Cecilia A. Massetti, Ed.D.
Superintendent of Schools

Agenda Item 8.6

Board of Education Action Item
August 10, 2021

Topic:
Review of MCBE P 5220 Independent Study and Administrative Regulations

Background:
MCBE P 5220 Independent Study has been revised in accordance with legal requirements.

Financial Impact:
None

Resource:
Cecilia A. Massetti, Ed.D.
Madera County Superintendent of schools

Recommendation:
It is recommended the Board approve MCBE Policy 5220 Independent Study and Review the Administrative Regulations.

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5000 STUDENTS

5200 – PROGRAMS

Independent Study MCBE P 5220

The Madera County Board of Education and the Madera County Superintendent of Schools are committed to providing options for students and to establishing an Independent Study Program for the County Superintendent of Schools. The Independent Study Program shall provide as an alternative instructional strategy to regular classroom instruction for students enrolled in grades K-12 to reach curriculum objectives and fulfill graduation requirements. Independent Study shall offer a means of individualizing the educational plan for students who have difficulty functioning in a regular classroom environment.

The Superintendent/designee shall determine that the prospective independent study student and/or the parent or guardian understand and are prepared to meet the county office of education's requirements for independent study. Independent study entails a commitment by both the parent/guardian and the student. Independent study may be offered only to students who can achieve in this program as well as or better than they would in the regular classroom.

The Superintendent/designee shall ensure that a written independent study agreement, as prescribed by law, exists for each participating student.

To foster each student's success in independent study, the Board establishes the following maximum lengths of time which may elapse between the time an assignment is made and date by which the student must complete the assigned work shall be as follows:

1. For students in grades K-3: 1 week
2. For students in grades 4-8: 2 weeks
3. For students in grades 9-12: 2 weeks

When circumstances justify a longer time, the Superintendent/designee may extend the maximum length of an assignment one additional week. For good cause, the Superintendent/designee may extend this period, up to four weeks. Such an extension may be made only pursuant to a written request with justification.

When any student fails to complete consecutive independent study assignments, an evaluation shall be conducted to determine whether it is in the student's best interest to remain in independent study. Evaluation findings shall be kept in the student's permanent record.

Upon satisfactory completion of the program objectives, the assigned teacher shall verify completion of work, grades, and earned credit, such credit to be entered into the student's permanent record. Credit given shall not exceed that which is available in the regular school for that student.

The County Superintendent shall establish and provide the necessary and appropriate forms and regulations to carry out this policy.

LEGAL REFERENCE
Education Code: 46100, 46112-13 46141, 46307 Minimum Day 46300-46300.6 ADA 48340 Improvement of Pupil Attendance 48663 Community Day School 48915 Expulsion; particular circumstances 48917 Suspension of expulsion order 51745-9 Independent Study Program 56026 Individuals with Exceptional Needs California Administrative Code, Title 5 11700-11703 Standards

Adopted: June 8, 1999
Revised: August 22, 2000
Revised: January 14, 2003
Revised: August 10, 2021

The Madera County Board of Education has adopted a policy to implement the requirements of AB 130. With the enactment of Assembly Bill No. 130 (Ch. 44, Stats. 2021, hereafter "AB 130"), school districts and county offices of education are required to offer independent study for the 2021-2022 school year, with limited exceptions.

This Regulation is intended to implement the additional requirements of AB 130. To the extent that there is any conflict between this Regulation and MCBE P 5220, the provisions of this Regulation shall govern.

Monitoring Student Progress

In addition to the number of missed assignments permitted by MCBE P 5220 before an evaluation is conducted to determine whether it is in the best interest of a pupil to remain in independent study, or whether the pupil should return to the regular school program, the pupil's level of satisfactory progress shall be considered. Satisfactory educational progress shall be determined based on all of the following indicators:

1. 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, including but not limited to the student's attendance and absenteeism.
2. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
3. Learning required concepts, as determined by the supervising teacher.
4. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

Content Standards

The provision of content aligned to grade level standards that is provided to pupils in the independent study program shall be 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 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.

Re-engagement Strategies

MCSOS employees will take measures to re-engage pupils who are not generating attendance for more than three schooldays or 60 percent of the instructional days in a

school week, or who are in violation of their written agreement pursuant to Educational Code section 51747 (g), MCBE P 5220, and this policy. Procedures for tiered re-engagement strategies shall include all of the following:

1. Verification of the pupil's current contact information.
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 to determine pupil needs, including connection with health and social services as necessary.
4. A clear standard for requiring a pupil-parent-educator conference to review a pupil's written agreement and reconsider the independent study program's impact on the pupil's achievement and well-being, consistent with the provisions of MCBE P 5220 and this policy regarding missed assignments and satisfactory education progress.

   "Pupil-parent-educator conference" means a meeting involving, at a minimum, all parties who signed the pupil's written independent study agreement pursuant to subdivision (g) of Section 51747 or the written learning agreement pursuant to subdivision (b) of Section 51749.6.

   This section shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year.

<u>Instructional Delivery Methods</u>

Instruction shall be provided to all pupils in the independent study program in accordance with the pupil's written agreement, and shall include the following:

1. For pupils in transitional kindergarten, kindergarten, and grades 1 to 3, inclusive, daily synchronous instruction shall be provided for all pupils throughout the school year.
2. Pupils in grades 4 to 8, inclusive, will be provided opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the school year.
3. Pupils in grades 9 to 12, inclusive, will be provided opportunities for at least weekly synchronous instruction for all pupils throughout the school year.

"Live interaction" means interaction between the pupil and MCSOS 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, provisions of services, and instruction. This interaction may take place in person, or in the form of internet or telephonic communication.

"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

pupil. Synchronous instruction shall be provided by the teacher of record for that pupil pursuant to Education Code Section 51747.5.

Returning to In-person Instruction

Pupils whose families wish to return to in-person instruction from independent study may notify the designated contact person, as set forth in the pupil's written agreement. Upon notice from the pupil's family that a return to in-person instruction is desired, the Independent Study Administrator shall provide for the pupil's return to the school of the pupil's previous in-person attendance, or such other school as is appropriate for the pupil's grade level and place of residence, no later than five instructional days after the request is received.

This section shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year.

Master Agreement

Each pupil's written agreement for independent study shall include, in addition to those provisions required by MCBE P 5220 the following:

1. The manner, time, frequency, and place for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding the pupil's academic progress.
2. 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 the connectivity and devices adequate to participate in the educational program and complete assigned work.
3. A statement of the level of satisfactory educational progress allowed before an evaluation of whether or not the pupil should be allowed to continue in independent study.
4. A statement detailing the academic and other supports that will be provided to address the needs of the pupils 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.

Signed written agreements, supplemental agreements, assignment records, work samples, and attendance records assessing time value of work or evidence that an instructional activity occurred may be maintained as an electronic file. An electronic file includes a computer or electronic stored image of an original document, including, but not limited to, portable document format, JPEG, or other digital image file type, that may be sent via fax machine, email, or other electronic means. Either an original document or an electronic file of the original document is allowable for auditing purposes.

Written agreements may be signed using an electronic signature that complies with state and federal standards 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.

For the 2021-22 school year only, the MCSOS staff shall obtain a signed written agreement for independent study from the pupil, or the pupil's parent or legal guardian if the pupil is less than 18 years of ages, 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.

Independent Study Enrollment and Notice

For the 2021-22 school year only, the MCSOS staff shall notify the parents and guardians of all enrolled pupils of their options to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall include written information on the MCSOS internet website, including, but not limited to, the right to request a pupil-parent-educator conference meeting before enrollment pursuant to this section, pupil rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the synchronous and asynchronous instructional time that a pupil will have access to as part of independent study.

[Note: If 15 percent or more of the pupils enrolled in a local educational agency that provides instruction in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census date submitted to the department pursuant to Section 52164 in the preceding year, the written information shall, in addition to being written in English, be written in the primary language.]

Upon the request of the parent or guardian of a pupil, and before signing a written agreement with the pupil's parent or guardian, the MCSOS staff shall 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.

LEGAL REFERENCE
Education Code: 51745-51749 Independent Study Programs Assembly Bill No. 130 (Ch. 44, Stats. 2021)

Adopted: August 6, 2021
Reviewed: August 10, 2021