



**RIVERSIDE COUNTY
OFFICE OF EDUCATION**

EDWIN GOMEZ, Ed.D. | County Superintendent of Schools

Independent Study for 2021-22

SEPTEMBER 20, 2021

Political Context

- The 2021 Budget Act was premised on a return to full in-person instruction.
- The Newsom Administration saw the return to in-person instruction as critical to his efforts to prevail in the September 14 Recall Election.
- LEAs and advocates strongly supported an alternative for families concerned about returning to in-person instruction.



The Summer of AB 130 and AB 167

- **Assembly Bill 130**, the K-12 Education Omnibus Budget Trailer Bill, was signed by Governor Newsom on July 9. Included among the bill's many provisions was the Administration's/Legislature's Plan for Independent Study.
- Between July 9 and mid-August, when most school districts in California began the 2021-22 school year, the COVID-19 situation changed dramatically for the worse, as the Delta Variant led to a surge in the number of cases and hospitalizations.
- Accordingly, as the school year began, the demand for Independent Study has been much greater than anticipated, and it quickly became clear that the statutory IS language in AB 130 was in need of clarifications to reflect the change in conditions.
- **Assembly Bill 167**, the K-12 Education Budget Cleanup Trailer Bill, included a number of changes to the AB 130 Independent Study provisions and now awaits the Governor's signature.

Statutory Provisions specific to 2021-22

- **LEAs must offer Independent Study**
 - Can contract with a County Office of Education
 - Can enter into an interdistrict transfer agreement with another school district

- **LEAs must update Board Policies on IS**
 - Measurement of Satisfactory Educational Progress
 - Quality of Content
 - Tiered Reengagement Strategies/Transition Plan
 - Minimum Standards for Live Interaction/Synchronous Instruction

- **Notification/Conference Requirements**

The Basics

- Independent Study is the vehicle to provide families with an alternative to in-person instruction in the 2021-22 school year.
- Independent Study is also the vehicle to be used for student learning when students must be home for short periods, either for a COVID-19 quarantine or because of a natural disaster.
- Traditional Independent Study – Requirements differ based on circumstances
 - **Short-term** – Participation in IS for fewer than 15 school days
 - **Long-term** – Participation in IS for 15 school days or more (cumulative over the 21-22 school year)

Short-Term Independent Study (fewer than 15 days)

- **LEAs may earn apportionment for student attendance from the first day of traditional IS when used for quarantine.**
 - The minimum duration of IS eligible for ADA apportionment is reduced from 5 days to 3 days (AB 130).
 - A 3-day (or longer) IS contract will generate ADA for each day of the contract, starting with Day 1 (AB 167)
 - A 1- or 2-day contract is still ineligible for ADA purposes.
- **LEAs have broad discretion over instructional methods.**
 - Paper or virtual assignments, lectures, videos, simulcasting, interactive curricula are acceptable.
 - Students must create a tangible work product to which their teacher must assign a time value.
 - The time value of a student's effort can be ascertained by the teacher's documentation that the student participated in activities visible during synchronous online instruction.

Long-Term Independent Study (15 days or more)

- All LEAs must have adopted and implemented board policies and written agreements that meet specific criteria, as follows:
 - Satisfactory Educational Progress
 - Quality of Content
 - Tiered Reengagement Strategies
 - Transition Plan
 - Live Interaction/Synchronous Instruction

Satisfactory Educational Progress

Written Board Policies must be revised to reflect the requirements outlined below.

LEAs must measure the level of satisfactory progress, based on these factors

- Pupil achievement and engagement data
- Completion of assignments, assessments or other indicators that provide evidence the pupil is working on assignment
- Learning required concepts, as determined by the supervising teacher
- Progress towards completion of the course, as determined by the supervising teacher

Quality of Content

- Independent Study Content must be aligned to grade level standards and at a level of quality and intellectual challenge substantially equivalent to in-person instruction.
- For high schools, this includes access to all courses required for graduation and all A-G courses.



Tiered Reengagement Strategies

IS must include procedures for tiered reengagement strategies for all pupils who are not in attendance for three consecutive schooldays (or 60% of the instructional days in a school week), or 10 percent of required minimum instructional time over four continuous weeks of an LEA's approved instructional calendar (pupils who do not participate in live interaction or synchronous instruction for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month).

These procedures shall include, but are not limited to:

- Verification of current contact information
- Notification to parent/guardian of lack of participation, within one school day of absence/lack of participation
- An outreach plan to determine pupil needs (connection with health and social services as necessary)
- A clear standard for requiring a pupil-parent-educator conference

Transition Plan

- Independent Study must include a **plan to expeditiously transition pupils whose families wish to return to in-person instruction** from Independent Study. The transition must occur no more than five instructional days following a request by the parent/guardian.

Live Interaction/Synchronous Instruction

The minimum standards for live interaction and synchronous instruction apply to both traditional and course-based IS programs.

Grade Level	Minimum Live Interaction	Minimum Synchronous Instruction
TK-3	N/A	Daily
4-8	Daily	Weekly
9-12	N/A	Weekly

Definitions (Ed. Code 51745.5)

(a) “**Live interaction**” means interaction between the pupil and local educational agency 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.

(d) “**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 Section 51747.5.

Written Independent Study Agreement

- Written Agreements may be signed using an electronic signature.
- For the 2021-22 school year only, the signed written agreement must be in place no later than 30 days after the first day of instruction.

Written IS Agreements Must Include...

- Confirming or providing **access to all pupils to the connectivity and devices** adequate to participate in the educational program and complete assigned work.
- 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 progress.
- 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, pupils in foster care or experience homelessness, and pupils requiring mental health supports.

Required Documentation of Participation

- An LEA is required to **document each pupil's participation in live interaction and synchronous instruction on each schoolday, as applicable**, in whole or in part, for which independent study is provided.
- A pupil who does not participate in independent study on a schoolday shall be documented as nonparticipatory for that schoolday.
- Further, an LEA shall **maintain 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 all assignments, assessments, and associated grades.**

Requirements are Subject to Audit

AB 130 requires the annual Audit Guide to be revised to include specified aspects of traditional Independent Study:

- Verification of classroom ratios, including penalties for noncompliance (*this also applies to course-based IS programs*)
- Verification that written policies have been adopted (including loss of apportionment for noncompliance)
- Compliance reviews for ensuring the following occurs:
 - a. IS Students are under the supervision of certificated staff
 - b. Apportionment is claimed only when the time value of student work is judged by a certificated teacher
 - c. Documentation of live interaction/synchronous instruction is maintained/accurately recorded
 - d. Written evidence of student engagement is maintained

Resources

California Department of Education: [Independent Study for 2021-22](#)

California Department of Education: [a Glance: Addressing Independent Study, Quarantines, and Staff Shortages](#) [At](#)

California Department of Education: [2021-22 Attendance Accounting and Instructional Time Independent Study FAQs](#)

California Department of Education: [Independent Study Ratio Calculations](#)

Los Angeles County Office of Education: [Independent Study Toolkit](#)

Questions?

(AND HOPEFULLY, ANSWERS!)



Division of Governmental Relations, Riverside County Office of Education

Jeff Vaca (jvaca@rcoe.us) / Leticia Garcia (lgarcia@rcoe.us) / Cindy Livers (clivers@rcoe.us)