no independent study agreement shall be valid for any period longer than one school year.
- A statement of the number of course credits, or for elementary grades pupils, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.
- 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 as needed to be consistent with the student's individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care, pupils experiencing homelessness, and pupils requiring mental health supports.
- 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.

Written agreements may be maintained electronically along with and may include subsidiary agreements, such as course contracts and assignment and work records. Written agreements may be signed using electronic signatures that comply with applicable state and federal standards and are intended by the signatory to have the same effect as a handwritten signature.

Before signing a written agreement pursuant to this policy, a parent or guardian may request that the School conduct a phone, 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.

Adopted: 08/04/2022

Amended: