



DOCUMENTATION REQUIREMENTS FOR INDEPENDENT STUDY

Updates Pursuant to AB 130

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Documentation Requirements for Independent Study (everything in red is new law pursuant to AB 130)

Topic	Documentation Requirement	Legally Required Details
<p>Maintain written contemporaneous records that document all pupil attendance and make these records available for audit and inspection.</p> <p><i>Education Code Section 47612.5</i></p>	<p>Attendance of Charter School Pupils While Engaged in Educational Activities Required of them by their charter schools on days when school is actually taught in their charter schools. <i>5 CCR 11960</i></p>	<p>A written or computer-based evidence of pupil engagement that includes, but is not limited to, a grade book or summary document that for each class lists <u>all</u> assignments, assessments, and associated grades.</p> <p><i>Education Code Section 51747.5(d)</i></p>
	<p>Time Value of Pupil Work Products as Personally Judged in Each Instance by a Certificated Teacher</p> <p><i>Education Code Section 51747.5(b)</i></p>	<p>It is the intent of the Legislature that teachers be given access to digital assignment tracking systems to reduce workload associated with evaluating and accounting for pupil work.</p> <p><i>Education Code Section 51747.5(b)</i></p>
		<p>A LEA shall not be required to sign and date pupil work products when assessing the time value of pupil work products for apportionment purposes.</p> <p><i>Education Code Section 51747.5(e)</i></p>
		<p>A daily credit register, as appropriate to the program in which the pupils are enrolled, separate from classroom attendance records, and maintained on a current basis as time values of pupil work products are personally judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons.</p> <p><i>5 CCR 11703(b)(4)</i></p>
<p>Synchronous Instruction and Live Interaction</p>	<p>A local educational agency shall document each pupil's participation in live interaction and synchronous instruction on each school day, in whole or in part, for which independent study is provided.</p> <p><i>Education Code Section 51747.5(c)</i></p>	
<p>Nonparticipation in Independent Study</p>	<p>A pupil who does not participate in independent study shall be documented as nonparticipatory for that school day.</p> <p><i>Education Code Section 51747.5(c)</i></p>	
<p>Board Policy on Independent Study</p>	<p>Board Policy meeting all requirements of Education Code Section 51747(a)-(g)</p>	<p>(a) The maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work.</p>

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		<p>(b) (1) The level of satisfactory educational progress and the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study, or whether the pupil should return to the regular school program. A written record of the findings of any 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.</p> <p>(2) Satisfactory educational progress shall be determined based on all of the following indicators:</p> <p>(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 Section 52060.</p> <p>(B) The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.</p> <p>(C) Learning required concepts, as determined by the supervising teacher.</p> <p>(D) Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.</p> <p>c) The provision of content aligned to grade level standards that is provided 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.</p> <p>(d) Procedures for tiered reengagement strategies for all 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 the written agreement pursuant to subdivision (g). These procedures shall include, but are not necessarily limited to, all of the following:</p> <p>(1) Verification of current contact information for each enrolled pupil.</p> <p>(2) Notification to parents or guardians of lack of participation within one school day of the absence or lack of participation.</p>

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		<p>(3) A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.</p> <p>(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 policies adopted pursuant to paragraph (4) of subdivision (g).</p> <p>(e) (1) For pupils in transitional kindergarten and grades 1 to 3, inclusive, a plan to provide opportunities for daily synchronous instruction for all pupils throughout the school year.</p> <p>(2) For pupils in grades 4 to 8, inclusive, a plan to provide opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the school year.</p> <p>(3) For pupils in grades 9 to 12, inclusive, a plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year.</p> <p>(f) 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.</p> <p>(g) A requirement that a current written agreement for each independent study pupil shall be maintained on file</p>
<p>Written Agreement for Each Independent Study Pupil</p> <p><i>Education Code Section 51747(g)</i></p>	<p>Written agreement containing all required content of Education Code Section 51747(g)(1)-(9)</p>	<p>(1) 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.</p> <p>(2) The objectives and methods of study for the pupil’s work, and the methods used to evaluate that work.</p> <p>(3) 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.</p>

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		<p>(4)A statement of the policies adopted pursuant to subdivisions (a) and (b) 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 before an evaluation of whether or not the pupil should be allowed to continue in independent study.</p> <p>(5)The duration of the independent study agreement, including the 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.</p> <p>(6)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.</p> <p>(7)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.</p> <p>(8)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 Section 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.</p> <p>(9) 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 all persons who have direct responsibility for providing assistance to the pupil. For purposes of this paragraph “caregiver” means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.</p> <p>Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the department, 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.</p>

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Proof of Residency	<p>Average daily attendance shall be claimed by charter schools only for pupils who are residents of the county in which the apportionment claim is reported, or who are residents of a county immediately adjacent to the county in which the apportionment claim is reported.</p> <p><i>Education Code Section 51747.3</i></p>	<p>Determine whether mailing addresses or other evidence of residency changed during the time the pupils were in independent study and, if so, whether each pupil remained a resident of the same or a contiguous county within California.</p> <p><i>Audit Guide Procedure</i></p>
Listing of Pupils	<p>A separate listing of the pupils, by grade level, program and school, who have engaged in independent study, identifying units of the curriculum undertaken and units of the curriculum completed by each of those pupils in kindergarten and grades 1 to 8, inclusive, and identifying course credits attempted by and awarded to each of those pupils in grades 9 to, as specified in their written agreements.</p> <p><i>5 CCR 11703(b)(2)</i></p>	
Work Samples	<p>representative samples of each pupil's or adult education student's work products bearing signed or initialed and dated notations by the supervising teacher indicating that he or she has personally evaluated the work, or that he or she has personally reviewed the evaluations made by another certificated teacher¹</p> <p><i>5 CCR 11703(b)(3)</i></p>	
Electronic Storage	<p>(B) 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.</p>	<p>(C) For purposes of this section, an electronic file includes a computer or electronic stored image of an original document, including, but not limited to, portable document format (PDF), JPEG, or other digital image file type, that may be sent via fax machine, email, or other electronic means.</p> <p>(D) Either an original document or an electronic file of the original document is allowable documentation for auditing purposes.</p>

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¹As Education Code Section 51747.5 states that signatures or initials are not required to be put on work samples, the CDE has indicated in its training that nothing needs to be written on work samples. Ultimately, the State Board of Education will need to align this regulation with current law.