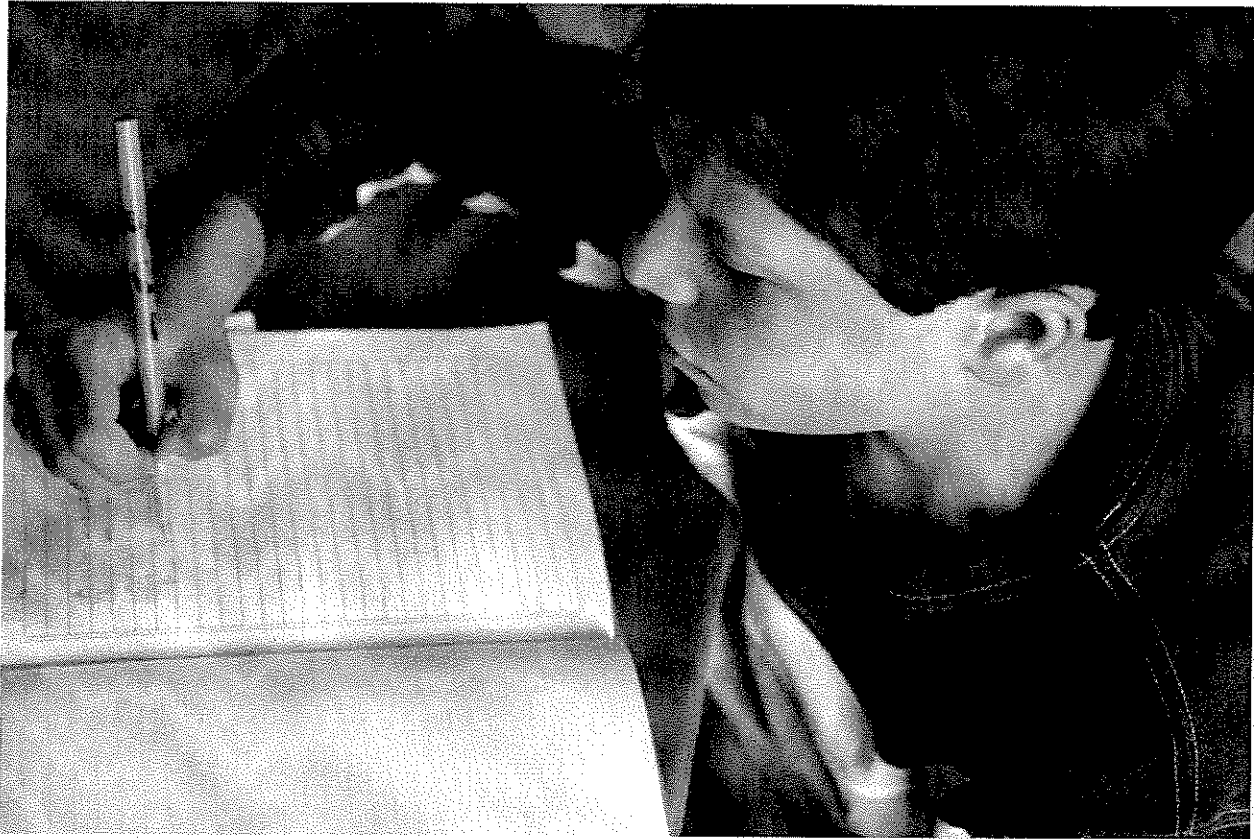




California Association of School Business Officials



Independent Study Compliance Guidelines

Spring 2008

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The material on pages 24, 41-42, 63-72, and 90 is adapted from *Independent Study Operations Manual (2000 Edition)*, © 2000 California Department of Education. Portions of the manual and ordering instructions are available at <http://www.cde.ca.gov/sp/eo/is/>.

The material on pages 25-27 is adapted from *NCLB Teacher Requirements Resource Guide*, © 2004 Professional Development and Curriculum Support Division, California Department of Education. The full document is available at www.cde.ca.gov/nclb/sr/tq/.

Additional copies of this publication may be purchased directly from CASBO by contacting their office at www.casbo.org or by fax (916) 447-8990 or (916) 447-3794

Preface

This manual is designed to serve as a quick reference tool about key compliance requirements for independent study, with special attention to short-term applications. Educational agencies should be knowledgeable of laws pertaining to independent study to facilitate a quality educational program and state compliance. There should be no short-cut method to implementing and operating independent study. Each agency should adopt and implement procedures and best practices that meet the needs of their schools and the students that they serve.

Independent study should be designed to provide each pupil with an educational alternative to classroom-based instruction and flexibility with class scheduling. Educational agencies are encouraged to place each pupil's academic needs first when operating an independent study program.

The sample forms, charts, and other resources provided in this manual are not prescriptive. They have been designed to encompass and clarify the many legal requirements that are "*a condition of apportionment*" and to simplify the accounting and paperwork processes.

Workshop participants are encouraged to purchase the *Independent Study Operations Manual* published by the California Department of Education; portions of the manual and an order form to purchase the full manual can be downloaded from <http://www.cde.ca.gov/sp/eo/is/>. We appreciate your participation in today's workshop and hope the information provided is helpful.

Workshop Out-

Introduction

- Statutory Differences
- Current Legislation

Legal Compliance

- Board Policy/ Regulations
- Independent study Agreement

Break

Questions & Answer Time

Planning Phase

- Central vs. Decentralize
- Types of Absenteeism

Lunch

Operational Phase

- Roles/Responsibilities
- Suggested Procedures
- Attendance Accounting
 - Basic guidelines
 - ADA restrictions
- Internal Audit Functions

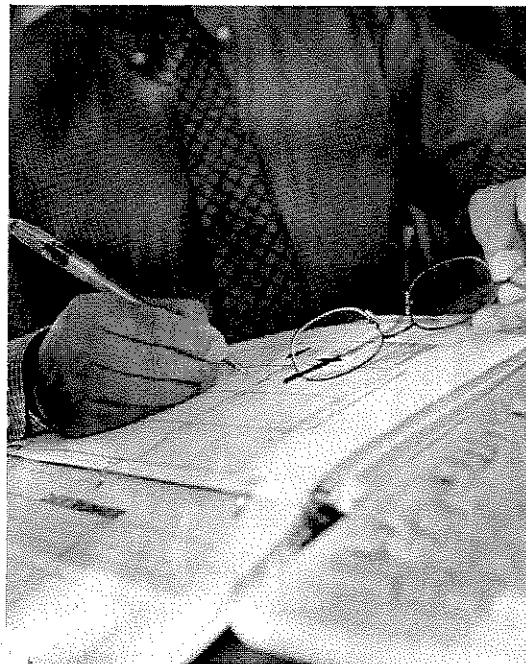
Break

Questions & Answers Time

Review of Resources/Sample Procedures

Workshop Objectives

- Inform participants about legal compliance issues affecting independent study
- Provide tools to assess legal compliance
- Present framework for operating a short-term independent study program
- Provide learning environment for group interaction/sharing of information



Abbreviations and Acronyms Used in This Manual

§	Section
ADA	Average Daily Attendance
AR	Administrative Regulation
ANNUAL	Annual Attendance Report
BP	Board Policy
CCR	California Code of Regulations
CDE	California Department of Education
CDS	County-District-School identification code
CIF	California Interscholastic Federation
COE	County Office of Education
CSBA	California School Boards Association
CSR	Class Size Reduction
EC	Education Code
FTE	Full-time equivalent
IEP	Individualized Education Plan
IS	Independent Study
LEA	Local Education Agency
NCLB	No Child Left Behind (Act)
P-1	Period One Attendance Report
P-2	Period Two Attendance Report
SBE	State Board of Education
SELPA	Special Education Local Plan Area

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Section One:

Introduction

Independent study is an optional educational alternative to classroom instruction, available to pupils from kindergarten through high school, which is meant to respond to the student's specific educational needs, interests, aptitudes, and abilities within the confines of school board policy. As a recognized alternative to regular classroom study, *the independent study program is expected to be equal or superior in quality to classroom instruction.*

Statutory Differences

- Short-term independent study does not exist as a separate entity in the law.
 - The rules are the same whether one day or semester, except for two laws specific to full-time independent study :
 - ADA-to-teacher ratios (*Education Code* Section 51745.6), and
 - Interdistrict parent employment (*Education Code* Section 48204(f)),
- Districts operating temporary (short-term) independent study must comply with all independent study laws,
 - A single noncompliance may result in funding loss,
 - Omission of required language in board policies and/or the independent study agreement may result in loss of part or all of state funds claimed for student attendance through independent study,

Voluntary — Can't Require Participation

Independent study is a voluntary optional alternative instructional strategy to the regular classroom setting in which no student may be coerced or required to participate.

- "A pupil's...choice to commence, or to continue in independent study must not be coerced..." *Education Code* Section 51747(c)(7),
- School officials cannot pressure parents into placing their children on independent study.



Helpful Hint:

Laws pertaining to independent study are the same, whether short or long term.

Q: Is it okay if we just take all students who are sick and put them on independent study? We no longer get paid for them.

A: *Independent Study is voluntary and all rules and contractual requirements must be followed. An independent study agreement can never be retroactive and may only commence after all required parties have read, signed and dated the agreement. Under no circumstance can an agreement be made "after the fact" to allow a student's completed work to be counted as apportionment attendance. Effective July 1, 1999 for apportionment purposes independent study can be for no less than five consecutive school days and no more than one semester. In terms of academic credit and local board policies, independent study may be offered for less than five consecutive school days, but no apportionment can be claimed. The minimum five schooldays rule does not apply to charter schools.*

Work assignments must be consistent with the District adopted curriculum.

- LEAs cannot simply have the student document his/her vacation experience.
- The course of study offered to the student must be equal, both in quality and quantity, to his/her regular classroom instruction (5 CCR Section 11701.5).

Avoid Illegal Agreements and Policies

Education Code Section 48205(b) states, “a pupil absent from school under this section (excused absences) shall be allowed to complete all assignments and tests missed during the absences that can reasonably be provided and shall be given full credit therefore upon satisfactory completion within a reasonable period of time. The law prohibits policies which prevent or lower academic credit for excused absences.

- It is illegal to require the pupil and/or parent to enter into an agreement that denies academic credit or lowering of grades or exclusion from school activity for a specified number of absences; parents have filed lawsuits against school districts and won.
- *Education Code* Section 49067 authorizes governing boards to adopt regulations authorizing a teacher to assign a failing grade to any pupil who has excessive *unexcused* absences equal or greater than the number specified by the board. This law only applies to *unexcused* absences, not excused absences (*Education Code* Section 48205), and the determination to assign a failing grade is at the sole option of the teacher; it cannot be mandatory policy.
- Independent study is strictly voluntary, therefore it can never be the only option for students who were absent to receive academic credit for schoolwork missed during the absence.
- Independent study is not subject to compulsory attendance, because it is not a mandatory seat-based program; the student therefore is not “absent” but on independent study.

It is not permissible to claim apportionment attendance for make-up work that a pupil completes after returning to the classroom (and thus termination of independent study).

- The due date for assignments cannot extend beyond the day the pupil returns to classroom attendance, the assignment due date, the term of the agreement, and/or the maximum time specified in the local board policy pursuant to *Education Code* Section 51757(a), whichever is earlier.
- After-the-fact make-up or completion of assignments cannot be claimed as apportionment attendance (*Education Code* Section 48205 (k)).

Minimum and Maximum Agreement Term

- For apportionment purposes, an independent study agreement cannot be less than five (5) consecutive school days and not more than one semester (or six months for year-round schools) (*Education Code* sections 46300(e) and 51747(c)(5), respectively).

Q: Our high school physical education gives a zero for any pupil not in attendance. How can you make up thirty-five minutes of laps?

A: *Physical education is a curriculum—not just activity. The teacher responsible for the PE curriculum should make an alternative assignment to make up the work. There shall be full credit available.*

- The five-day minimum is not applicable to charter schools.
- A new agreement must be signed and dated by all required parties on or before the subsequent term of independent study.
- No independent study apportionment can be claimed for early termination of an agreement even if the agreement was written for five consecutive school days or more; i.e., pupil returns to classroom instruction before five school days.
- Academic credit can be earned by the pupil for fewer days.
- Academic and apportionment credit are separate issues.

Everyone who is responsible for independent study written agreements or any part of one should be fully conscious that these documents are not legal contracts. Legal contracts include and are like the document a renter signs when she or he rents a car or carpet cleaner (or buys and installs software). In signing that contract document, the individual assumes responsibility and potential liability, regardless of whether the document is read or understood by the signer. Often the only data that are understood are the date and time the item is to be returned and the rental rate. But, if and when the signer has to be accountable, a lawyer will explain the “small print” in detail and the responsible person will be liable for everything in the contract.

In contrast, an independent study written agreement stands for all the instructions a certificated teacher supplies to students during the course of a period of instruction, for each subject, plus general information about the term of the agreement, due date(s), and student reporting (for example). Everything has to be understood and agreed to by the student with his parents and others- nothing can be taken for granted, and if it is the probability that the student’s work- the only basis for apportionment attendance- will be deficient in quantity and quality, with the result that earned apportionment attendance will be jeopardized and the student will receive defective education in the independent study mode. That failure is to everybody’s disadvantage. Therefore, the images and thought patterns about legal contracts should be absent when the parties to a written agreement enter into and sign one.

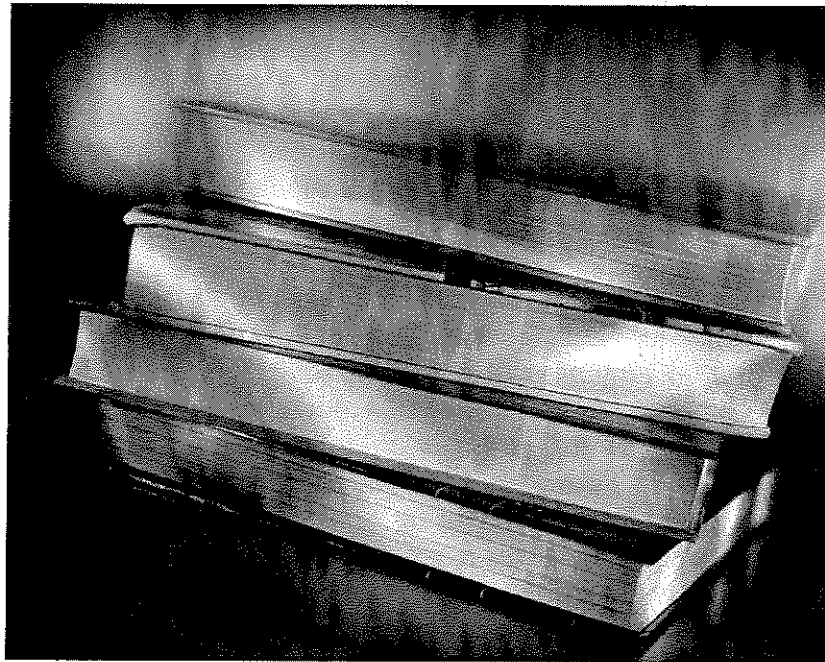
The term “contract” is used in a few places in the CDE’s *Independent Study Operations Manual, 2000 Edition*, for example in reference to “course contracts.” These documents are also not legal contracts but were named “contracts” in the context of common educational practice when a student and teacher agree, usually in writing, to something the student must do. Therefore, “course contracts” at the high school level that have been formalized and standardized for general use by students and teachers might better be labeled “course outlines and agreements” or something similar because, again, nothing can be taken for granted or neglected- everything is significant and has meaning, and the consequences are not financial- they are student learning and mastery, with subsequent apportionment attendance implications after the responsible supervising teacher has evaluated student work products and computed their time value for attendance purposes.

Q: We are not allowing independent study at our adult school. What do we need to do about board policy?

A: *It is best to include all local decisions relating to independent study in your board policies. If adults are not engaged in independent study, related board policy language as discussed herein is not required.*

Adult Education

Adult education apportionment may only be claimed for adults engaged in independent study if the board adopted independent study policy and administrative regulations are also applicable to adult education students (5 CCR sections 11701-11703). Adult education curriculum must comply with the requirements set forth in *Education Code* sections 52500-52523.





Section Two: Compliance Guidelines

Summary of Key Requirements

A school district, charter school, or county office of education shall not be eligible to receive apportionment for independent study unless it has:

- Adopted written board policies and regulations containing all components specified in *Education Code* Section 51747,
- A credentialed teacher assigned overall responsibility for the pupil's independent study (i.e., supervising teacher),
- A written independent study agreement compliant with *Education Code* Section 51747,
- Voluntary participation,
- Classroom option continuously available,
- Dated signature of the pupil, parent/guardian, supervising teacher, and other persons responsible (5 *CCR* Section 11702),
- Equitable provisions for resources and services, *whatever is provided to on class is provided for IS*
- Compliance with state testing and high school graduation laws,
- Compliance with state residency laws,
- Records compliant with 5 *CCR* Section 11703, and
- Comparable pupil- to-teacher ADA ratio.

Charter schools must comply with the charter requirements, as well as adopting and implementing conflict of interest policies. (See Appendix F for sample conflict of interest policy and statement.)

Board Policy

The first link in the audit trail is a written board policy adopted pursuant to 5 *CCR* Section 11701 (a sample board policy is provided in Appendix B). This policy must address the maximum length of time that will be allowed, by grade level and type of program, between the date the assignment is made and the date by which the student must complete it. (Type of program is defined by 5 *CCR* Section 11700 as the statutory program category for purposes of attendance

Q: Are all of the rules included in this manual?

A: *This manual is not all-inclusive. It serves only as a guide. New rules and interpretations are continually being circulated. Use this manual as a base, know independent laws, and continue to expand your knowledge.*

Q: How can we remember these key components?

A: *These key components might be reproduced and pasted on independent study file folders. A better idea might be to provide a laminated copy to each of the school sites.*

accounting and apportionment, i.e. general education, continuation high school, special education, etc. This statute also requires board policy to reflect an awareness that excessive leniency in the duration of assignment due dates can result in students failing so far behind their peers as to increase, rather than decrease, their risk of failing or dropping out of school.) The policies must also clearly state the number of assignments that can be missed before the pupil's independent study placement is re-evaluated. A written record of this re-evaluation must be maintained with the pupil's permanent record. Finally, the policies must state that a current written agreement containing the elements required by law will be on file for each pupil participating in independent study.

Administrative Regulations

It is the intent of the Legislature that the governing board adopt administrative regulations that contain such language as to prevent the following:

- Participation in independent study of any student who resides outside the local or adjoining county (*Education Code Section 51747.3(b)*)
- Funds or things of value from being provided to independent study students or their parents/guardians if not provided to students who attend regular classes (*Education Code Section 51747.3 (a)*)
- Participation of special needs students pursuant to *Education Code Section 56026*, unless specified in the student's Individualized Education Program (IEP) (*Education Code Section 51745(c)*)
- *Participation in independent study of any temporarily disabled student pursuant to *Education Code Section 48206.3*. (*Education Code Section 51745(d)*)



Common Error Found in Board Policy:

Copies statutory language verbatim BUT does not specifically define time numerically or excludes language entirely.



Condition of Funding:

No ADA is earned unless there exists written and adopted board policies that are in accordance with 5 CCR Section 11701 and Education Code Section 51747.



Audit Trail:

Board policies that contain language mandated by independent study law is the 1st link in the audit trail.



Common Audit Exception:

Short term independent study assignments due "upon return to school" exceed maximum length specified in board policy. No apportionment credit may be claimed.

- Participation in a K-12 program by, and claiming of K-12 state apportionment for, students age 19 to 21 who have not been continuously enrolled in a K-12 school since their 18th birthday (*Education Code* Section 46300.1). These adult students, however, may be eligible for independent study through the adult education program (*Education Code* Section 46300.4).
- Participation by, and claiming of state apportionment for, students whose residence status is based on their parent's place of employment within district boundaries (*Education Code* Section 51747.3).
- No more than 10% of the students enrolled in a continuation or opportunity school or program, not including pregnant and parenting students, may be in independent study at any given time. (*Education Code* Section 51745(b))

Appendix B contains an Administrative Regulations sample.

*Note: Independent study may be offered as an alternative to home and hospital instruction and should be considered for pupils capable of doing 20-30 hours of instruction per 5-day school week under the general supervision of a credentialed independent study teacher.

Written Independent Study Agreement

The written agreement is the second link in the audit trail. *Education Code* Section 51747 and 5 *CCR* Section 11702 mandate that local board policy provide for a written independent study agreement, to be maintained on file for each independent study student, which minimally contains the following components:

- A statement that independent study is an optional education alternative in which no student is required to participate (*voluntary*). In the case of a student referred or assigned pursuant to *Education Code* sections 48915 or 48917, a statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.
- The duration (e.g., five days, one week, two weeks, etc.) including the beginning and ending dates for the student's participation under the agreement. No agreement shall be shorter than five consecutive school days or longer than one semester (or one-half year for a school on a year-round calendar).
 - Charter schools are exempt from the five-day rule.
- The specific resources, including materials and personnel, that will be available to the pupil.

Q: Another district faxed over their Independent study Agreement. Is that okay?

A: It must match your board policies and procedures. You can't simply copy from another district. Always validate compliance.



Audit Trail:

A signed and dated independent study agreement that contains all the necessary legal components is the 2nd link in the audit trail.

- The manner, time, frequency, and place for submitting a pupil's assignments and for reporting his/her progress.
- The objectives and methods of study for the pupil to complete the work, and the methods the teacher will use to evaluate that work.
- Language that matches the statement of *your* governing board policy pertaining to:
 1. The length of time between when an assignment is given and when it is due. The due date for completion of the work cannot extend beyond the end date of the agreement.
 2. The maximum number of missed independent study assignments that will initiate an evaluation to determine whether the pupil should be allowed to continue in independent study.
- A statement of the number of course credits or other measures of academic accomplishment to be earned by the pupil upon completion.
- The dated signatures, prior to the commencement of independent study, of the: 1) pupil; 2) parent, guardian, or caregiver; 3) the certificated supervising teacher; and 4) all persons who have direct responsibility for providing assistance to the pupil.

Refer to Section Seven, pages 7.2 - 7.17, for sample independent study agreements and forms.



Common Audit Exception:

The school site had blank agreements signed in advance with "open-ended" dates.

- *Attorneys state open-ended agreements are worthless*
- *It appears to be involuntary participation*
- *Agreements must have a beginning and end date*
- *No apportionment ADA may be claimed*

To avoid this exception:

- *Be sure that sites understand the requirements*
- *Provide manuals for all sites*
- *Visit sites to check compliance issues*



Common Audit Exception:

Claiming ADA prior to the signing and dating of the independent study agreement by all required parties.

To avoid this exception:

Establish procedures to ensure that the independent study agreement has been signed and dated by all required parties:

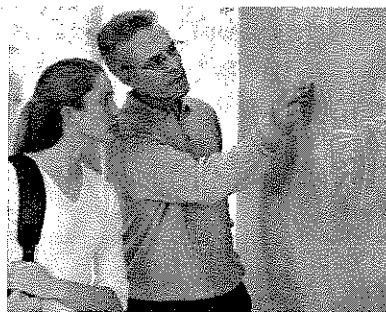
- *Pupil*
- *Parent/guardian*
- *Supervising-credentialed-independent-study-teacher*
- *Other person(s) responsible*

Supervising Teacher

The supervising teacher is the third link in the audit trail. As a condition of apportionment, one teacher must be assigned overall responsibility for the pupil's course of study, assignments, evaluations, and apportionment and academic credit while participating in independent study. This person is designated as the pupil's supervising teacher; it does not mean a teacher who supervises other teachers or persons. 1998 amendments to *CCR 5*, Section 11700 (h) changed certificated person to certificated teacher to clearly indicate legislative intent. A principal, counselor, or other credentialed person who does not have assigned duties of teacher and hold a valid teaching credential pursuant to *Education Code* Section 44300 cannot be designated as the supervising teacher. At the elementary level generally one teacher is involved for all aspects of the student's independent study; especially for short-term independent study whereby the classroom teacher may be the supervising teacher. At the secondary level it is more challenging as multiple course teachers are typically involved and the law specifies a supervising teacher. Chapter Three outlines various options available for determining who should be the supervising teacher.

The supervising teacher:

- Must be certificated teacher employed by school district or county office claiming apportionment attendance (*Education Code* Section 51747.5 (a)).
- Coordinates academic work assignments and work products.
 - Must be equivalent to regular classroom activities.
 - Must specify date due, not to exceed maximum length contained in board policy.
- Evaluates assigned work products per policy and procedures; academic credit is separate from apportionment credit.
 - Work product must be completed and reported to the assigned teacher by the due date. The due date of the assignment cannot exceed the length of time stated in local board policies for each grade level and educational program.
 - No retro-credit or banking of apportionment attendance.
 - Count whole days only, no partial days.



Audit Trail:

An assigned supervising teacher is the third link in the audit trail.

Q: What is meant by other person responsible?

A: Persons who have a direct responsibility for providing assistance to the pupil- at the secondary level, each class period teacher, for example.

NCLB Teacher Requirements

Teachers who provide instruction in alternative education placements such as independent study must meet the same NCLB teacher requirements as other teachers. If the teacher of record cannot meet the NCLB requirements for all subjects taught, a possible solution is to provide students with access to teachers meeting the requirements. The access to teachers meeting the requirements could be through in-person meetings or through distance learning arrangements.

To verify subject matter competence for teachers “Not New” to the profession, LEAs can use the California Housse. Additionally, districts should review the curriculum in their alternative schools and programs to determine if they are elementary or middle/high school teaching assignments under NCLB.

The CDE and SBE recognize that meeting the NCLB teacher requirements may be a particular challenge for small schools and schools that offer educational options. It is important to recognize that these issues are not unique to California, but are being raised by other states across the country. For this reason, it is particularly critical that school districts NOT react to the new NCLB requirements by eliminating appropriate options for students. California will continue to work with the United States Department of Education and other state agencies to develop viable solutions to implementing the requirements of NCLB within the full range of settings and options that are necessary to serve the diverse needs of all students. If an LEA is unable to fully meet the teacher requirements at this time, it should document its efforts and develop a plan for how it will reach the NCLB goal for teacher compliance.

A guide published by CDE on NCLB Teacher Requirements is available at <http://www.cde.ca.gov/nclb/sr/tq/>. A summary of NCLB compliance for teachers is provided in Figures 2.3 through 2.5, pages 2.21-2.23.

Student Work Assignments

The law requires that student assignments be equivalent in quantity and quality to the student’s normal classroom based instruction. The intent is for the pupil to remain current with his or her present course of studies while engaged in independent study. The full-day equivalent and curriculum for the grade level taught should be assigned. The teacher must review the objectives of the assignment, method of study, how the assignment will be evaluated, and establish the appro-

Q: Must physical education teachers comply with NCLB teacher requirements?

A: *No. Currently, NCLB does not define physical education as a core academic subject. Only physical education teachers who teach core academic subject classes, such as the arts (dance) are required to demonstrate NCLB compliance in that subject area. It should be noted that, although physical education is not considered a core academic subject under NCLB, California still requires physical education teachers to be fully credentialed.*

Q: Must vocational education teachers comply with NCLB teacher requirements?

A: *Vocational education teachers who teach core academic courses are required to meet the NCLB teacher requirements. The term core academic subjects is defined in NCLB as: English, reading/language arts, mathematics, science, foreign languages, civics/government, economics, arts, history, and geography.*

Q: Are adult education teachers required to meet the NCLB teacher qualification requirements?

A: *No. The requirement that teachers be highly qualified applies to public elementary or secondary school teachers who teach a core academic subject. Therefore, because the law applies specifically to elementary or secondary teachers, teachers in adult education do not have to meet the highly qualified definition under NCLB.*

Q: How will teachers of English learners comply with NCLB teacher requirements?

A: *Teachers of English learners assigned to teach core academic subjects must meet the same NCLB requirements as other teachers of core academic subjects.*

There are additional requirements for teachers hired with funds from NCLB, Title III Language Instruction for Limited English Proficient and Immigrant Students, Part A sub-grants. LEAs receiving Title III funds must certify that all teachers are fluent in English and any other language used for instruction, including having written and oral communications skills. (Title III, Section 3116(c)).

In California, the possession of a Bilingual, Cross-cultural, Language and Academic Development (BCLAD) credential or equivalent, authorizes a teacher to provide instruction to English learners in a language other than English, though this is not a requirement for a teacher to meet the definition of "highly qualified teacher" under NCLB.

Q: Must teachers at alternative schools and small schools meet the same NCLB teacher requirements as other teachers?

A: *Yes. Teachers who provide instruction in alternative education placements and small schools must meet the same NCLB teacher requirements as other teachers. The local educational agency (LEA) determines, based on the curriculum taught, by school site, or by each grade at the school site, if appropriate whether a teachers is hired to teach elementary, middle or high school. A teacher must meet the NCLB teacher requirements for the designated grade span and subjects taught.*

Q: Are special education teachers required to comply with the NCLB teacher requirements?

A: *If a special education teacher is providing instruction in a core academic subject, then that teacher must meet the NCLB teacher requirements. The requirements apply whether a special education teacher provides core academic instruction in a regular classroom, a resource room, or another setting.*

If a special education teacher only provides consultation services to the teacher of core academic subjects, or only delivers special instructional assistance within the classroom where the core academic subject is taught, he or she does not have to be NCLB compliant.

The degree to which special education teachers have to meet the NCLB requirements is being addressed at the national level by the re-authorization of the Individuals with Disabilities Education Act (IDEA). Until IDEA requires something different, however, special education teachers providing instruction in a core academic subject must comply with the NCLB teacher requirements. The best advice to LEAs is to hire the most qualified special education teachers (i.e., teachers with special education credentials who are not on a credential waiver, emergency permit, or Pre-Intern certificate). Over the next few years, LEAs will be working toward the goal of having all teachers of core academic subjects, including secondary special education teachers, meet the NCLB requirements.

Q: Do the NCLB teacher requirements apply to Nonpublic Schools (NPS) that receive funds through a contract for education services identified on an Individualized Education Program for students with disabilities?

A: *No. Under the statute, the NCLB requirements apply only to public school teachers (Question C-30 of the Improving Teacher Quality State Grants Non-Regulatory Guidance, January 16, 2004).*

appropriate due date which includes frequency, time, manner and place of the scheduled teacher/student meeting(s). For apportionment purposes, the due date cannot exceed the length of time specified in board policy unless the policy allows for an extension due to extraordinary situations and the extension does not carry the assignment beyond the duration of the agreement. Assignments not completed by the due date or after-the-fact cannot be claimed for apportionment ADA but the pupil is entitled to the resultant academic credit.

A representative sample of the student work products must be kept with the independent study agreement in the student's independent study file. The sample must establish a clear audit trail to the day(s) of apportionment credit claimed for independent study. Most auditors recommend inclusion of three original pages from each curriculum assignment. These samples should reflect state-adopted curriculum, teacher notations and evidence of the student's effort.

Student work samples must bear evidence that the supervising teacher has personally evaluated the pupil's work product(s), or reviewed the evaluations made by other teachers, for apportionment credit (dated signature or dated initials on front page of work sample). Apportionment credit is represented by the work product sample.

Charter schools must additionally demonstrate compliance with 5 CCR Section 11960 and *Education Code* Section 47612, as to evidence of the charter school pupil's engagement in educational activities required of them by their charter school on days when school is actually taught in the charter school. As a condition of charter school apportionment, there must be a contem-

Q: Our district has the same packet for all short-term independent study students. We have them keep a journal/scrapbook of their trip. Is that okay?

A: *No, the assignments must match the district adopted curricular components of the grade level. The work assignments must be equivalent (in quality and content) to that of the regular classroom. The goal is for the pupil to continue their instruction/education while out of the classroom. Upon return, there has been no lapse in their instruction. The free-style journal/scrapbook would not qualify.*

Q: How could a student complete physical education requirements on independent study?

A: *Walking, hiking, video aerobics, bowling, and golf might meet the requirements. Work products are not required to be on paper- a teacher can make his or her assessment of student work from recitation, in other words from indications of learning activity and achievement that a student describes orally or in some other appropriate manner. This type of teacher evaluated activity would not yield a "work sample" for a file, but there should be adequate work samples available from other study.*



Common Audit Exception:

In a sample of independent study work, there were assignments due after the student returned to class.

To avoid this exception:

- Check the due dates against the time frame for the agreement
- The due date cannot exceed the maximum period of time specified in your district's board policy.
- Obtain all work from students on or before the return to class, or the maximum timeframe listed in your district's board policy pursuant to Education Code Section 51747(a), whichever is earlier.
- Verify dates on a calendar

poraneous record. The CDE Charter Schools staff advise that a calendar or other contemporaneous record be used to document the daily instructional activities of the student while engaged in independent study. This contemporaneous record must be signed by an adult with cause to know, and subsequently reviewed and approved (signed and dated) by the supervising teacher. (Refer to Figure 7.4 on page 7.5 for a sample form)

Teacher Records

A teacher must evaluate the student work assignments for academic and apportionment credit in a timely manner. The academic record must show the grade earned. The teacher or supervising teacher must also determine the ADA apportionment credit to be earned. This must be recorded in whole days (for daily programs) or whole hours (for hourly programs such as continuation, supplemental hourly, etc). No fractions are allowed. If the pupil completed the equivalent of the statutory minimum day for the grade level assigned (generally four hours per day), then full day ADA apportionment credit can be given. The supervising teacher must personally determine or personally review the apportionment attendance. This must be evidenced by the supervising teacher's dated signature (or initial) on the apportionment record.



Helpful Hints:

- Assignments must be completed by the last school day before the intersession or summer session begins.
- Charter school students must complete independent study curriculum on the actual school days operated by the charter. Auditable documentation must be available and retained in the student's independent study file until the 3rd July following completion of the required external audit.



Compliance:

No credit for attendance may be claimed for apportionment until the work product is submitted and assessed by the certificated teacher. The supervising teacher for the student's independent study must personally determine and/or review academic and apportionment credit given by other teachers, when applicable. This must be evidenced by the supervising teacher's signature (or initial) and date on the first sheet of the work product sample.



Audit Trail:

Samples of the student's work product can be stapled to the work record and the independent study agreement to make the accumulation of audit materials easier. The law only requires a "representative" sample of the student's work product be contained in the student's independent study file; only retain work products essential to the audit trail. Photographs or audiocassettes are good documentation for large projects or book reports.

Q: What if the school day length is different? We have a minimum day each Wednesday.

A: Independent study ADA is based on the independent study teacher's judgment of the time value of the work assignments. Work assignments must be equivalent to the full school day assignments that would have been required of the student if the student were in the classroom.

Summary of Legal Requirements that are Conditions for Apportionment

1. Apportionment credit may be earned for students participating in independent study when all compliance requirements have been met.
 - a. No ADA is earned unless there exists written and adopted board policies that are in accordance with 5 CCR Section 11701 and *Education Code* Section 51747.
 - b. No ADA may be claimed from independent study until the written agreement is completed (*Education Code* sections 46300.7 and 51747 (c)(8)). The agreements shall be completed prior to the student beginning independent study, and under no circumstances shall an agreement be completed after the fact to allow a pupil's completed work to be counted as apportionment attendance.
 - c. No ADA is earned unless (i.e. to the extent that) supervising teacher judgments of the time value of pupil or student work have been made personally in each instance (i.e. assignment) for each student in independent study (*Education Code* Section 51747.5).
2. Every student engaged in independent study must be enrolled in a school of a district or county office of education- see *Education Code* Section 51748. This enrollment should be evident from the agreement.
3. ADA for independent study must fall within the teacher-to-ADA limits set by *Education Code* Section 51745.6 to be eligible for apportionment
4. Students who are age nineteen to twenty-one must have been continuously enrolled since their eighteenth birthday for their ADA to be computed at the rate for the unified school district, apart from adult education (*Education Code* Section 46300.1). If they have not been continuously enrolled, they are eligible for adult education classes.
5. No ADA from independent study may be claimed by a district if it has provided any funds or other things of value to the student or to his or her parent or guardian that the district does not provide to students who attend regular class (*Education Code* Section 51747.3(a)).
6. No ADA is earned from the independent study of any student who resides outside the local county or an adjoining county (*Education Code* Section 51747.3(b)).
7. No ADA is earned from the full-time independent study of any elementary student enrolled pursuant to *Education Code* Section 48204(f), the provision that allows a student to be enrolled in a school near a parent's place of employment (*Education Code* Section 51747.3 (c)).
8. ADA for independent study by adult students qualifies for apportionment only for coursework that meets requirements leading to a high school diploma. (*Education Code* sections 46300.4 and 51225.3(a)).



Condition of Funding:

No ADA from independent study may be claimed if the school has provided any thing of value not provided to other students enrolled in the school.

Other Pertinent Regulations

Attendance Accounting System Approval

Local education agencies, except charter schools, must obtain approval for any attendance accounting system used for recording independent study attendance.

Recordkeeping

Pursuant to 5 CCR Section 11703, maintaining records to meet audit requirements is the responsibility of the local district or county superintendent's office, including charter schools. Records shall include, but not be limited to, a daily or hourly attendance credit register, as appropriate to the program in which the pupils or adult education students are enrolled, separate from classroom attendance records, and maintained on a current basis as time values of pupil or adult education students work products are personally judged by a certificated teacher and reviewed by the supervising teacher, if they are two different persons.

Independent study records shall include the following information:

- A copy of the board policies, administrative regulations, and procedures pertaining to independent study.
- A file of all agreements with representative samples of completed and evaluated student work products. The sample work products must have evidence that it has been evaluated by the supervising credentialed teacher for 1) academic credit/grade and 2) apportionment credit. The teacher's signature or initials and date evaluated meets this requirement.
- A list of all pupils who have participated or are participating in independent study, showing credits attempted by and awarded to each pupil according to the agreement and a record of the pupil's attendance.
- Independent study must be either maintained on separate registers or tracked separately from other ADA by a system approved by CDE.
- A record of grades and other evaluations of independent study assignments issued to the pupil.

Apportionment ADA

- A pupil's participation in independent study must be on a voluntary basis and a valid and continuing option of classroom instruction available.
- If a pupil returns to the classroom, full-time, prior to the independent study agreement end date, then the independent study agreement ends and regular classroom instruction begins. Procedures must be in place to prevent double counting ADA.
- Pupils participating in independent study must have access to the same instructional materials and services that would be made available to classroom-based pupils, free of charge.



Helpful Hints:

- *Law states records must be maintained until the third July following completion of the audit.*
- *Independent study offered during intersession or summer must be recorded as supplemental instruction hours.*

- The ADA applicable to the agreement period should be accounted for as independent study ADA when all applicable laws and regulations have been met. For example, intermittent classroom participation (not on a regularly scheduled basis) that is part of the independent study for a child is counted as independent study-ADA, not regular classroom ADA. Pupils on independent study may meet in groups with instructors from time to time or attend laboratory sessions designed to make resources available in a systematic manner.
- If something of value is provided to an independent study pupil that is not provided to classroom-based students, the school district or county office of education cannot claim State funding for the independent study student's ADA (*Education Code* Section 51747.3(a)).
- Only properly credentialed teachers that are employees of the educational agency claiming the independent study ADA funding may supervise the instruction of pupils participating in independent study. This limitation also applies to the function of coordination, assignment, and evaluation of a student's instructional work assignments for purposes of academic and apportionment credit.
- No independent study ADA may be claimed unless the supervising teacher judgments of time value of pupil work have been made personally in each instance (assignment) for each student engaged in independent study (*Education Code* Section 51747.5).
- Apportionment ADA in independent study is based on the work completed by the student and submitted by the due dates established in the independent study agreement to the assigned teacher who subsequently evaluates these for academic and apportionment values.
- Independent study ADA may not be claimed if the student work assignments are not completed and submitted by the date specified in the independent study agreement or student work assignment record made part of agreement.
- Record only whole days for daily programs or whole hours for hourly programs. Fractions must be rounded down.
- Attendance credit of a pupil is not bankable. In other words, attendance credit cannot be accumulated and used to cover either a future or a past missing assignment for that student.
- No expelled student may participate in independent study and have that ADA reported until and unless that student is again enrolled in some school that can offer independent study as an option. A student whose expulsion has been suspended may engage in independent study during the time the suspension is in effect, as long as a viable classroom based instruction program is made continuously available and this option is stated in the agreement. Note: Community day school does not allow independent study; therefore, this cannot be a classroom-based option for purposes of this section.
- ADA for independent study by adult students qualifies as apportionment only for coursework that meets requirements leading to a high school diploma (*Education Code* Section 51225.3(a)).
- Temporarily disabled pupils may not receive instruction through independent study, unless special criteria are met.
- The law prohibits participation by, and claiming of independent study ADA funding for, students with exceptional needs, unless their IEP stipulates independent study.
- No more than 10% of the current year P-2 ADA reported for opportunity or continuation school (by school, not district-wide) are eligible for independent study ADA funding. Pregnant and parenting minors are excluded from this 10% cap, pursuant to *Education Code* Section 51745(b).

- The law prohibits claiming independent study ADA funding for interdistrict parent employment students on full-time independent study (*Education Code* Section 48204(f)).
- Apportionment credit may be claimed only to the extent that the time values for apportionment are personally determined by the assigned supervising teacher (5 *CCR* Section 11700(b)(2) and *Education Code* sections 51747.5 (a)(b) and 51747(c)(8)).

Independent Contractor

If the LEA uses an independent contractor for independent study, the students must be under the general supervision of a certificated employee of the LEA (*Education Code* Section 51747.5). The certificated employee must review and document, the determinations of the time values for apportionment purposes of each pupil's completed assignments (5 *CCR* sections 11700(b) and 11700(b)(3)). Teacher-pupil ratios are figured based on the LEA teachers, not the supervision provided by the independent contractor. For charter schools, teacher-pupil ratios are figured based on the teachers of the largest unified school district in the counties of reported attendance, not the supervision provided by the independent contractor.

Enrollment

Every student engaged in independent study must be enrolled in a specified school of a school district or county office of education by grade level and program placement (*Education Code* Section 51748). LEAs are not eligible for state funding for independent study unless such enrollment is identified in the written records of the LEA. No LEA may receive K-12 state apportionment for independent study by adults age 19 to 21, unless the adult has been continuously enrolled in kindergarten or any of grades 1-12 inclusive since his or her 18th birthday, and the coursework is consistent with *Education Code* Section 51225.3 or any course required by the governing board as a pre-requisite to receiving a high school diploma. K-12 independent study students who are age 19 or older must have been continuously enrolled in school since their 18th birthday (*Education Code* Section 46300.1). Students engaged in independent study may not be enrolled pursuant to *Education Code* Section 48204(f). (*Education Code* Section 51747.3(c)).

For charter schools, every student engaged in independent study must be enrolled in a school site of the charter school or another public school that the pupil is eligible to attend. This enrollment must be evidenced on the independent study agreement. (*Education Code* Section 51748). 5 *CCR* Section 11963 defines "school site" as a facility in which the pupils receive instruction, which is:

- Owned, rented, leased, or provided to the charter school principally for classroom instruction;
- Excludes personal residence or dwelling, even if space is dedicated principally for classroom instruction.



Common Audit Exception:

Pupils concurrently enrolled in a private school are not eligible for state funding.

State Residency

Only the attendance of students who are residents of the State is eligible for apportionment purposes. This requirement applies only to the residency status of the student. A student's legal status (citizenship, legality of residency) has no bearing on his or her eligibility to a free public school education in California. All students who are not residents of California are not eligible for apportionment, and the district must collect tuition for those students in accordance with *Education Code* sections 48050, 48051, and 48052. In some cases pupils engaged in independent study, during the time that the independent study agreement is in effect, move to a residence that is outside the district so that the district is no longer eligible to receive State apportionment for that ADA.

County Residency

Independent study attendance may be claimed only for those pupils residing in the county in which the apportionment claim is reported or in a bordering county (*Education Code* sections 46300.2, 51747.3(b)).

Pupil Age Limits

The minimum age requirement for a pupil is age 5 on or before December 2 for purposes of K-12 state funding. The maximum age limit for pupils enrolled in public schools (other than charter schools) is 18, unless the pupil has been continuously enrolled in a K-12 program since his/her 18th birthday, in which case the maximum age limit is 20 (the time value of the student's work products becomes ineligible for K-12 state apportionment funds upon the student's 21st birthday). (*Education Code* Section 46300.1) The maximum age limit for pupils enrolled in a charter school is 19, unless the pupil has been continuously enrolled in the charter while age 19, when the maximum age limit is 22; the time value of the student's work products become ineligible for charter school apportionment upon the student's 23rd birthday. Adults in charter schools must complete all coursework for a high school diploma in the same amount of time a minor high school student has to finish a comparable amount of work. The law stipulates that pupils over 19 must show continuous, satisfactory progress towards a high school diploma.

Comparable Access to Resources and Services

It is the intent of the Legislature that schools offering non-classroom-based instruction provide appropriate existing services and resources to enable students to complete their course of studies successfully. If the public education agency operates an independent study program and a site-based classroom program, the pupils participating in independent study must have the same access to all existing services and resources in the school the pupil is enrolled in pursuant to *Education Code* Section 51748, i.e. access to the same instructional materials and services that would be made available to the classroom-based pupils, free of charge (*Education Code* sections 51746 and 51748).



Helpful Hint:

Policies and agreements must include "adult students" before adult education apportionment can be claimed. Because the regulations do not appear in the Adult Education sections of the Education Code, many administrators are unaware of this requirement.

Things of Value Restrictions

No state apportionment from independent study can be claimed by an educational agency if it has provided any funds or other things of value to an independent study pupil or to his/her parent or guardian that the school does not provide to all students enrolled in the school, including classroom-based students. (*Education Code* Section 51747.3(a))

State Testing

All public education agencies must implement state testing standards as a condition of state funding.

CIF Rules for Independent Study Schools

The California Interscholastic Federation (CIF) has adopted rules specifically for independent study students who wish to participate on the CIF teams of a comprehensive school. These rules provide for a much more streamlined procedure than the rules that apply to “multi-school teams.” The following is from the CIF web site at www.cifstate.org (click on Constitution and Bylaws in the column on the left, then Bylaws 300 Series (School Regulations), and scroll to Section 305, “Independent Study Programs/School”):

305 Independent Study Programs/Schools

A student enrolled in an Independent Study Program/School operated by a school and/or school district is residentially eligible at the school in whose attendance area he/she resides, or where the student most recently established his/her residential eligibility, provided that:

1. A student’s registration is accepted by the local school board; AND
2. The courses taken by the student meet the standards adopted by the local school board and *Education Code* Section 51745 et.seq.; AND
3. The administrative responsibility for the student involved in athletics would rest with the principal of the school for which the student is competing; AND
4. The student meets all other eligibility requirements of the CIF and its member sections; AND
5. For the purposes of determining dues, legal and liability assessments, realignment issues and State CIF and Section divisional placement, the enrollment figures for non-CIF member school/program students residing in the CIF member school’s attendance area must be included in the CIF member school’s CBEDS enrollment figures.

Adult Education State Apportionment

No more than three hours per school day or 15 hours per five-day school week may be claimed for each adult student in adult education. All adult school courses offered by independent study must be listed on the A-22 Course Approval List. (*Education Code* sections 52504, 52506, and 52515).

K-3 Class Size Reduction Issues

Education Code Section 52123 states that school districts may not claim Class-Size Reduction funding for any pupil who is enrolled in independent study. Pupils on independent study are eligible for regular apportionment (when legal compliance requirements are met), but must be omitted from the J-7CSR form.

Suggestion #1:

- A. Create two unique codes in data system
 - Z=Independent Study– Nonapportionment
 - C = Independent Study– Apportionment
- B. Program system to exclude codes Z and C from CSR enrollment count for applicable days. Don't report on the J-7CSR form.
- C. Include code Cs (apportionment) on the state attendance forms.

Suggestion #2: For each CSR class:

- A. Sum the daily enrollment from the first day of school through April 15
- B. Subtract the number of days the student is enrolled in independent study
- C. Divide total by the total days of enrollment (from first day of school through April 15) to obtain Average Daily Enrollment report

Average Daily Attendance (ADA)-to-Teacher Ratio CAP

As a condition of apportionment for independent study, the ratio of average daily attendance for minor independent study pupils to school district full- time equivalent certificated employees cannot exceed the calculated ratios for all other education programs operated by the school district (*Education Code* Section 51745.6).

For charter schools, the ratio of ADA for minor independent study pupils (18 years of age or less) to charter school full-time equivalent certificated employees is less than or equal to the calculated ratio of pupils to full- time certificated employees for all other education programs operated by the largest unified school district in the county or counties in which the charter school operates.

The following are instructions for calculating the ratio, as prescribed by the California Department of Education, available at <http://www.cde.ca.gov/sp/eo/is/calculations.asp>.



Common Audit Exception:

CSR funding claimed in error for students on independent study.

To avoid this exception:

- Determine if the attendance system is picking up the correct number
- Remember that the 20:1 ratio is not impacted when a student is on independent study.

Instructions for Calculating the Ratio of ADA to Supervising Teacher in Independent Study (Teacher-to-ADA Ratio CAP), Pursuant to *Education Code* Section 51745.6**For School Districts:**

Step 1: From the total number of units of ADA reported on lines A-1 through A-7 of the District's Second Period Report of Attendance (J-18/19-P2), subtract the number of attendance (ADA) units reported for full-time independent study pupils (excluding any ADA from short-term independent study supervised by a regular classroom teacher for pupils enrolled in that teacher's class).

Step 2: Determine a ratio with the difference resulting from Step 1, using the total number of certificated teachers and full-time equivalent (FTE) certificated teachers who directly provided instruction to all pupils whose ADA was reported on lines A-1 through A-7 other than those whose ADA was earned through full-time independent study. (Excluded are employees whose services supplement direct instruction or who perform administrative duties.) For a certificated employee who provides direct instruction as well as supplemental or administrative services, count only the fractional amount of time that employee provided direct instruction. Fractional numbers in the total are to be rounded down, unless the total is less than one (1.0)--for example, 5.3 or 5.6 FTE supervising teachers rounds down to 5 in both instances, but 0.4 FTE is reported as 1.0.

Step 3: For purposes of computing the maximum ADA to be funded for independent study, multiply the ADA portion of the ratio computed in steps 1 and 2 by the combined number of full-time and FTE certificated independent study teachers. (Exclude from this computation any ADA attributed to independent study as a temporary alternative to classroom-based study that is supervised by the pupil's regular classroom teacher. Do not include in the number of teachers those certificated persons who exclusively provide administrative or supplementary services. If a certificated person is responsible for both administration and direct instruction, count only the amount of time the employee provided direct instruction.)

Districts shall be funded on the lesser of the maximum ADA computed per these instructions or the actual ADA reported for independent study.

For Unified Districts Participating in the Class Size Reduction Program:

Unified districts have the option of calculating separate teacher-to-ADA ratios for the K-6 grades and the 7-12 grades. Districts that choose to exercise this option should follow the instructions above, using all pupils whose ADA was reported on lines A-1 through A-3 for the K-6 grades, and lines A-4 through A-6 for the 7-12 grades, and include ADA reported on line A-7 in their choice of either the K-6 or the 7-12 grade calculations.

**Helpful Hint:**

Current law allows separate calculations for K-6 and 7-12 teacher-to-ADA ratios.

For County Offices of Education:

Follow the instructions for school districts using the high school or unified school district with the greatest ADA in that county.

For Charter Schools:

Follow the instructions for school districts using as the base ratio the ratio for the unified school district with the greatest ADA in the county or counties in which the charter school operates. See 5 CCR 11704.

ADA in excess of the maximum set by the teacher-ADA ratio used as the basis for comparison shall be ineligible for apportionment pursuant to *Education Code* Section 42238.5 for school districts and *Education Code* Section 2558 for county offices of education. See *Education Code* Section 51745.6.

AB 1610, effective July 1, 2005: Charter schools have the option of using a 25:1 statewide pupil-teacher ratio as an alternative to the ratio used by the largest unified school district in the county or counties where the charter school operates, and must include all charter school pupils (minors and adults), regardless of age, in the pupil-teacher ration calculations.

Example:

Step 1:	Total ADA for lines A-1 through A-7	25,000
	Subtract ADA from full-time independent study	-300 ¹
	Difference	24,700
Step 2:	Full-time and FTE certificated teachers in direct instruction to pupils in Step 1	830 ²
	(Ratio - $830 : 24,700 = 1 : 29.76 = 1 : 29$) ³	
Step 3:	Full-time and FTE certificated teachers in direct independent study instruction	8 ⁴
	(Ratio - $8 : 300 = 1 : 37.5 = 1 : 37$) ⁵	

1. This number should not include any amounts for pupils who were temporarily on independent study under the supervision of their regular classroom teacher.
2. Exclude from the number all staff that did not deliver direct instruction per the instructions for step 2, above.
3. Round down to the nearest whole number.
4. Excluded are FTE certificated classroom teachers who supervised independent study of their own students on a temporary basis and certificated staff to the extent that they taught Special Day Classes or were not on direct instructional duty, such as counselors, special education specialists, and administrators.
5. Round down to the nearest whole number.

Instructions for Computing the 10% Cap on Independent Study in Continuation and Opportunity Education, per *Education Code* Section 51745(b):

For the purpose of *Education Code* Section 51745(b), "pupils participating" shall be defined as P-2 ADA. Therefore, in computing the limit on pupils in these two types of instruction who may be eligible for independent study, use the number for each that represents 10% of the current year's ADA as reported on Lines A-6 and A-7 of the J-18/19-P2 form, Second Period Report of Attendance for Students Residing in the District. Note that a pupil who is pregnant or is a parent who is the primary caregiver for one or more of his or her children shall not be counted within the 10% cap.

Contact the following persons directly with questions about independent study:

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Figure 2.1, Flow of Data Required by 5 CCR Section 11703

For each officially enrolled student, the following diagram reflects the flow of data required for school apportionments and audit files as specified by 5 CCR Section 11703:

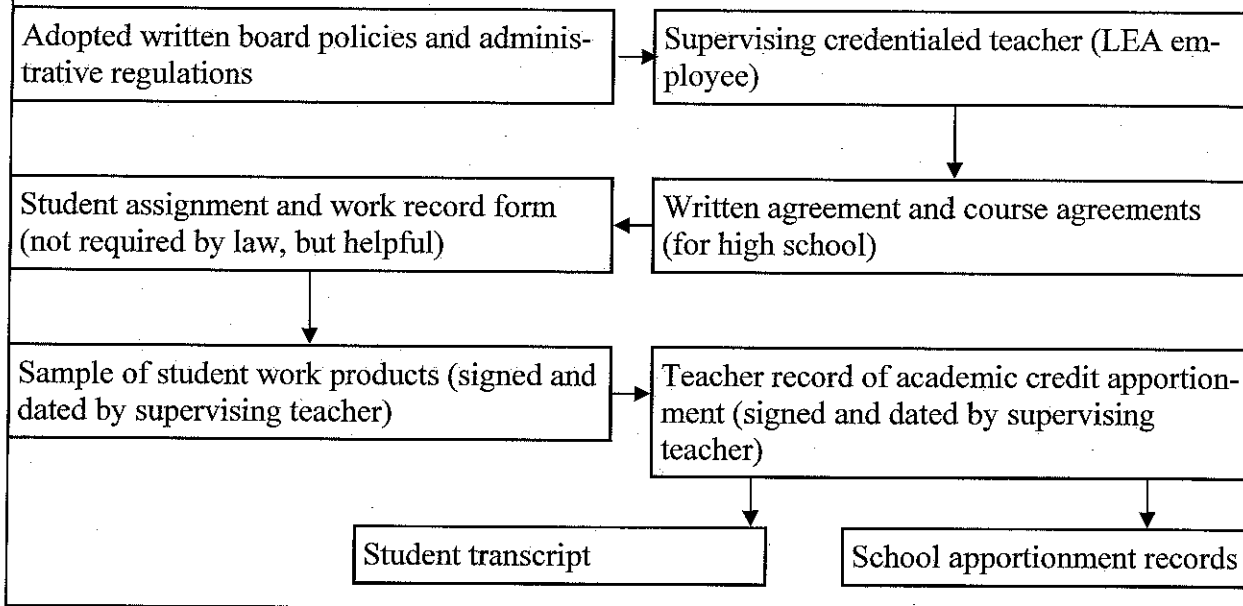


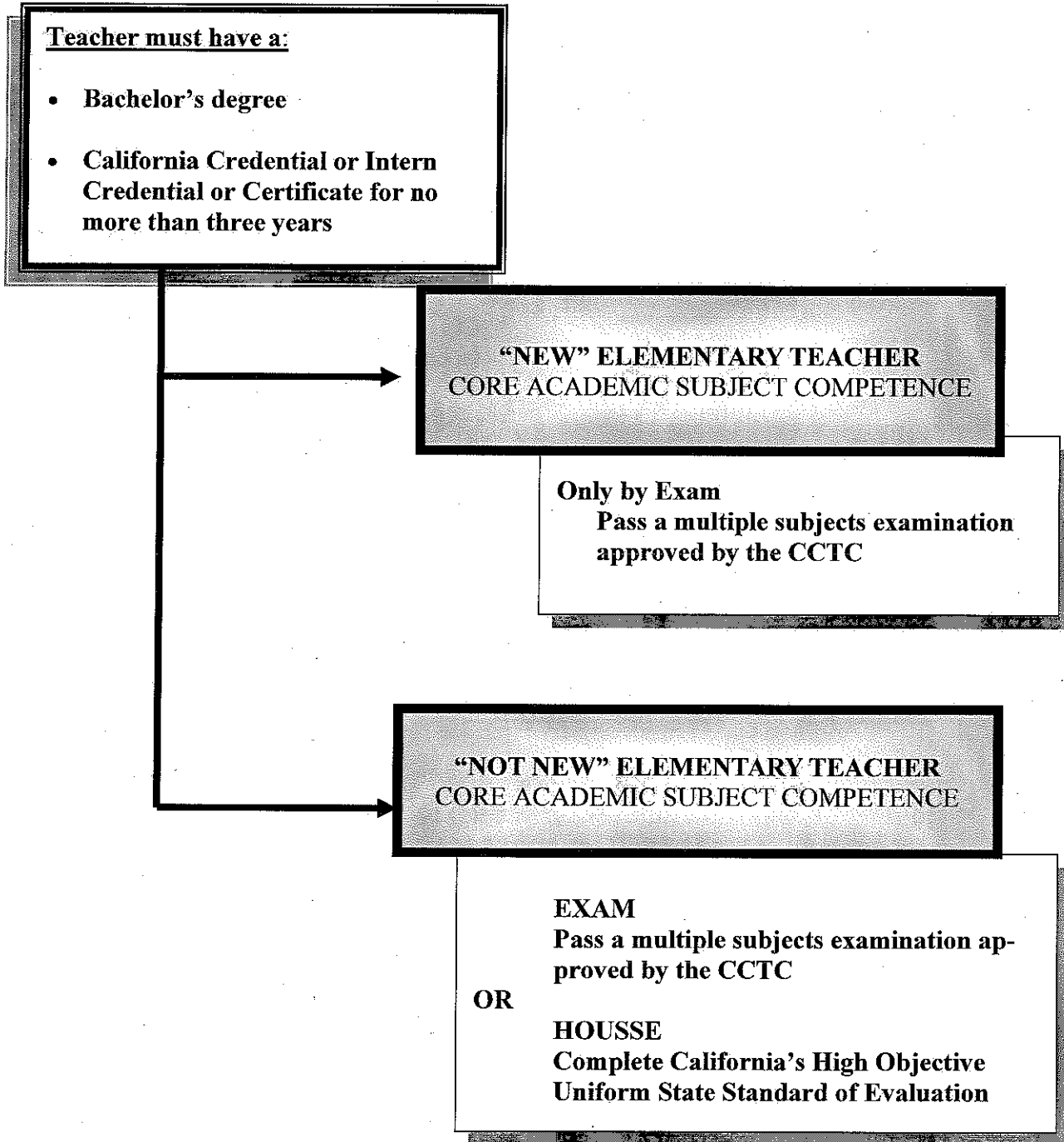
Figure 2.2, Record Retention Requirements

5 CCR sections 16020-16027 define record retention requirements.

Summary chart of required length of storage of data of audits	
Document	Length of time to be kept*
Adopted written Board Policies	Class 3- 3 years
Written agreements and course agreements	Class 3- 3 years
Work assignments and work record	Class 3- 3 years
Sample of student work products	Class 3- 3 years
Teacher records (apportionment and academic)	Class 3- 3 years
Mandatory permanent pupil records (e.g. transcript)	Class 1- Permanently
School apportionment records	Class 3- 3 years

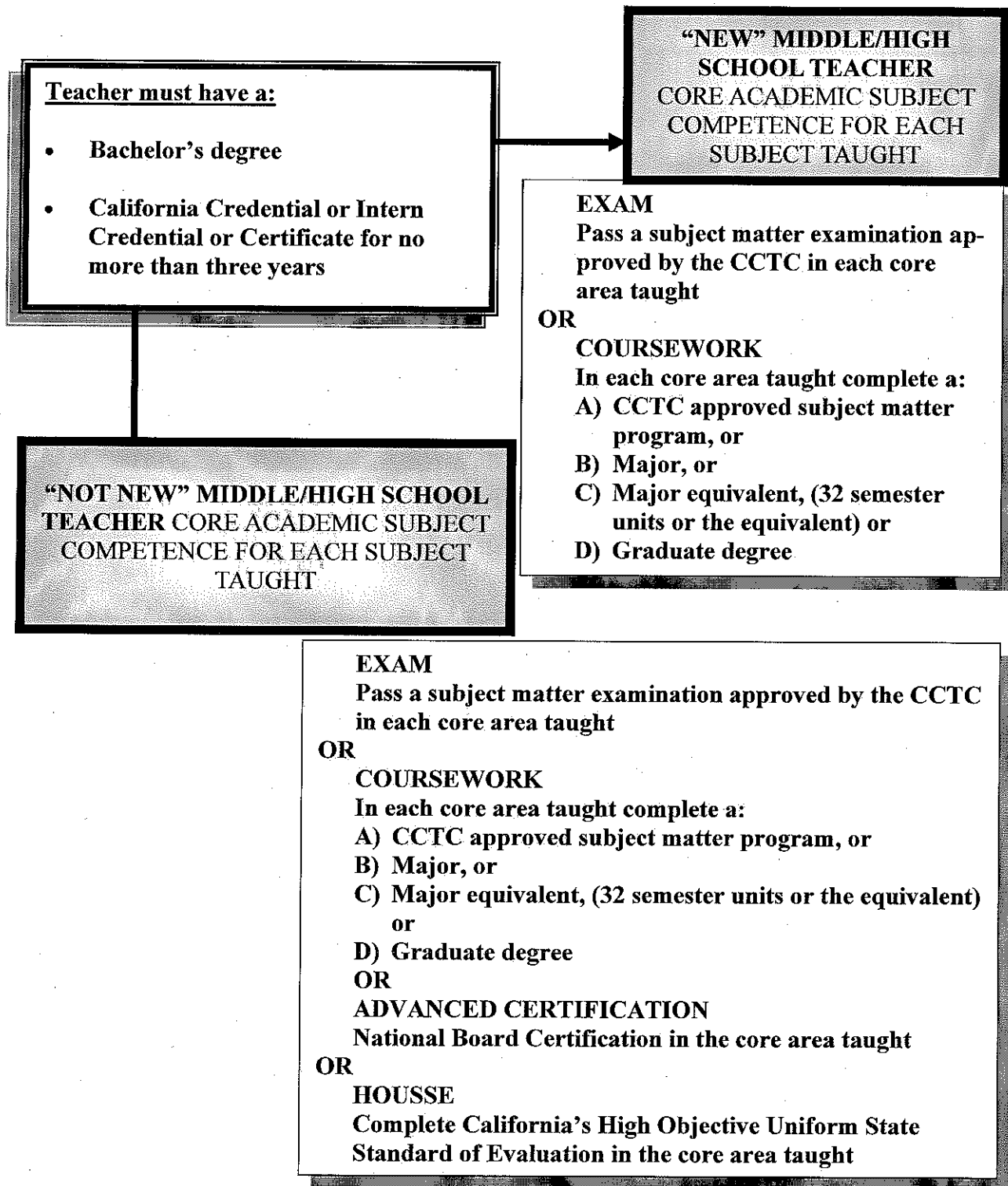
*Check district and county policy manuals for specific guidelines and see 5 CCR sections 16023, 16026. Class 3 records must be retained until after the third July following the completion of the audit required by Education Code Section 41020.

Figure 2.3, NCLB Compliance for Teachers with Elementary Assignments



Adapted from page 10, *NCLB Teacher Requirements Resource Guide*, © 2004 Professional Development and Curriculum Support Division, California Department of Education. www.cde.ca.gov/nclb/sr/tq/

Figure 2.4, NCLB Compliance for Teachers with Middle/High School Assignments



Adapted from page 11, *NCLB Teacher Requirements Resource Guide*, © 2004 Professional Development and Curriculum Support Division, California Department of Education. www.cde.ca.gov/nclb/sr/tq/

Figure 2.5, California’s NCLB Teacher Requirements

	“New” to The Profession Holds a Credential or an Intern Credential or Certificate Issued <u>on or after July 1, 2002</u>	“Not New” to The Profession Holds a Credential or an Intern Credential or Certificate Issued <u>before July 1, 2002</u>
GRADE SPAN	ELEMENTARY SCHOOL	ELEMENTARY SCHOOL
REQUIREMENTS	1) Bachelor’s degree (Sec. 3.2.1) 2) California Credential or an Intern Credential or Certificate for no more than three years (Sec. 3.2.2) 3) Core academic subject competence must be demonstrated by: (Sec. 3.2.3) EXAM: Pass a multiple subjects examination approved by the California Commission on Teacher Credentialing (CCTC)	1) Bachelor’s degree (Sec. 3.2.1) 2) California Credential or an Intern Credential or Certificate for no more than three years (Sec. 3.2.2) 3) Core academic subject competence may be demonstrated by: (Sec. 3.2.3) EXAM: Pass a multiple subjects examination approved by the California Commission on Teacher Credentialing (CCTC) or HOUSSE: Complete California’s High Objective Uniform State Standard of Evaluation
GRADE SPAN	MIDDLE AND HIGH SCHOOL	MIDDLE AND HIGH SCHOOL
REQUIREMENTS	1) Bachelor’s degree (Sec. 3.2.1) 2) California Credential or an Intern Credential or Certificate for no more than three years (Sec. 3.2.2) 3) Core academic subject competence must be demonstrated by (Sec. 3.2.3): EXAM: Pass a subject matter examination approved by the CCTC in each subject taught or COURSEWORK: In each core area taught complete a: CCTC approved subject matter program, or Major, or Major equivalent, (32 semester units or the equivalent) or Graduate degree	1) Bachelor’s degree (Sec. 3.2.1) 2) California Credential or an Intern Credential or Certificate for no more than three years (Sec. 3.2.2) 3) Core academic subject competence must be demonstrated by (Sec. 3.2.3): EXAM: Pass a subject matter examination approved by the CCTC in each subject taught or COURSEWORK: In each core area taught complete a: CCTC approved subject matter program, or Major, or Major equivalent, (32 semester units or the equivalent) or Graduate degree or ADVANCED CERTIFICATION: National Board Certification in the core area or HOUSSE: Complete California’s High Objective Uniform State Standard of Evaluation

Adapted from page 9, *NCLB Teacher Requirements Resource Guide*, © 2004 Professional Development and Curriculum Support Division, California Department of Education. www.cde.ca.gov/nclb/sr/tq/

Figure 2.6, Checklist for Legal Compliance

\$\$ indicates condition of apportionment (funding) ✓ Enter a check mark to indicate compliance is met. Any boxes that are not checked indicate noncompliance. Corrective action must be taken to resolve prior to the audit process.			
	Legal Citation	✓	\$\$
A. PROCEDURES			
Board policy must be adopted pursuant to the procedures based on the California <i>Education Code</i> and <i>Title 5, California Code of Regulations</i> , Division 1, Chapter 11, Subchapter 13, Independent Study.			
1. Are adopted governing board policy and procedures in place?	51745		\$\$
<ul style="list-style-type: none"> • Was board policy and accompanying administrative regulations based on <i>Education Code</i> Section 51747 and 5 <i>CCR</i> Section 11701? • Was there a public hearing for independent study for policy making? • Have board policy and administrative regulations been reviewed and updated as needed? 	51747 11701		
2. Is there a copy of a present board policy, administrative regulations, and procedures relating to independent study available?	51747 11703(b)(1)		\$\$
B. BOARD POLICY			
As a condition of apportionment, districts must have adopted board policy, which encompass legal requirements pertaining to independent study.			
1. Was policy adopted pursuant to the procedures set forth in Title 5 regulations? A public hearing considering the scope of independent study.	11701		\$\$
2. Does the policy state the maximum length of time, by grade level and type of program, that may elapse between when the independent study assignment is made (by supervising teacher) and the date by which the student must complete the assigned work?	51747(a)		\$\$
<ul style="list-style-type: none"> • Is there a statement to extend this period when circumstances warrant a longer time? 			
3. Does the policy state the number of missed assignments that will be allowed before an evaluation is conducted to determine whether the student should remain engaged in independent study or return to the regular school program?	51747(b)		\$\$
4. Does the policy contain a statement that a written agreement will be maintained on file for each independent study student and that the agreement will contain the components specified in <i>Education Code</i> Section 51747?	51747(c)		\$\$
5. If independent study is offered to adults, does the policy encompass students in Adult Education?	51747(d)		

§§ indicates condition of apportionment (funding) ✓ Enter a check mark to indicate compliance is met. Any boxes that are not checked indicate noncompliance. Corrective action must be taken to resolve prior to the audit process.			
	Legal Citation	✓	§§
C. ADMINISTRATIVE REGULATIONS Administrative regulations and/or procedures must contain statements for the following:			
1. No student shall be required to participate in independent study and a classroom option is always available.	51747(c)(7)		
2. Students enrolling in independent study must be residents of the local county or an adjacent county.	51747.3(b)		§§
3. The district shall not provide independent study students and parents/guardians with funds or items of value that are not provided to regular classroom students.	51747.3(a)		§§
4. No individual with exceptional needs, as defined in <i>Education Code</i> Section 56026, may participate in independent study unless his/her IEP specifically provides for independent study participation.	51745(c)		
5. No temporarily disabled student may receive individual instruction pursuant to <i>Education Code</i> Section 48206.3 by means of independent study. (Home and hospital instruction <i>may not</i> be provided through independent study. However, if the parents/guardians and district agree, the student may <i>instead</i> receive instruction through independent study as an <i>alternative</i> to home and hospital instruction).	51745(d)		
6. No more than 10% of the students enrolled in opportunity education may be eligible for apportionment credit for independent study. (Note: Enrollment is defined as current year P-2 ADA of each opportunity school; not district-wide aggregate.)	51745(b)		
7. Each pupil's independent study shall be coordinated, evaluated, and notwithstanding <i>Education Code</i> Section 46300(a), under the general supervision of a certificated employee of the school district or county office.	51747.5		§§
8. Record retention requirements defined in <i>Education Code</i> Section 51748 that list all elements stated in 5 <i>CCR</i> Section 11703.	51748 CCR 5 11703		
9. A written independent study agreement must be executed and maintained for each participating student and contain all of the components prescribed by law: These components are listed on the subsequent page, under <i>Legal Compliance: Independent study Agreement</i> .	51747(c)		§§
10. Restrictive language and procedures to prevent claiming of Class-Size Reduction funding for any pupil enrolled in independent study.	52123		
11. Procedures to prohibit claims independent study ADA funding for pupils enrolled in a full-time independent study program who have been enrolled in the district on an inter-district parent employment request .	51745.6		

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	Legal Citation	✓	\$\$
C. ADMINISTRATIVE REGULATIONS (Continued)			
Administrative regulations and/or procedures must contain statements for the following:			
12. A procedure to prevent claiming independent study ADA funding for expelled or suspended pupils unless classroom instruction is made continuously available to the pupil and this classroom option is stated in independent study agreement.	48204(f)		\$\$
13. Procedures to ensure that ADA for independent study remains within teacher-to-ADA statutory limits.	51747(c)(7)		\$\$
D. INDEPENDENT STUDY AGREEMENT			
All written independent study agreement regulations must be listed on the independent study agreement and in board policy or administrative regulations. The independent study agreement shall include, but not be limited to, all the following:			
1. Student name, grade, program placement,	51748		\$\$
2. School enrolled (must be officially enrolled in a specified school of a school district or county office),	51748		\$\$
3. The manner, times, frequency and place for submitting a pupil's assignments and reporting pupil's progress,	51747(c)(1)		\$\$
4. Objectives and methods for study for the pupil to complete the work assignments,	51747(c)(2)		\$\$
5. Methods to be used by supervising teacher to evaluate the pupil's work on assignments,	51747(c)(2)		\$\$
6. Specific resources available to the pupil, including personnel and materials,	51747(c)(3)		\$\$
7. A statement of the adopted policy regarding the maximum length of time allowed between the assignment and the completion of the pupil's work AND number of missed assignments that would trigger an evaluation to determine if the pupil should remain on independent study,	51747(c)(4)		\$\$
8. The duration of the independent study agreement, including the beginning and ending dates for each independent study student,	51747(c)(5)		\$\$
9. A statement of the number of course credits or, for elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion, and	51747(c)(6)		\$\$
10. A statement that independent study is an optional educational alternative in which no student may be required to participate and a classroom option is continuously available.	51747(c)(7)		\$\$

\$\$ indicates condition of apportionment (funding)
 ✓ Enter a check mark to indicate compliance is met. Any boxes that are not checked indicate noncompliance. Corrective action must be taken to resolve prior to the audit process.

	Legal Citation	<input checked="" type="checkbox"/>	\$\$
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D. INDEPENDENT STUDY AGREEMENT (Continued)
 All written independent study agreement regulations must be listed on the independent study agreement and in board policy or administrative regulations. The independent study agreement shall include, but not be limited to, all the following:

11. In the case of a suspended student pending expulsion pursuant to <i>Education Code</i> Section 48915 or 48917, a statement that instruction may be provided through independent study <i>only</i> if the student is offered the alternative of classroom instruction.	51747(c)(7)		\$\$
12. Signatures and date signed by the (1) pupil, (2) the parent/guardian (if pupil is a minor), (3) certificated supervising teacher, and (4) other persons directly responsible for providing assistance to the pupil. If no other persons involved, then LEAs may notate "N/A" on signature line.	51747(c)(8) CCR 5 11702(a)		\$\$

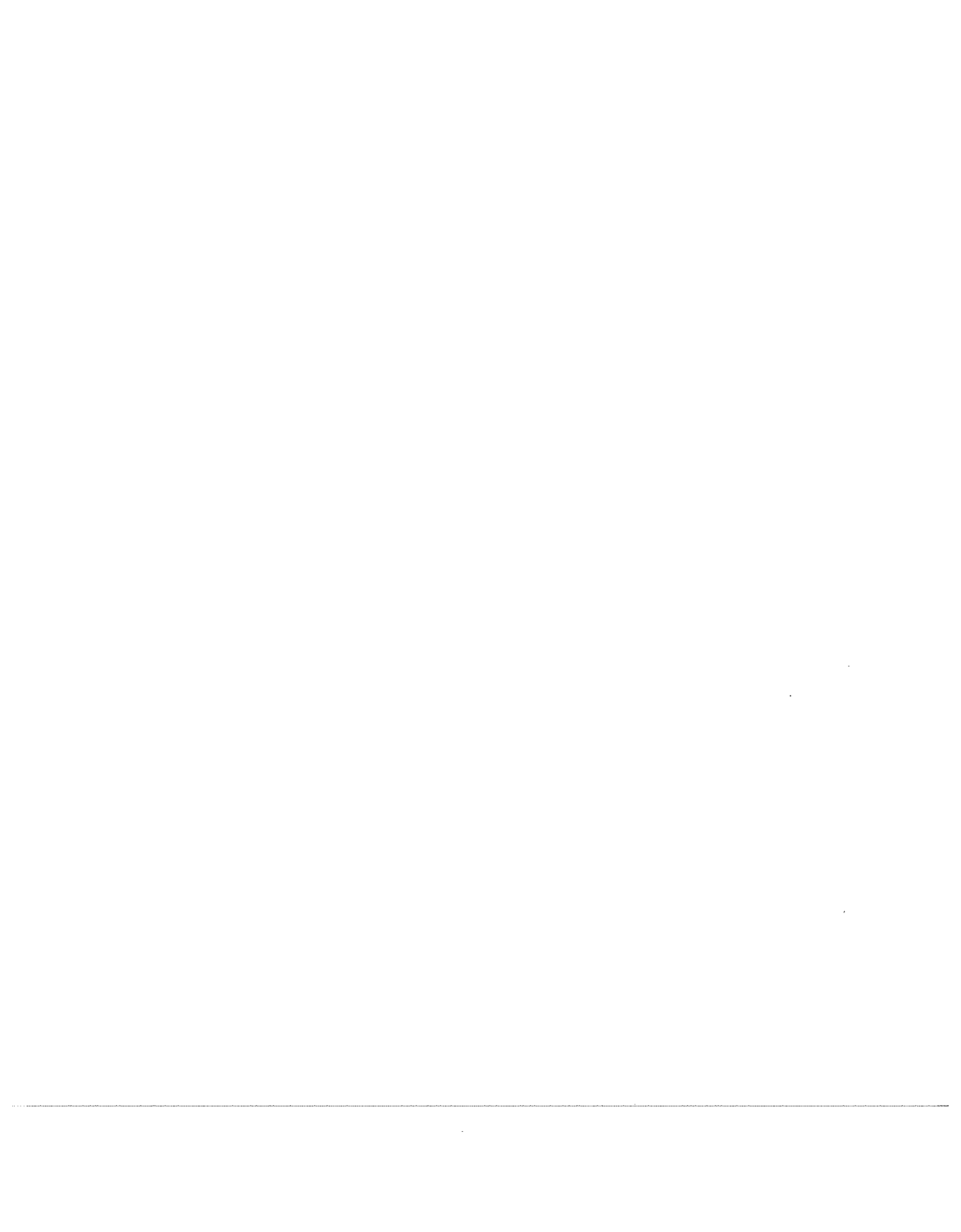
E. STUDENT ASSIGNMENT/WORK RECORD (Subsidiary Agreement)
 The student assignment/work record supplements or is an extension of the independent study agreement. The student assignment/work record contains required components of the independent study agreement that often includes:

1. Course of study/subjects.	CCR 5 11702(b)		\$\$
2. Objectives of the assignments.	51747(c)(2)		\$\$
3. Method of study (activities that the student needs to complete the objectives).	51747(c)(2)		\$\$
4. Resources materials (texts, workbooks, videos, computer activities, projects) and personnel who may be assisting the student to meet the objectives.	51747(c)(3)		\$\$
5. Method of evaluation for attendance and academic credit.	51747(c)(2)		\$\$
6. Date assignment made and date assignment due.	51747(c)(4)		\$\$
7. Grades and/or credits earned* after the assignment is completed.	51747(c)(6)		\$\$
8. Attendance credits.*	51747.5(b)		\$\$
9. Dated signature of certificated teacher. For secondary grades, the signature of the course/subject teacher on this subsidiary agreement fulfills the signature/date requirement of the "other person responsible" pursuant to <i>Education Code</i> Section 51747(c)(8).	51747(c)(8)		\$\$
10. Dated signature of participating student. Dated signature of parent not required on sub-agreement if contained on independent study agreement.	51747(c)(8)		\$\$

*The teacher may keep grades, credits, and attendance on the student assignment/work record or on a separate form, in a grade book, in a final report, or on the subsidiary agreement, etc.

§§ indicates condition of apportionment (funding) ✓ Enter a check mark to indicate compliance is met. Any boxes that are not checked indicate noncompliance. Corrective action must be taken to resolve prior to the audit process.			
	Legal Citation	✓	§§
F. ATTENDANCE			
Attendance procedures for independent study must include the following:			
1. For K-12, record only whole days.			§§
2. For adult school, continuation, and opportunity, record hours.			§§
3. Use a separate state-approved attendance register. <ul style="list-style-type: none"> • If using an alternative or computerized accounting system for attendance, a written approval from the California Department of Education must be on file. 	CCR 5 11703(b)(4)		§§
4. Teacher records must match ADA reported.			§§
5. Work accepted after the due date cannot be claimed for apportionment.			§§
6. Excessive days/hours for attendance cannot be banked.			§§
G. RECORDS			
The following records must be available for an audit. Records shall include, but not be limited to:			
1. A copy of the district policy, administrative regulations, and procedures pertaining to independent study.	CCR 5 11703(b)(1)		§§
2. A file for each student containing a: <ul style="list-style-type: none"> • Written independent study agreement and any subsidiary agreements • Student assignment/work record, • Representative samples of completed work by the students that have been evaluated by a certificated teacher, • Record of attendance credits, grades, and other evaluations of independent study assignments, and • Student transcript for high school students (transcript should list the "school of record" and not a program's name or "independent study"). 	CCR 5 11703(b)(3)		§§
3. A list of all students by grade level, program or school, who have participated or are currently participating in independent study showing credits attempted by and awarded to each student and a record of the student's attendance.	CCR 5 11703(b)(2)		§§
4. An attendance register for independent study records separate from the register(s) used for regular classroom attendance.	CCR 5 11703(b)(4)		§§
5. If using a system of accounting other than the state-approved register (computerized attendance accounting), a letter of approval by CDE must be on file.			§§

<p>\$\$ indicates condition of apportionment (funding) ✓ Enter a check mark to indicate compliance is met. Any boxes that are not checked indicate noncompliance. Corrective action must be taken to resolve prior to the audit process.</p>			
	Legal Citation	✓	\$\$
<p>G. RECORDS (Continued) The following records must be available for an audit. Records shall include, but not be limited to:</p>			
6. A list of independent study teachers that includes their teacher assignments. This list allows the auditor to calculate the ratio of independent study ADA/teacher and compare the ratio to other instructional programs in the district. Adult education is not restricted by this teacher-to-ADA ratio.	51745.6		\$\$
<p>Note: All records except the student transcripts which are kept permanently) are to be kept for three years and made available for auditing.</p>			
<p>H. WORK SAMPLES</p>			
1. Representative samples of original work for each student bearing signed or initialed and dated notations by the supervising teacher indicating he/she has evaluated the work, or that he/she has personally reviewed the evaluations made by another certificated teacher.	CCR 5 11703(b)(3)		\$\$
2. Representative samples are defined as examples representing student work pertaining to independent study assignments where ADA was reported for attendance credit. Educational assignments must be consistent with course of study and board adopted curriculum and representative samples reflective of this.	CCR 5 11703(b)(3)		\$\$
3. The work sample should include the identification of the: <u>Required</u> <ul style="list-style-type: none"> • Certificated supervising teacher signature or initials indicating that he/she has personally evaluated the work, or has personally reviewed the evaluations made by another certificated teacher. • Date of assessment evaluation for attendance and academic credit. <u>Recommended</u> <ul style="list-style-type: none"> • Subject • Student's name • Date student completed the assignment • Academic evaluation • Notation of the assessment evaluation for attendance credit (number of days/hours). 	CCR 5 11703(b)(3)		\$\$





Section Three: Planning

Decision Phase

Planning and identifying best practices will prevent future headaches and noncompliance. A few questions to consider are:

- How will we offer the instructional strategy?
- How will we verify compliance?
- How will we develop?
- How will we implement the plan?
- How will we train the staff?

Considerations for Independent Study

Educational agencies must allow students to makeup, within a reasonable period of time, missed assignments and tests for excusable absences (*Education Code* Section 48205).

The following are two options which may be made available to students who are absent from school:

- Offer weekend (Saturday) make-up school and have makeup assignments available for students with less than five absences. Mandate that truant students attend weekend (Saturday) school to make up lost instructional days and mitigate the SARB process.
- Offer independent study to students who will be absent from school five or more consecutive school days.

Centralized vs. Decentralized

Determine if you should operate a centralized or decentralized independent study program, or a combination thereof.

Centralized

A centralized independent study program works best when the student has multiple subject teachers, a scenario common at middle and high schools.

Q: Why would a make-up policy be better for the District?

A: *Make-ups occur after the fact and independent study agreements must be made prior to missing school. Saturday school may be effective for making up days that occur after-the-fact. Be aware of Federal and State Meal mandate for instructional make-up days provided on weekends.*

- Positives
 - Fewer individuals involved, which reduces risk of noncompliance
 - One central location
 - Uniform independent study district-wide
 - Easier to monitor compliance
 - Individuals are more likely to stay abreast of legal compliance
 - More equitable
- Negatives
 - Location
 - Parent/pupil access
 - Managing the paperwork is generally more difficult when multiple teachers who already have a full workload are involved in the process

Decentralized

A decentralized program works best at the elementary level when only one teacher is directly involved and responsible for the student's short-term independent study.

- Positives
 - Familiar location
 - Student continues bond with classroom teacher
 - Easier entry back to classroom
 - Teacher familiar with the ability of student
- Negatives
 - More people involved
 - Increased risk of noncompliance
 - Obtaining buy-in and cooperation from everyone

Assess Absence Data

It may not be advantageous to offer short-term independent study for the entire school year. The goal should be to focus on peak (high) absence periods and structure the independent study accordingly.



Helpful Hints:

- *Careful consideration of the pros and cons is important. Both methods (centralized and decentralized) work well. Remember, a supervising teacher must be assigned overall responsibility of the pupil's independent study even when multiple teachers are involved in the pupil's educational courses. The other teachers involved should sign and date the subsidiary agreement (course or work assignment record) or the independent study agreement as the other responsible person(s).*
- *A central location may be practical for independent study. A welcome center for new enrollees may also function well with independent study students.*

- The most common peak absences occur during:
 - Thanksgiving - January 31 (eight school weeks).
 - The week before and after spring break (two weeks).
- Identifying the reasons for student absences may lead to other viable options such as extending the winter break to accommodate:
 - Families who visit their countries of origin.
 - Extended winter vacations.
- Once the absence data has been assessed, independent study curriculum based on state and board adopted standards can be designed/developed for these peak periods (basically ten weeks). The curriculum should be reasonably equivalent to the classroom instruction that generally would be covered during this ten week period.
- Advance notification of the availability, criteria for participation, and process for requesting independent study should be communicated to parents via the enrollment package, letter, newspaper, and/or school assembly.

Who Will Be the Supervising Teacher?

Determining who will be the supervising teacher for short-term independent study is extremely important. Generally, one teacher has these responsibilities, and often may work with other subject or course teachers or other persons directly responsible for providing assistance to the student during his or her voluntary participation in the independent study program. The supervising teacher generally does not supervise other teachers, rather he or she supervises (oversees) the activities and curriculum associated with the student's independent study. In rare instances, compliance with federal NCLB requirements may lead to junior and high school students having 2-4 supervising teachers- one for each subject- all of whom are supervised by a credentialed administrator responsible for some of the typical duties of the supervising teacher. The key is to ensure that there is no lack of necessary coordination and supervision of the student's independent study.

Administrators should ensure that independent study teachers are provided adequate staff development and resources to enhance program operations and facilitate compliance.

Q: How can the district office find out why students are absent?

A: The school office managers usually know what the patterns mean. Absences may vary by school and may relate to socio-economic factors.

Q: What are traditional high absence periods?

A: *In many districts the winter recess is expanded from two to four or more weeks. In other areas, spring recess is doubled. Many families visit loved ones in foreign countries during holiday seasons.*

Q: Can we have the pupil gather work assignments from each of their teachers?

A: *No, the supervising teacher is responsible for coordination of the work assignments to be given, not the pupil.*

Generally, the elementary classroom teacher is both the student's classroom teacher and independent study teacher. At the middle and high school level however, the student has multiple subject teachers, which complicates independent study operations.

Options which work well when the supervising teacher is the homeroom teacher are to have one or two teachers who are the supervising teacher for the site, or an additional teacher from the full-time independent study program who coordinates short-term independent study for one or more school sites during peak absence periods. At the secondary level, the course teacher can design and grade student assignments but the assigned supervising teacher must personally review and evaluate the grade(s) and apportionment credit given by the other teachers, as mandated by law and evidenced by his or her dated signature or initials on the student's work samples and apportionments records.

The pros of having the classroom teacher be the supervising teacher are continuity of instruction, student bonding, and the ability to design assignments to meet the student's ability. The downsides are the operational impact on the classroom teacher, the process may take time away from other classroom students, and classroom teachers generally do not return necessary paperwork essential to the audit process in a timely manner.

In general, teachers must be assigned as the supervising teacher and should be knowledgeable of independent study laws and procedures required to ensure compliance.

Curriculum Assignments

The greatest challenge in terms of an efficient independent study system is obtaining comparable and adequate work assignments from the classroom teacher for the student to complete during the duration of the independent study. A viable option is to develop and set up the curriculum in files by calendar month by grade level and/or by course topic. An automated independent study curriculum system is generally preferred over a manual system and is available at a nominal monthly or annual fee from vendors such as School Pathways (www.schoolpathways.com). (Sample forms and materials from School Pathways are shown in Figures 7.19-7.26, pages 7.34-7.46.)



Common Audit Exception:

The school site did not have documentation to support the reports sent to the district.

To avoid this exception:

- *Keep copies of all agreements and information sent to the district*
- *Check faxed material to determine if all pages were transmitted*
- *Verify that requested documentation has been received*

Q: What is a calendar of assignments?

A: *Teachers may post a calendar of class and homework assignments for each week and even for the entire month. In addition, copies may be given in advance to pupils, sent home to parents, posted on a web site, or discussed on a homework hotline recording.*

The development of standardized curriculum packets can also be accomplished by organizing a curriculum team, comprised of educational experts, to develop the student curriculum assignments for short-term independent study, or by purchasing a research-based curriculum and lessons from a federal and state approved vendor, such as Learning Plus Associates (www.standardsplus.org).

Independent Study Curriculum Team

The team can consist of a teacher from each grade level (elementary) and/or each subject area (secondary schools). The focus of the team should be the development of standard packets:

- a. Organized by month, grade level, subject area,
- b. Based on district adopted curriculum, and
- c. Targeting identified peak absence periods, generally only an eight to ten week period.

Independent Study Resources

Operational resources may include:

- A fax machine to send and receive assignments and completed work,
- A computer to send e-mail assignments and perform record keeping functions, such as follow-up activities and data analysis,
- Instructional materials such as extra textbooks and supplementary materials,
- A file cabinet, and
- A telephone

Planning Phase

The following are activities for consideration during the planning phase:

- Validate legal compliance
 - Update/develop board policy and regulations to comply with law
 - Update/design independent study agreement to comply with law
- Target pupils to be served, curriculum to be offered
 - Focus on high absence periods first
- Identify planning committee



Helpful Hints:

- *Identify categorical or lottery funding sources that may supplement the cost of curriculum and staff development activities.*
- *Copier costs may be very expensive for students on independent study. Be sure to check any potential copyright violations.*

- Select curriculum team (or classroom teacher role)
 - Establish tasks
 - Assign responsibilities/timelines
 - Plan curriculum material development
- Determine how you will apprise parents

Implementation Phase

After the decision and planning phases are complete, the operational phase can be implemented accordingly, with the following activities conducted periodically:

- Implement operational systems
- Staff development (refer to Figure 3.1), which focuses on:
 - Legal compliance guidelines,
 - Board policies and regulations,
 - Roles and responsibilities, and
 - Procedures, the agreement, and other forms.
- Notification to pupils and parents of voluntary option and procedures to initiate independent study
- Continual review of the independent study process to facilitate compliance.



Q: How long should the planning phase last?

A: *Initially, a few meetings may be enough. However, it is important to continually assess the successes and challenges of the program. New laws must also be monitored.*

Q: Is there really a need for training in this area? Our teachers have been doing this for years.

A: *The laws change every year. With class size reduction, there are many new teachers. An annual training component is advisable.*

Figure 3.1: Possible Components for Staff Development

Topic Possible Areas to Emphasize

- Student Profile
- Types of students served (GATE, ESL, remedial, adult, pregnant)
 - Ways to assess student needs

- Legal Regulations
- *Education Code* and *California Code of Regulations, Title 5*
 - Local board of education policy

- Attendance Accounting Procedures/Audit Trail
- Attendance recording which is legal and accurate
 - District/county attendance reporting sheets or attendance books (manual or computerized)

- Forms
- Enrollment/drop
 - Transcript analysis (high school only)
 - Written agreements
 - Student work assignments
 - Letters to parents and students
 - Field trips
 - Teacher comment sheets
 - Diploma/graduation form

- Procedures
- Enrollment
 - Documents for audit trail backup
 - Student testing (weekly; standardized tests, competencies)
 - Entering and dropping students
 - Reporting child abuse/injury and/or accidents
 - Follow-up on non-attendees/nonproductive students
 - Evaluation of student work, grades, and credits
 - Graduation/promotion procedures

- Curriculum
- Courses offered
 - State curriculum frameworks and related publications
 - District/county curriculum guidelines
 - Course goals, objectives, and descriptions
 - Textbooks and supplementary materials available
 - Test, work sheets, activity packets, etc.
 - Audiovisual resources
 - How to develop new courses

- Resources
- School counseling services
 - District/county/community for curriculum, student health and social services, personal and career counseling

Topic Possible Areas to Emphasize

- Working with the Home Study Family • Providing in-service training to the parents who directly facilitate the students on curriculum, record keeping, lesson planning. (Remember, parent is the other person responsible. District credentialed supervising teacher must provide general supervision and is person responsible.)

- Office Procedures • Time cards • Absences • Petty cash
• Mileage forms • Supply/book orders • Purchase requisitions
• Printing requests • Typing requests

New Teacher Checklist It might be beneficial to make checklists for new teachers on:

- Paperwork that needs to be submitted when a student enrolls
- Paperwork/student work/backup that needs to be kept in student folders
- What needs to be done the first week when a new student begins
- Dates on which time cards, attendance sheets, supply orders, and other office items need to be submitted
- What needs to be done to drop students
- Procedures that need to be done for semester or year-end closeout
- Procedures that need to be followed for a student who graduates
- What paper flow needs to be followed when a student completes a agreement





Section Four:

Criteria for Participation

Independent study was designed as an option for students in situations where their special interests, abilities, or individual needs are not being accommodated in the traditional instructional program. These students should have the willingness and ability to successfully complete the educational requirements of independent study. Independent study is permissive on the part of school districts pursuant to *Education Code* sections 51745(a) and 51747(c)(7). School districts are not obligated to permit all pupils who want to participate to do so. Pupils should only be placed on independent study if the pupil can successfully accomplish their academics.

Students who may be appropriately enrolled in independent study include, but are not limited to, students who:

- Have an understanding of and commitment to independent study.
- Exhibit the ability and the willingness to work independently with limited supervision by the certificated teacher.
- Have learning styles that can best be met through independent study.
- Are exceptional or gifted and need in-depth opportunities, which may include concurrent enrollment in post-secondary educational programs, acting, athletic and/or sports participation.
- Have an acceptable reason for requesting independent study. Some acceptable reasons may include:
 - Vacation or travel
 - Funeral
 - Religious purposes
 - Safety issues
 - Jury duty
 - Severe weather situations
 - Pregnancy
 - Parental responsibilities (teen parents)
 - Family emergencies
 - Immunization
- Have medical and/or psychological problems and choose independent study in place of home/hospital instruction or have an illness that will extend beyond five consecutive school days, such as:
 - Mono
 - Chicken pox
 - Medical treatments
 - Contagious diseases



Helpful Hints:

- *Parent conferences may reveal upcoming family plans. Perhaps grandma will be babysitting for a two-week period. Perhaps a shared custody arrangement requires an airplane trip, weeks prior to a holiday recess.*
- *A student with special needs who has an Individualized Education Plan (IEP) may engage in independent study only to the extent his or her IEP specifies independent study as the instructional modality.*

- Mental, emotional, or physical trauma/injury
- Pneumonia, bronchitis
- Flu

Others who may benefit from independent study include those who:

- Have experienced difficulty in adapting to the regular curriculum, achieving academic success, or conforming to school rules, and are ready to or have dropped out.
- Could be classified as school-phobic.
- Wish to continue studies while on extended vacation or travel.
- Have received suspended expulsion (or stay of expulsion), rather than full expulsion from the governing board, and have been offered independent study with a classroom option; i.e., enrollment at a traditional or alternative school.
- Are genuinely needed at home because of illness in the family.
- Arrived in the district mid-semester.

Selection or Participation Process

A student who has met the criteria for participation may:

- Complete a full program of courses.
- Take a full program of courses and continue or take a lab class (e.g. band, chemistry) at the comprehensive school.
- Complete an extra or special course outside the regular school day.
- Enroll for a limited period of time if the student is to be out of school for five or more consecutive school days.

The selection or intake process may be accomplished via the following suggested procedure:

1. Complete an independent study participation request form at the school office.
2. Meet with the school designee (e.g., teacher, principal, school personnel) to determine if the student meets the criteria for participation in independent study.
 - Independent study is permissive on the part of school districts pursuant to *Education Code* sections 51745(a) and 51747(c)(7). School districts are not obligated to permit all pupils who want to participate to do so. Pupils should only be placed on independent

Q: I didn't think we could offer independent study when students were absent from school for medical reasons and/or illness. How can this be done?

A: A parent may decide that independent study is a viable option after the student is feeling better but still unable to return to school on a full-time or regular basis. Independent study may then start once all required parties have signed and dated the independent study agreement and the teacher has provided the student with comparable work assignments and discussed with the parents and student the method of study for the student to complete the assignments, but cannot be retroactive. Apportionment credit may not be claimed if less than five consecutive school days and may never be retroactively credited to absence days prior to the proper execution and completion of the independent study agreement. Be aware of perfect attendance policies. Many parents may still request for less than five consecutive school days so that their child's attendance record is not affected by their departure from school.

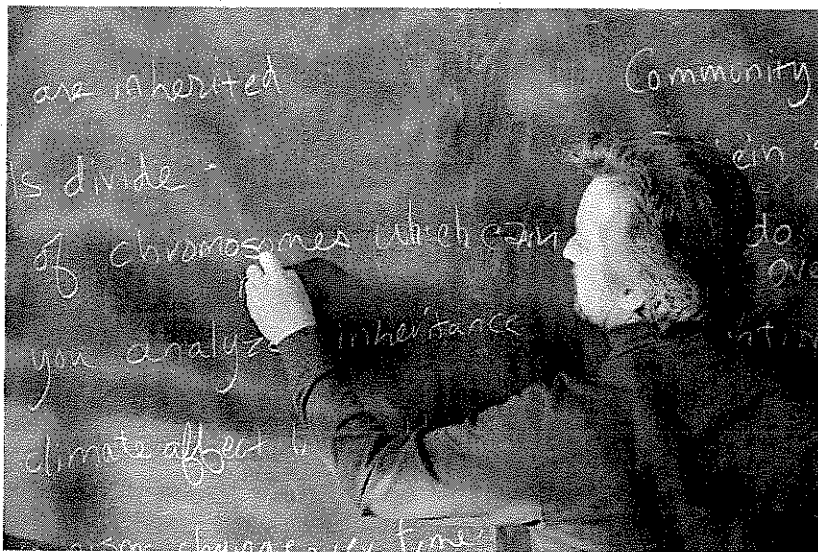
- study if the pupil voluntarily requests and can successfully accomplish their academics.
3. Complete all components of the independent study agreement with the supervising teacher.

Student Exit from Independent Study

The student or parent/guardian/caregiver may request a classroom option at any time. This request may come from the student, parent/guardian/caregiver, or school administration. As a general rule, students in grades K-12 may transfer to a classroom option at any time during a semester. The teacher, counselor or school administrator should make every effort to counsel the student and parent/guardian/caregiver to the most appropriate option. The law requires that, subject to a reasonable delay of no more than a few days, a pupil be returned to the classroom when the student opts to end independent study.

Under no circumstances may a school agency claim apportionment attendance for any student work assignments completed after whichever occurs first:

- the due date;
- the end date of the independent study agreement;
- the maximum period stated in the board policy for completion of the assignments, or;
- the student's return to seat-based (classroom) instruction.





Section Five: Operational Phase

Note to reader: This chapter provides recommended best practices to facilitate operating short-term independent study.

A properly credentialed teacher must be assigned as the supervising teacher to provide general supervision of the student's independent study. A "supervising teacher", as defined in 5 CCR sections 11700(b) and 11700(j), supervises student study, not other teachers. Every student engaged in independent study must be officially enrolled in a school of the district claiming related apportionment ADA (*Education Code* Section 51748).

Suggested Roles and Responsibilities

Parents/Guardians

- Notify school in advance, **at least five school days prior** to the planned departure from school.
- The request for short term independent study must be for a minimum of at least **five** consecutive days **and** it may not exceed (**enter term authorized by governing board, e.g. 20 consecutive school days**). It cannot be requested for less than five school days.
- The principal of the school has the right to deny a new short term independent study agreement when the student has a history of not completing work assigned.
- Except for chronic or extended medical conditions, the short term independent study agreement must be planned, written and signed **before** the start of the absences. Under **no** circumstances can it be made retroactive to an earlier date. Sign and date the short term independent study agreement **prior** to departure. If the absence is the result of a chronic or extended medical condition, independent study shall commence on the date all required parties have signed, dated and completed the agreement.

Q: Why is it critical to assign specific roles and responsibilities? We all work as a team.

A: *Teamwork is great, but one member may be missing. It is then crucial to determine what is missing from the process. It is easy to overlook a key component, unless each role and responsibility is clear.*



Helpful Hint:

Communicate the role of the parent/ guardian /caregiver through the school newsletter. Include the role on the agreement and/or on a brightly colored poster style sheet. Emphasize that independent study is an alternative educational strategy not a separate program. Its purpose is to allow the student to remain current with his/her regular classroom studies while away from school. The students' assignments will be equivalent to his/her regular classroom assignments.

- Your child must complete all assignments by the due date and/or before the date he/she returns to classroom instruction, whichever occurs first. This date is final and cannot be extended under any circumstances. Completed work may be sent by USPS priority mail, email, fax, or other agreed-upon delivery method.
- If your child is ill or absent from school on the due date, all assignments still need to be delivered to the assigned teacher by the due date specified in the agreement. This may be accomplished by any reasonable method by yourself or any other person designated by you to deliver the completed assignments.
- If assignments are completed or returned **after the due date**, academic credit may be given; but **no credit will be awarded for attendance**.
- Schedule appointment at least two days prior to departure to discuss short term independent study requirements and obtain required paperwork and pupil assignments from the supervising teacher.
- For Special Education students, a short term independent study agreement must be stipulated in the IEP if ten or more school days are requested, as this represents a change in the student's Special Education placement.
- During the term of the short term independent study, please supervise your child and ensure that he/she completes all assignments and reports as stated in the assignments agreement.
- The District/School administrator has the right to deny future independent study requests if your son or daughter fails to complete all assignments specified in the agreement.

Students

- Sign short term independent study agreement and assignments agreement **prior** to departure.
- Complete all work **prior** to the assigned due date and before returning to the regular classroom instruction.
- Return all completed work to the attendance office or to the supervising teacher **on the assigned due date** specified in the short term independent study agreement. If completed work is sent by mail, it must be sent by priority mail and postmarked with the due date of the assignments as shown on the agreement. If absent from school on the due date, send work with parent or other designated person by the due date, not when you returns to school.
- If assignments are completed and returned after the due date, academic credit may be given but no credit will be awarded for attendance. Credited days of attendance will be awarded only for equivalent completed work returned on the assignment due date.

Supervising Teacher

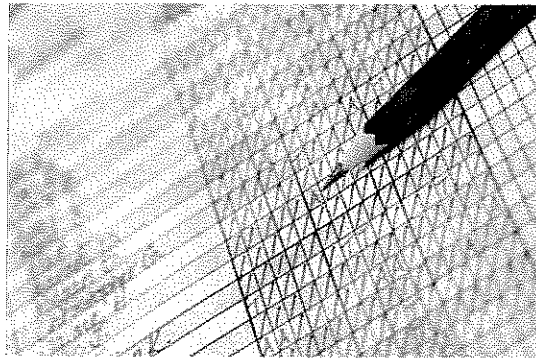
- Is a credentialed teacher employed as a teacher by (enter your district name), who designs,

Q: Does a kindergarten or first grade student have to sign?

A: *Yes, though a witness may also sign to verify. A scribble from a young student may be just as legible as the parent's legitimate signature.*

assigns, coordinates, and evaluates the work and provides general supervision of the student's short term independent study agreement.

- Completes and signs designated portions of the short term independent study agreement and the assignments agreement.
- Designates, or supervises designation, of work assignments comparable to classroom work for each day the student is authorized to be absent under the agreement. The teacher must assign courses in areas identified in the district approved course of study and content standards.
- Receives and evaluates work assignments completed by student on the assignment due date.
- Determines academic credit and apportionment credit based on time value of student work. If equivalent of minimum day, then full day apportionment credit may be claimed.
- Completes evaluation portion of the agreement, initials and dates front page of original representative sample of student's work and attaches to forms, and returns forms to the central school office no later than five school days after the student's assignment due date. These forms are submitted to the school office to allow the administrator with responsibility for the official independent study files to be the custodian of the records in accordance with board policy.
- Makes appropriate grade and notations in the grade book. The supervising teacher may gather the student's work assignments from individual teachers, and/or assign comparable lesson plans. Students should not be held responsible for collecting individual assignments or other assignment records.



Helpful Hints:

- *Teachers who routinely prepare and post all assignments will have little trouble outlining independent study assignments. Teachers who do not prepare lesson plans in advance will have a challenge.*
- *The supervising teacher must complete the apportionment attendance record on the child work assignment record and sign and date as evidence of this.*



Condition of Apportionment:

At the elementary level, the supervising teacher may be the classroom teacher. At the secondary level one of the six teachers (or another teacher) must be assigned as the supervising teacher to meet compliance with Education Code Section 51747.

Administrator

- Ensures that the short term independent study agreement occurs in accordance with laws and district policy and regulations.
- Authorizes and supervises the selection of all staff assigned to be supervising teachers.
- Has the right to deny a new short term independent study agreement when student has a history of not completing work assigned.
- Establishes and maintains a systematic manner of all records required by state regulations.

School Attendance Personnel

- Establishes and maintains, under the direction of the site administrator, an independent study filing system for each student who signed the agreement.
- Is responsible for recording student's attendance approved by the supervising teacher.
- Ensures that student remains "enrolled" in a regular class when on short term independent study.
- If a student returns to the classroom, full-time, prior to the ending date of the agreement, then the short term independent study agreement ends and regular classroom instruction begins. The code to be used for early return shall remain (enter your district's code) for the days the student was on independent study because no credit can be claimed for short term independent study fewer than five schooldays. The code (enter your district's code) is to be removed on any remaining in which the regular classroom attendance will be based on the student's actual seat time attendance. Procedures must be in place to prevent double counting attendance credit.
- While student is under the short term independent study program, records attendance as non-apportioned "pending completion of independent study" using the code (enter your district's code).
- Records the "time value" (apportionment credit) determined and reported by the independent study supervising teacher, using the code (enter your district's code).
- Records non-credited days as non-apportioned "incomplete independent study" using the attendance code (enter your district's code).
- If assignments are completed and returned **after** the due date, academic credit may be given, but no credit can be awarded for attendance purposes. Record applicable non-credit



Common Audit Exception:

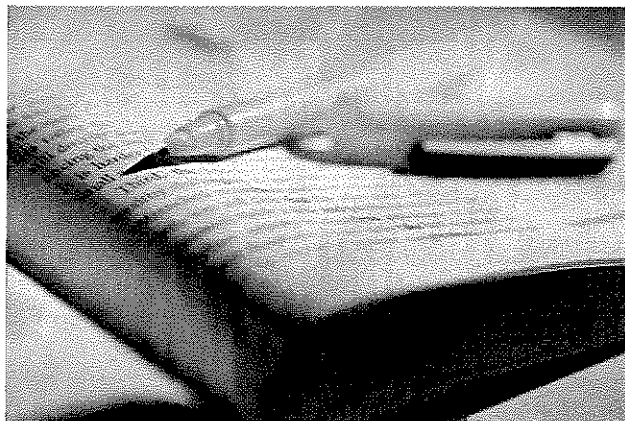
The district's independent study program is out of compliance because it is mandatory for all absences.

To avoid this exception:

- *Be sure that sites communicate that the program is voluntary.*
- *Check board policies for the voluntary language.*

days using the code (enter your district's code).

- Facilitates the proper distribution of copies of the agreement to the supervising teacher, pupil services office, and files the signed original agreement and samples of work in the student's independent study file.
- Includes the independent study attendance report with the monthly attendance summary report, which is submitted to the central business department according to the predetermined submission schedule.



Q: Do the independent study records need to be kept at the office? Some of the teachers like to keep their own files.

A: *The records must be kept in a systematic method. Auditable records are best maintained at the school site or district office. Each teacher should not be given an individual option. The teacher might not be in the same classroom at the year-end audit and records would not be easily available.*



Helpful Hints:

- *Have students returning from independent study cleared through the office prior to returning to their regular classroom or reporting to the independent study supervising teacher. This way, the office personnel are able to record the end date of independent study and ensure regular classroom attendance will commence from that point forth. The office personnel cannot record independent study apportionment until the appropriate records have been evaluated by the independent study supervising teacher.*
- *Send the parent and student a cheery reminder card to bring back the completed assignments prior to or no later than the first day back from independent study.*
- *Based on an audit checklist, ensure all paperwork meets compliance and provides an audit trail before it is filed away.*

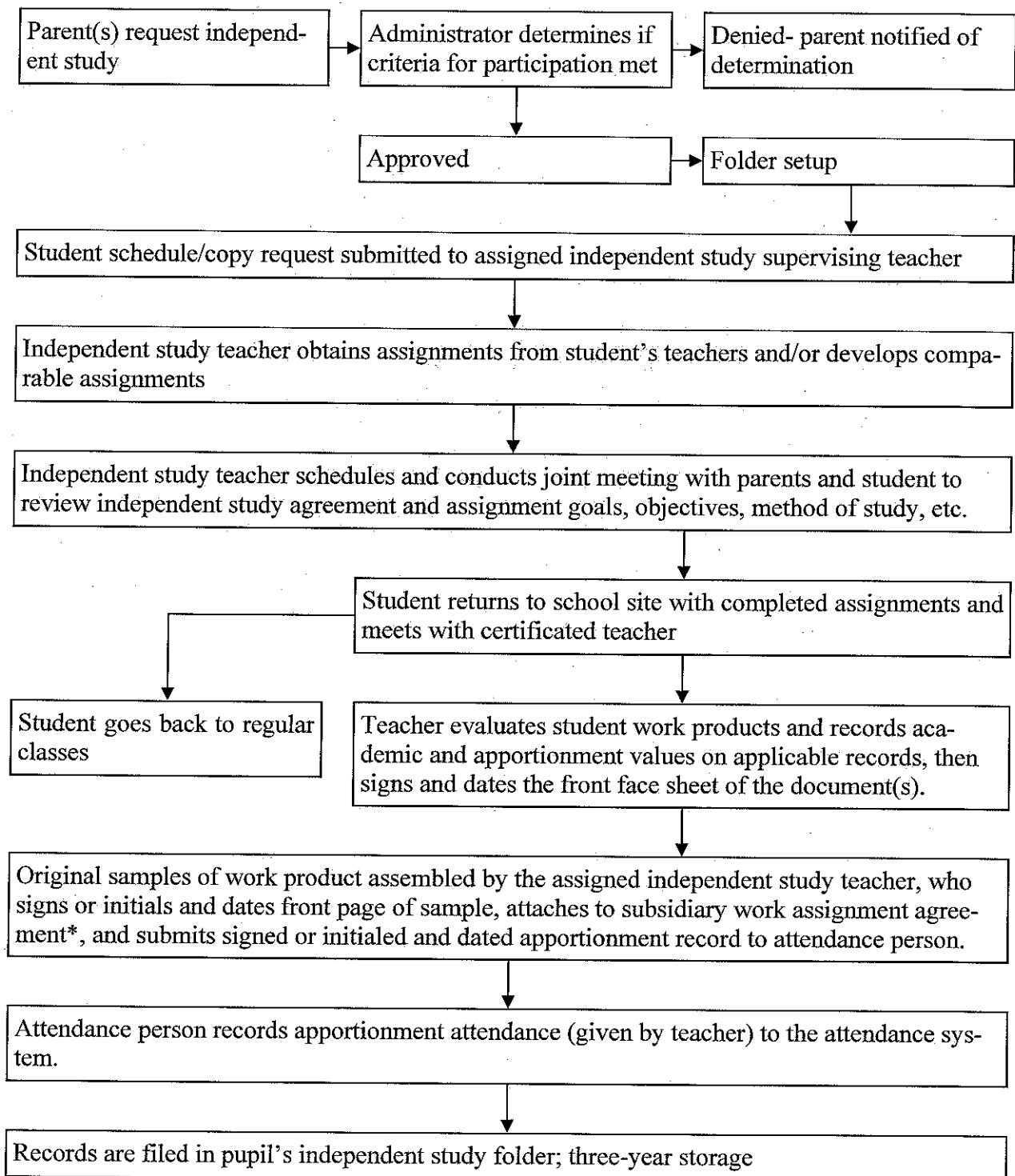


Common Audit Exception:

The school site recorded an unexcused absence until the independent study student returned the completed assignments.

To avoid this exception:

- *Do not record the independent study student as absent*
- *Record as independent study non-apportionment day*
- *When the work assignments are complete and all work accepted and evaluated by the assigned credentialed teacher for both academic and apportionment credit, then change to independent study apportionment day.*

Figure 5.1: Independent Study Flow Chart

* The subsidiary agreement often consists of the work or course assignment record, which contains several of the independent study components required pursuant to Education Code Section 51747.

Attendance Accounting

Basic Guidelines

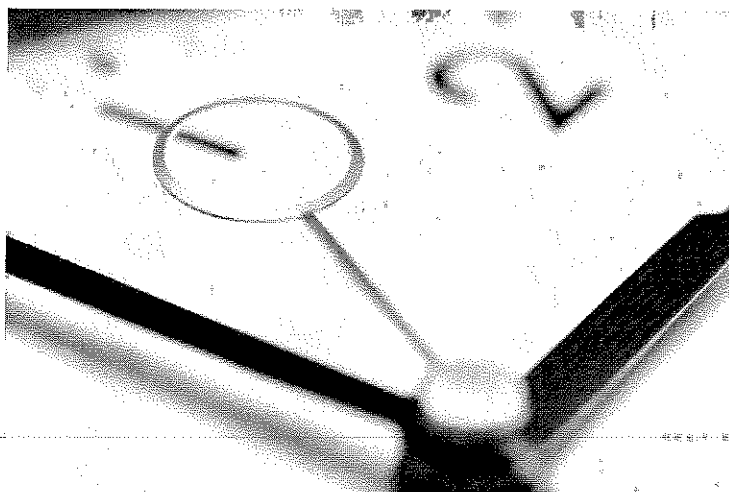
Independent study attendance must be maintained in a separate register or system approved by CDE (5 CCR Section 11703). The student generally remains enrolled in his or her regular class when on short-term independent study.

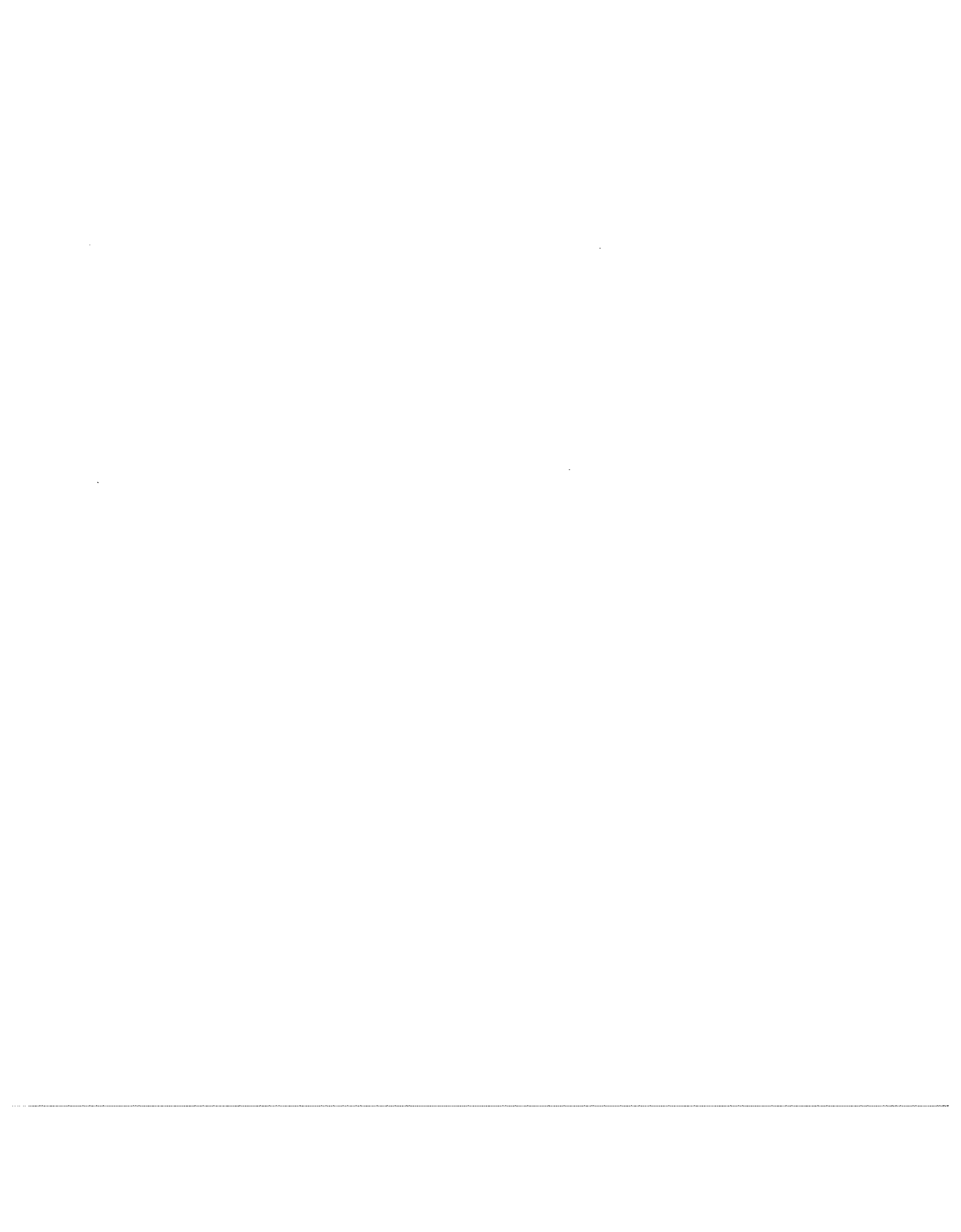
The days a student is approved to participate in independent study are disclosed on the agreement. These days cannot be recorded as unexcused or excused because the pupil is not absent, but on independent study. Record the days reflected as the duration period on the agreement to the attendance table or system as independent study non-apportionment days. In the attendance record these independent study "days" remain as nonapportionment days until the student work is evaluated by the supervising teacher, at which point the attendance record is changed to reflect independent study apportionment for each apportionment attendance credit given by the supervising teacher. Non-credited days are to remain as independent study nonapportionment, not unexcused.

Minimum Day

The ADA earned is based on the supervising teacher judgments of the time value of the student work assignments for each student engaged in independent study. *Education Code* Section 51747.5. Work assigned must be equal to the full school day adopted by the governing board for each grade level. If completed student work assignments are equivalent to what the teacher deems to be equivalent to a day's worth of ADA, then full independent study ADA is eligible.

No more than one apportionment day per school calendar day may be credited for any student engaged in independent study. (*Education Code* Section 46300(e)) The student may complete the independent study assignment at any time within the assignment period (except for charter schools); however, the teacher must assign a value to the completed work product and record to the corresponding attendance to an approved attendance form/record.







Section Six:

Internal Audit

The checklist provided in this section is to be used as a tool to assess legal compliance and operational efficiencies. It is highly recommended that a person or persons be assigned the responsibility to perform/conduct a periodic internal audit.

A single copy of *A Self-Assessment of Independent Study: Legal Compliance Checklist* may be downloaded, along with other evaluation tools and select excerpts from the *Independent Study Operations Manual*, from www.cde.ca.gov/sp/eo/is.

What Non-Compliance Items do Auditors Look For?

- Claiming a day of ADA when the student did not complete a day's worth of assignments.
- Claiming ADA prior to the signing and dating of the agreement by all required parties.
- The certificated teacher not evaluating the student's work products (sign, date, and mark the days of apportionment ADA).
- Failing to maintain original student work samples that bear the dated signature of the supervising teacher.
- Coercing and/or mandating that parents/students participate in independent study.
- Maintaining board policies and administrative regulations that are not consistent with current state laws.

Q: Must we test all student work products?

A: *No, a representative sample is sufficient. Make sure that the sample pool represents different grade levels, students, and time frames.*

Q: We bought the same attendance system as the districts surrounding ours. The salesperson said it was authorized by the state. Should we get a letter from the company?

A: *No, the attendance system may only be approved by the state, not by a vendor. State approval is of each specific agency's forms and processes, including its attendance system.*

Q: We have a problem with rats and/or mice in the storage area of our warehouse? What if the records are not usable?

A: *Many districts are obtaining approval from their auditors for maintaining a back-up copy of records on CDs. Regulations require that agencies retain the original source document for the required retention period. Keep additional copies of electronic storage at an off-site location.*



Helpful Hint:

A district office employee may be assigned independent auditor duties. With a good checklist, it may not be necessary for that individual to be a CPA or have a degree in accounting.

Figure 6.1: Internal Audit Checklist

OK = No further action needed; F/U = Follow-up action necessary

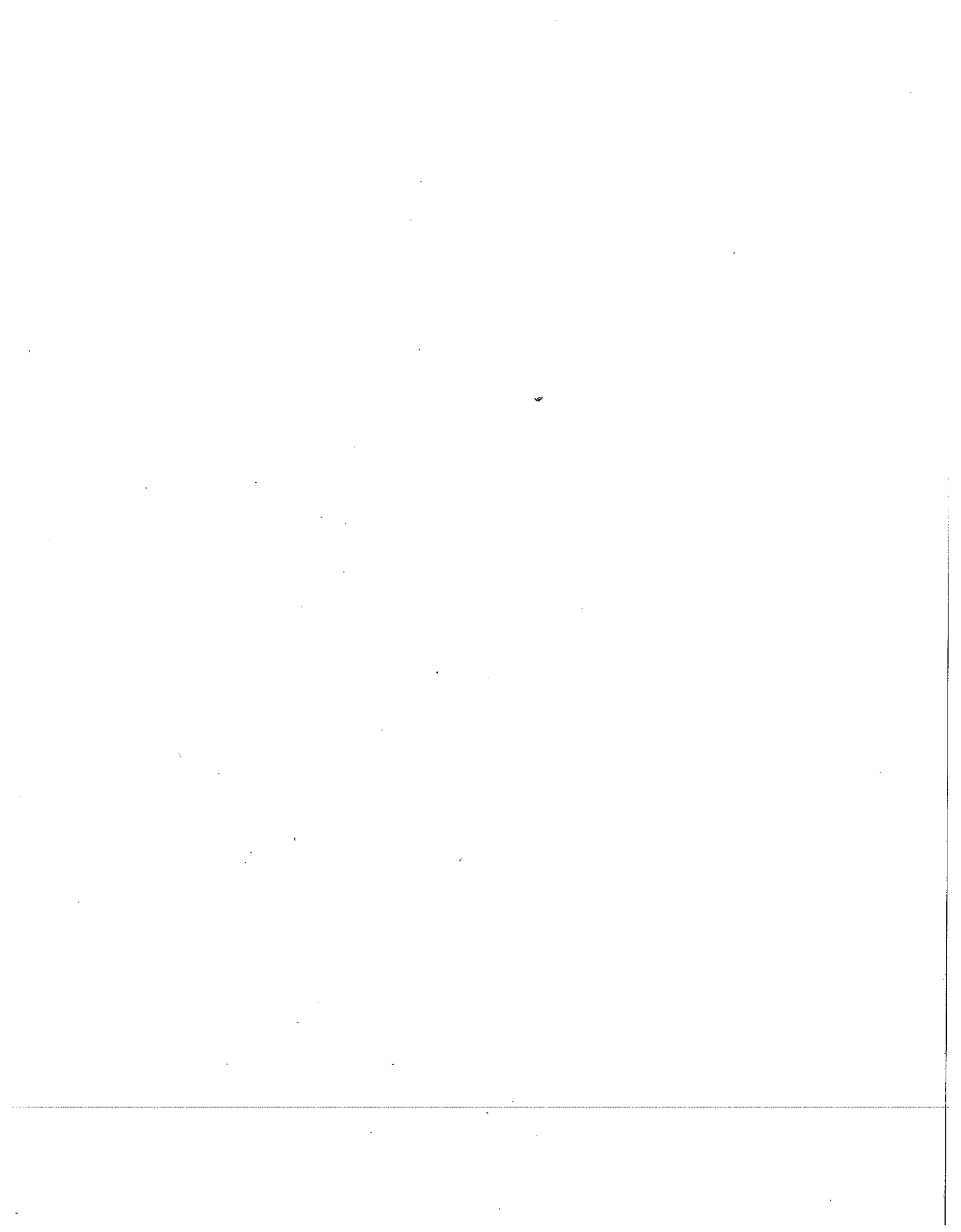
	OK	F/U
1. Review the <i>State Controller's K-12 Audit Guide</i> for areas the independent auditor will focus on. A new guide is issued annually. See www.eaap.ca.gov/NewWebSite0804/AuditGuide.htm .	<input type="checkbox"/>	<input type="checkbox"/>
2. Facility meets earthquake standards. If non-conforming to standards, has a waiver been obtained from the State Allocation Board? Check for the expiration date of the waiver.	<input type="checkbox"/>	<input type="checkbox"/>
3. Adult Education students need a classroom option available for the number of hours they are taking independent study.	<input type="checkbox"/>	<input type="checkbox"/>
4. Do procedures follow board policy and regulations? Check to see if all teachers follow the same procedures.	<input type="checkbox"/>	<input type="checkbox"/>
5. An evaluation for missed assignments according to board policy must be kept in the permanent record.	<input type="checkbox"/>	<input type="checkbox"/>
6. Classroom option must always exist. Every student must have been offered a continuous classroom option at a school of the district of attendance.	<input type="checkbox"/>	<input type="checkbox"/>
7. Check to see if orientation is part of the student's program. It cannot be counted for ADA unless it is part of the district curriculum.	<input type="checkbox"/>	<input type="checkbox"/>
8. Students cannot be enrolled in independent study for less than five consecutive school days for apportionment ADA.	<input type="checkbox"/>	<input type="checkbox"/>
9. Board policy, independent study agreement and subsidiary paperwork must agree.	<input type="checkbox"/>	<input type="checkbox"/>
10. Check to see if the teacher is writing assignment and not the parents. A credentialed teacher must be clearly identified as the supervising teacher who has all the responsibilities for the student.	<input type="checkbox"/>	<input type="checkbox"/>
11. Check the roster to see if the number of enrolled students reflects a realistic teacher to student ratio. Check to see what ADA has been generated by each teacher.	<input type="checkbox"/>	<input type="checkbox"/>
12. Signatures on the independent study agreement must include the supervising teacher and any other person or persons who is working with the student. Check to see that the supervising teacher is the one who calculates the ADA generated and evaluates all paperwork.	<input type="checkbox"/>	<input type="checkbox"/>
13. Dates must correspond the referenced paperwork. The student work sample and apportionment record must bear the signature (or initial) and date of the supervising teacher identified on the student's independent study agreement. A clear and essential audit trail must exist.	<input type="checkbox"/>	<input type="checkbox"/>
14. Check CDS number of school and see what is the allowable ADA. Some alternative schools are under the continuation school umbrella. There can be only 10% of the current P-2 ADA for that site generated. Pursuant to <i>Education Code</i> Section 51745(b), pregnant and parenting pupils are excluded from the 10% limit. Also check to see if the school is really a school. This same rule applies to opportunity programs/schools.	<input type="checkbox"/>	<input type="checkbox"/>
15. Check for multi-enrollment. Example, full time high school and full time independent study.	<input type="checkbox"/>	<input type="checkbox"/>

OK = No further action needed; F/U = Follow-up action necessary

OK F/U

- | | OK | F/U |
|--|--------------------------|--------------------------|
| 16. Determine if any funds or things of value are being provided to independent study students and/or parents and/or guardians that the LEA does not provide to students who attend regular class. | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. Board policy must include all items required in <i>Education Code</i> Section 51747. | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. Independent study agreement must have all elements required by law. Validate that no items are contrary to a student's rights. | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. Verify that a district certificated teacher coordinates, evaluates, and supervises each student's independent study. | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. Select a representative sample of teacher records. Foot and cross-foot teachers' attendance records. | <input type="checkbox"/> | <input type="checkbox"/> |
| 21. Trace the monthly totals to the attendance records. | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. Verify a written agreement exists for each independent study student. | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. Determine that no apportionment is claimed prior to the signing and dating of the agreement by all parties. | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. Determine that the written agreement contains all required elements specified by law. | <input type="checkbox"/> | <input type="checkbox"/> |
| 25. Verify that evaluated student work samples are retained in the student's independent study file and bears the dated signature (or initial) of the supervising teacher identified on the agreement. Ensure that the work product samples are related to the assignment and reflect curriculum adopted by the governing board. | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. Trace each student's attendance from the attendance record to the teacher's record, student's work record, and the corresponding work assignment. | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. Obtain/maintain a copy of the CDE approval letter for the independent study attendance system. | <input type="checkbox"/> | <input type="checkbox"/> |
| 28. Verify attendance is recorded in whole days of at least the applicable minimum day. Fractions must be rounded down for hourly programs. Verify only whole hours are claimed, no fractions. | <input type="checkbox"/> | <input type="checkbox"/> |
| 29. If all enrolled independent study pupils receive 100% apportionment ADA, ensure banking and/or makeup credit for late assignments is not included. | <input type="checkbox"/> | <input type="checkbox"/> |
| 30. Verify that pupils on an interdistrict parent employment transfer are not claimed for full-time independent study apportionment allowable for short term independent study. | <input type="checkbox"/> | <input type="checkbox"/> |
| 31. Calculate ratio of independent study teachers to full-time independent study P-2 ADA and compare to the ratio of other program teachers to other P-2 ADA. | <input type="checkbox"/> | <input type="checkbox"/> |
| 32. Verify that only California residents are claimed for ADA apportionment. | <input type="checkbox"/> | <input type="checkbox"/> |
| 33. Verify that district and site attendance records are maintained pursuant to statutory requirements. | <input type="checkbox"/> | <input type="checkbox"/> |
| 34. Check a few completed independent study agreements, with verification of components. | <input type="checkbox"/> | <input type="checkbox"/> |
| 35. Verify that records are kept in a safe and easy to find location. | <input type="checkbox"/> | <input type="checkbox"/> |





Section Seven: Resources

Who to Call for Assistance

Programmatic Matters

Ms. Mary Jones, Consultant
Educational Options Office
(916) 323-5034
FAX (916) 323-2039
E-mail: mjones@cde.ca.gov

Attendance Accounting

Ms. Kim Clement
Education Finance Division
(916) 327-0857
FAX: (916) 327-4873
E-mail: kclement@cde.ca.gov

Internet Resources

California Association of School Business Officials

California Consortium for Independent Study

California Department of Education (CDE)

Educational Options

Independent Study Operations Manual

Instructions for Ratio Calculations

No Child Left Behind

NCLB- Improving Teacher Quality

California Interscholastic Federation

Education Code (Find)

Senate Bill/Regulations/Legal Documents

State Controller's Audit Guide for K-12 Schools

Association for Supervision & Curriculum Development

Outreach and Technical Assistance Network

U.S. Department of Education

National Association of Secondary School Principals

School Pathways

www.casbo.org

www.ccis.org

www.cde.ca.gov

www.cde.ca.gov/sp/eo/

www.cde.ca.gov/sp/eo/is/

www.cde.ca.gov/sp/eo/is/calculations

www.cde.ca.gov/nclb/

www.cde.ca.gov/nclb/sr/tq/

www.cifstate.org

www.leginfo.ca.gov/calaw.html

www.leginfo.ca.gov/bilinfo.html

www.cde.ca.gov/re/lr/rr/

www.eaap.ca.gov

www.ascd.org

www.otan.dni.us

www.ed.gov

www.nassp.org

www.schoolpathways.com

Figure 7.1: Sample Independent Study Agreement

Name: _____	Student Number: _____	Grade: _____
Address: _____	Age: _____	Birthdate: _____
City: _____	ZIP: _____	Phone: _____
Duration of Agreement: _____	Beginning Date: _____	Ending Date: _____
School Enrolled: _____	Program Placement: _____	

School Responsibilities:

- This master agreement is in effect for the _____ semester for the _____ school year.
- The major objective for the duration of this agreement is to enable the child to keep current with _____ grade studies for the period covered by this agreement.
- This agreement is to enable the child to successfully reach the objectives and complete the assignments identified in the Assignment and Work-Record Form(s) that will be a part of this agreement. With the support of the parent, guardian, or caregiver, the child will submit assignments on or before the due date specified in the Assignment and Work-Record Form(s).
- According to district policy for Independent Study in grades _____, no more than _____ weeks or _____ school days may elapse between when an assignment is made by the teacher and the date it is due, unless an exception is made in accordance with district policy.
- The _____ School District will provide the teacher services, instructional materials, and other necessary items and resources as specified for each assignment.
- The child will complete, during the term of this agreement, the course work listed below. All course work will be consistent with the _____ School District adopted curriculum. The Assignment and Work-Record Form(s) include the course descriptions, objectives, study methods, evaluation methods, and resources covered by this agreement.
- Independent Study is a voluntary optional alternative in which no pupil may be required to participate; a classroom option will always be available to the child. In the case of a pupil who is referred or assigned pursuant to Education Code 48915 or 48917, an alternative classroom has been offered and is available at all times at the school specified above.
- The child's work will be evaluated by the method specified in the Assignment and Work-Record Form(s).
- The child agrees to meet with or report to the teacher regularly, in accordance with the frequency, date, time, and location specified in the Assignment and Work-Record Form(s).

Student Responsibilities:

I understand that:

- Independent Study is a form of education that I have voluntarily chosen and I will continuously have a classroom option available to me should I choose to no longer participate in Independent Study.
- I am entitled to textbooks and supplies, supervision by a certificated teacher, and all the services and resources received by other children enrolled in my grade.
- I have the same rights as other students in my grade at my current school.
- I must follow the discipline code and behavior guidelines of the school, in accordance with district policy.
- If I do not complete ^{work} consecutive assignments, my incomplete work will result in an evaluation to determine if I should remain in independent study or be immediately returned to a classroom at my last school of enrollment.

I agree to:

- Be supervised by and meet regularly with the assigned Independent Study teacher and/or approved resource personnel responsible for my educational studies as outlined on page one of this agreement.
- Complete my assigned work by its due date, as explained by my teacher or teachers and described in my written assignments.

Parent/Guardian/Caregiver Responsibilities:

- I understand that Independent Study is an optional educational alternative for my child that I have voluntarily selected. I agree to the conditions listed under "Student." I also understand that:
- Learning objectives are consistent with and evaluated in the same manner that they would be if my child were enrolled in a traditional school program at his/her current school.
- If my child has an individualized educational program (IEP), the IEP must specifically provide for his or her enrollment in Independent study.
- Unless otherwise indicated, the supervising teacher who signs this agreement will meet with my child on a regular basis as specified on page one of this agreement. The purpose is to direct the child's study and measure progress toward the objectives in this agreement. It is my responsibility to promptly reschedule any appointment missed because of any emergency.
- I am responsible for supervising my child while he or she is completing the assigned work and for ensuring the submission of all completed assignments necessary for evaluation by dates due.
- I am liable for the cost of replacement or repair for willfully damaged books and other school property checked out to my child.
- It is my responsibility to provide any needed transportation for my child's scheduled meetings and any other travel covered by this agreement.
- I have the right to appeal to the school administrator any decision about my child's placement or school program in accordance with the _____ School District's policies and procedures.

AGREEMENT:

We have read this agreement, including the Assignment and Work Record form(s) and hereby agree to all the conditions set forth within.

Student _____	Date _____
Parent/Guardian/Caregiver _____	Date _____
Independent Study Supervising Teacher _____	Date _____
Other Person Responsible _____	Date _____

watch consecutive

make sure # is less than Board policy

Figure 7.2: Sample Student Work Assignment Record #1

Student/Child Name: _____ School: _____
 Teacher _____ Date Given: _____ Date Due: _____
 Course Title: _____ Course Number: _____

SCHEDULE FOR REPORTING OR SUBMITTING ASSIGNMENTS TO ASSIGNED TEACHER:

The child shall submit assignments to the assigned teacher for evaluation according to the following schedule:

Frequency: _____ Time: _____ Place: _____ Manner: _____
 _____ incomplete assignments will result in reevaluation of this child's independent study placement.

OBJECTIVES (short term):

Subject:	Course Value:	Subject:	Course Value:

METHOD OF STUDY: Child reads Answers questions Completes worksheets Takes quizzes or tests
 Other _____

METHOD OF EVALUATION: Demonstration of skills Written test Oral presentation Minimum performance of 60% Other _____

LIST OF RESOURCES AND STUDY MATERIALS AVAILABLE: _____

I HAVE READ THE TERMS OF THIS AGREEMENT AND HEREBY AGREE TO ALL THE CONDITIONS SET FORTH WITHIN.

Student _____ Date _____
 Teacher _____ Date _____

The following section is to be completed by the assigned teacher(s) after pupil completes assignments.

Subject:	Grade:	Date Completed	Makeup (academic) If applicable	Teacher Initial:	Date

SUPERVISING TEACHER'S EVALUATION/CERTIFICATION STATEMENT

To be completed by Supervising Teacher after evaluation of assignment

My signature below indicates that I, the assigned supervising teacher, have personally evaluated the time value (apportionment credit) of the student's work products, or that I have personally reviewed the evaluations made by other certified teachers.

Actual Days of Absence From _____ to _____ Date Assignments Evaluated _____

Total Number of Attendance Days Possible	
Total Number of Days Credited	
Total Number of Days Not Credited	

Supervising Teacher's Signature: _____ Date: _____

Figure 7.3: Sample Student Work Assignment Record #2

Student Work Assignment Record

Name of Student: _____	School: _____
Grade: _____	Classroom Teacher: _____
Social Security Number: _____	Student ID #: _____
	Track: _____

SUBJECT (Course Title): _____

METHOD OF STUDY: Student Reads Answers Questions Completes Worksheets Takes Quizzes or Tests
 Other _____

CURRICULUM OBJECTIVES: The student will have the resources of school district personnel, curriculum, textbooks, supplementary materials and community resources that are available to all other students of the school. The following lists specific materials that are checked out to the student for use during the term of this independent study agreement: _____

METHOD OF EVALUATION:

The evaluation portion (Actual Credit/Makeup) to be completed by the teacher after the student finishes the assigned coursework.

EVALUATION:	Credit To Be Earned:	Actual Credits Earned:	Makeup (Academic):
Assignment Completed	_____	_____	_____
Demonstration of Skills	_____	_____	_____
Written Test	_____	_____	_____
Oral Presentation	_____	_____	_____
Minimum Performance of 60%	_____	_____	_____
Other: _____	_____	_____	_____
Beginning Date: _____	Due Date: _____	Date Completed: _____	

SCHEDULE FOR SUBMITTING ASSIGNMENTS: The student shall submit assignments to the assigned teacher for evaluation according to the following schedule:

Frequency: _____ Time: _____ Place: _____ Manner: _____

WE HAVE READ THE TERMS OF THIS AGREEMENT AND HEREBY AGREE TO ALL THE CONDITIONS SET FORTH WITHIN:

Student: _____ Date: _____

Teacher: _____ Date: _____

SUPERVISING TEACHER'S EVALUATION/CERTIFICATION:

To be completed by supervising teacher after evaluation of assignments.

My signature below indicates that I, the assigned supervising teacher, have personally evaluated the time value (apportionment credit) of the student's work products, or that I have personally reviewed the evaluations made by other certificated teachers.

Actual Days of Assignment Period From _____ To _____ Date Assignments Evaluated: _____

Total Number of Attendance Days Possible	
Total Number of Days Credited	
Total Number of Days Not Credited	

Supervising Teacher Signature: _____ Date Evaluated: _____

Figure 7.4: Sample Charter School Educational Learning Log

Daily Educational Activity Record

Student Name: _____ Grade: _____ Teacher: _____

Period of Independent Study: Start _____ End _____

XYZ CHARTER SCHOOL recognizes that families may not evenly distribute student's work assignment over weekdays. However, due to strict State law requirements for charter school attendance, the Charter School expects each student to be engaged in an educational activity required of them in the assignments on each weekday that XYZ CHARTER SCHOOL is in session, and asks that this "daily engagement" be documented on a daily basis in the student log by the parent/guardian. This should not be read to prohibit schoolwork on weekends and should not be read to dictate the manner in which a family distributes the assignments over the independent study period. XYZ CHARTER SCHOOL asks that a parent/guardian refrain from documenting any "daily engagement" on a day where a student did not engage in any educational activity required of them by the assignments. By law, work done on weekends or other days when school is not in session cannot be used to "make-up" weekdays where no "daily engagement" occurred.

WEEK ONE

Parent – Please fill in date and *initial*. Write in the description on line next to subjects in which student was engaged on each day.

Daily Engagement in Educational Activities Assigned by the School on Days the School is in Session Week One					
	Monday Initial: ___/___/___	Tuesday Initial: ___/___/___	Wednesday Initial: ___/___/___	Thursday Initial: ___/___/___	Friday Initial: ___/___/___
Language Arts					
Social Sciences					
Mathematics					
Science					
Spanish					
Physical Ed					
Other					

WEEK TWO

Parent – Please fill in date and *initial*. Write in the description on the line next to subjects in which student was engaged on each day.

Daily Engagement in Educational Activities Assigned by the School on Days the School is in Session Week Two					
	Monday Initial: ___/___/___	Tuesday Initial: ___/___/___	Wednesday Initial: ___/___/___	Thursday Initial: ___/___/___	Friday Initial: ___/___/___
Language Arts					
Social Sciences					
Mathematics					
Science					
Spanish					
Physical Ed					
Other					

WEEK THREE

Parent – Please fill in date and *initial*. Write in the description on the line next to subjects in which student was engaged on each day.

Daily Engagement in Educational Activities Assigned by the School on Days the School is in Session Week Three					
	Monday ___/___/___ Initial: _____	Tuesday ___/___/___ Initial: _____	Wednesday ___/___/___ Initial: _____	Thursday ___/___/___ Initial: _____	Friday ___/___/___ Initial: _____
Language Arts					
Social Sciences					
Mathematics					
Science					
Spanish					
Physical Ed					
Other					

WEEK FOUR

Parent – Please fill in date and *initial*. Write in the description on the line next to subjects in which student was engaged on each day.

Daily Engagement in Educational Activities Assigned by the School on Days the School is in Session Week Four					
	Monday ___/___/___ Initial: _____	Tuesday ___/___/___ Initial: _____	Wednesday ___/___/___ Initial: _____	Thursday ___/___/___ Initial: _____	Friday ___/___/___ Initial: _____
Language Arts					
Social Sciences					
Mathematics					
Science					
Spanish					
Physical Ed					
Other					

- I certify that my child was engaged in an educational activity required of him or her by his or her charter school on the days indicated by my initial or signature on this form.
Parent/Guardian Signature: _____ Date: _____
- I certify as the teacher evaluating and/or coordinating the student's independent study assignments that I received this form from the student or parent/guardian on _____.
Attendance Approved by Teacher: _____ [insert number of days]
Signature of Teacher: _____ Date: _____

The sample forms provided on pages 7.7 - 7.16 were originally published in *Independent Study Operations Manual (2000 Edition)*, © 2000 by the California Department of Education. Portions of the manual and ordering instructions are available at <http://www.cde.ca.gov/sp/eo/is/>.

Figure 7.5: CDE Sample Subsidiary Course Agreement Subsidiary Independent Study Course Contract

Student name	Beginning and ending dates: _____ to _____
Course title	Course number
Course objectives:	
Description of educational activities (methods of study):	
Material and/or resources needed for completion:	
Material checked out:	
Progress reports: Frequency: _____ ; Time: _____ ; Place: _____ ; Manner: _____	
Method of evaluation:	
Number of units to be awarded upon successful completion: _____	
We have read the terms of this contract and agree to all the conditions set forth. Any violation of this contract may result in renegotiation.	
Student signature	Date
Supervising teacher signature	Date
Other signature	Date

Figure 7.6: CDE Sample High School Master Agreement

Page 1 of 2

High School Master Agreement for Independent Study

Name:	Student number:	Grade:
Address:	Age:	Birth date:
City:	ZIP code:	Phone: ()
Location(s):	Social Security number:	- -
Duration:	Entry date:	Exit date:

Agreement: We have read both sides of this agreement and hereby agree to all the conditions set forth within.

Signatures:

Student	Date
Parent/Guardian/Caregiver	Date
Teacher	Date
Program Administrator	Date
Other	Date

Objective: The student will complete the courses listed below during the semester as they are outlined in the _____ School District course descriptions. All course objectives will be consistent with the established district guidelines. Assignment and Work-Record Forms will include additional descriptions of the major objectives and activities of the course of study covered by the agreement and the methods for evaluating student work. It is understood that:

- The purpose of this agreement is to enable the student to successfully reach the objectives and complete the assignments identified in the Assignment and Work-Record Forms that will be part of this agreement.
- According to district policy for independent study in grades nine through twelve, no more than _____ may elapse between the date an assignment is made by the teacher and the date it is due, unless an exception is made in accordance with district policy.
- The _____ Unified/Joint Union School District will provide the teacher services, instructional materials, and other necessary items and resources as specified for each assignment.
- The student agrees to meet with or report to the teacher regularly, in accordance with the frequency, date, time, and location specified in the course contract or the assignment and work-record form.

Subject	Course value	Subject	Course value

Certification of completed course work

Subject	Course code number	Grade	Credits earned	Teacher's initials	Date

Total credits _____ Date recorded _____ Teacher's signature _____

High School Master Agreement (Continued)

Student:

I understand that:

- Independent study is an optional educational alternative that I have voluntarily selected. If I am a student who was suspended or expelled, I was offered the alternatives of classroom instruction and independent study, and I chose independent study.
- By entering _____ High School I have not waived any rights as a student, and I am entitled to all _____ School District services and resources.
- If I am a student with an individualized education program (IEP), my IEP must specifically provide for my enrollment in Independent Study.
- I must follow all the discipline code and behavior guidelines of the _____ School District. Any violation of these guidelines or failure to meet school/district requirements could result in dismissal from _____ High School.
- Visitation on any other school campus requires permission from that school.
- If I achieve only minimum study requirements, I will complete the equivalent of only one semester course a month, or a minimum of 25 credits a semester. A regular high school program is 30 credits a semester.

I agree to:

- Be supervised by _____ and/or other approved resource personnel.
- Meet regularly with the assigned staff member. I understand that failure to complete _____ assignments will result in an evaluation to determine if I should remain in independent study and may also result in one or more of the following:
 1. A letter of concern to me and my parent, guardian, or caregiver, if appropriate
 2. A specially scheduled appointment
 3. A special meeting with the teacher and/or counselor
 4. A meeting with the administrator, including my parent, guardian, or caregiver, if appropriate
 5. Placement on probation
 6. Increase in the amount of time I must be on campus or in an equivalent supervised situation
 7. Revocation of any work permit issued until my school work is satisfactorily completed
 8. Termination of the agreement and my return to a regular classroom program of instruction or other appropriate alternative
- Meet weekly with the Outside Work Experience (OWE) coordinator if I am enrolled in work experience.
- Obtain transportation to scheduled meetings. I understand that lack of transportation to the school site is not an acceptable reason for failing to meet with my teacher and/or supervisor to submit my completed assignments.
- Complete my assigned work and achieve at least the minimum performance requirements of the course of study. I understand that credit, which is based on mastery of learning, can only be issued after I have successfully completed an activity and it has been evaluated. I realize that a minimum of _____ hours of work is needed for each unit of credit.

Student's signature: _____

Parent/Guardian/Caregiver:

I understand that the major objective of Independent Study is to provide a voluntary educational alternative for my son or daughter.

I agree to the above conditions listed under "Student." I also understand that:

- Individual course objectives are consistent with and evaluated in the same manner that they would be if he or she were enrolled in a traditional school program.
- I am liable for the cost of replacement or repair for wilfully damaged or destroyed books and other school property checked out to my son or daughter.
- Unless otherwise indicated, a teacher or supervisor will meet with my son or daughter on a regular basis to direct and measure progress. The time and location of meetings with the teacher or supervisor will be determined by the teacher or the supervisor in consultation with my son or daughter.
- I am expected to encourage him or her to do more than the minimum study requirements and be involved in an Outside Work Experience (OWE), a Regional Occupational Program (ROP), community volunteer work, or a directed project.
- I have the right to appeal any decision about my son's or daughter's placement, school program, or transfer according to the school district's procedures.

Parent's/Guardian's/Caregiver's signature: _____

Figure 7.7: CDE Sample High School Assignment/Work Record

High School Assignment and Work Record Form

Name _____	Subject _____
Objective (Short term): _____	Start date _____
	Due date _____
Study methods: _____	
Resources: _____	
Evaluation method: _____	
Teacher's signature: _____ Student's signature: _____	
Teacher comments/grade: _____	
Attendance credit: _____	
Objective (Short term): _____	Start date _____
	Due date _____
Study methods: _____	
Resources: _____	
Evaluation method: _____	
Teacher's signature: _____ Student's signature: _____	
Teacher comments/grade: _____	
Attendance credit: _____	

Figure 7.8: CDE Sample Assignment/Work Record

Assignment and Work Record Form

Student name:	School:	
Instructor:	Date given:	Date due:
Course title:	Course number:	

Regular appointments are required between the teacher and student on the following schedule:

Frequency: _____ Starting (date): _____ Time: _____ Place: _____

Assignments with due dates will be made in writing at each student-teacher meeting.

_____ incomplete assignments will result in a reevaluation of this student's placement in independent study.

Course title and objectives: _____

Method of study: _____

Method of evaluation:

1. Teacher observation and review of student work
2. Quizzes and tests (mastery level _____ percent or better)
3. Other: _____

Description of major learning activities and/or study materials

Textbook and study materials: _____

Computer-based instructional opportunity: _____

Supplemental audiovisual instructional support: _____

Other: _____

Student's signature _____ Date _____

Parent's/Guardian's/Caregiver's signature _____ Date _____

Teacher's signature _____ Date _____

Teacher's comments/grades: _____

Credits: _____

Figure 7.9: CDE Sample Middle School Master Agreement

Middle School Master Agreement for Independent Study

Name:	Student number:	Grade:
Address:	Age:	Birth date:
City:	ZIP code:	Phone: ()
Location(s):	Social Security number:	- -
Duration:	Entry date:	Exit date:

Agreement: We have read both sides of this agreement and hereby agree to all the conditions set forth within.

Signatures:

Student	Date
Parent/Guardian/Caregiver	Date
Teacher	Date
Program Administrator	Date
Other	Date

Objective: The student will complete the courses listed below during the semester as they are outlined in the _____ School District course descriptions. All course objectives will be consistent with the established district guidelines. Assignment and Work-Record Forms will include additional descriptions of the major objectives and activities of the course of study covered by the agreement and the methods for evaluating student work. It is understood that:

- The purpose of this agreement is to enable the student to successfully reach the objectives and complete the assignments identified in the course contract or Assignment and Work-Record Forms that will be part of this agreement.
- According to district policy for independent study in grades seven and eight, no more than _____ may elapse between the date an assignment is made by the teacher and the date it is due, unless an exception is made in accordance with district policy.
- The _____ Unified/Joint Union School District will provide the teacher services, instructional materials, and other necessary items and resources as specified for each assignment.
- The student agrees to meet with or report to the teacher regularly, in accordance with the frequency, date, time, and location specified in the course contract or the Assignment and Work-Record Form.

Subject	Subject

Certification of completed course work

Subject	Grade	Teacher's initials	Date

Date recorded _____ Teacher's signature _____

Middle School Master Agreement (Continued)

Page 2 of 2

Student:*I understand that:*

- Independent study is a form of education that I have chosen. If I am a student who was suspended or expelled, I was offered the alternatives of classroom instruction and independent study, and I chose independent study.
- I am entitled to textbooks, a teacher, and all school district services and resources.
- I must follow the discipline code and behavior guidelines of the school district.
- I have the same rights as any student of the school district.

I agree to:

- Be supervised by and meet regularly with my teacher. The frequency, date, time, and location will be determined by my work assignments. I realize that it is my responsibility to promptly reschedule any appointment I miss because of an emergency. I understand that if I do not give evidence of two completed assignments, my agreement may be reviewed.
- Complete my assigned work and achieve at least the minimum performance requirements of the course of study.

Student's signature: _____

Parent/Guardian/Caregiver:

I understand that the major objective of independent study is to provide a voluntary educational alternative for my son or daughter. I understand the conditions listed above under "Student." I understand that:

- Learning objectives are consistent with and evaluated in the same manner that they would be if my child were enrolled in a traditional school program.
- If my child has an individual education program (I.E.P.), the I.E.P. must specifically provide for his or her enrollment in independent study.
- Unless otherwise indicated, a teacher will meet with my son or daughter and me on a regular basis to direct and measure progress. The time and location of meetings with the teacher or supervisor will be determined by the teacher or supervisor in consultation with me and my son or daughter.
- I am responsible for supervising my child while he or she is completing the assigned work and for submitting all completed assignments necessary for evaluation.
- To ensure that my child's independent study is consistent with traditional schooling, I need to encourage him or her to meet more than the minimum study requirements.
- I am liable for the cost of replacement or repair of damaged or lost books and other materials that are checked out to my son or daughter.
- It is my responsibility to provide any needed transportation to the school site for my child.
- I have the right to appeal to the school administrator any decision about my child's placement or school program in accordance with the school district's procedures.

Parent's/Guardian's/Caregiver's signature: _____

Figure 7.10: CDE Sample Elementary School Master Agreement

Page 1 of 2

Elementary School Master Agreement for Independent Study

Name:		Student number:	Grade:
Address:		Age:	Birth date:
City:	ZIP code:	Phone: ()	
Duration:	Entry date:	Exit date:	
Location(s):			

Objective:

- The major objective for the duration of this agreement is to enable the student to keep current with _____ grade studies for the period covered by this agreement.
- This agreement is to enable the student to successfully reach the objectives and complete the assignments identified in the Assignment and Work-Record Form(s) that will be a part of this agreement. With the support of the parent, guardian, or caregiver the student will submit assignments on or before their due date.
- According to district policy for independent study in grades K-6, no more than _____ may elapse between the date an assignment is made by the teacher and the date it is due, unless an exception is made in accordance with district policy.
- The _____ School District will provide the teacher services, instructional materials, and other necessary items and resources as specified for each assignment.
- The student will complete the studies listed below during the semester or term of the agreement as they are outlined in the _____ School District curriculum.
- Other
List studies here): _____

We agree on regular reports on the student's work, as follows:

The student's work will be evaluated by the method specified in the Assignment and Work-Record Form.

Frequency: _____ Time: _____ Place: _____ Manner: _____

AGREEMENT: We have read pages 1 and 2 of this agreement and hereby agree to all the conditions set forth within.

Student	Date
Parent/Guardian/Caregiver	Date
Teacher	Date
Other	Date
Program Administrator	Date

CERTIFICATION

Date recorded _____ Supervising teacher's signature _____

Elementary School Master Agreement (Continued)

Student:

I understand that:

- Independent Study is a form of education that I have chosen. If I am a student who was suspended or expelled, I was offered the alternatives of classroom instruction and independent study, and I chose independent study.
- I am entitled to textbooks and supplies, supervision by my teacher, and all the services and resources received by other children enrolled in my grade of _____ School.
- I have the same rights as other students in my grade at the _____ School.
- I must follow the rules and standards in the discipline code and behavior guidelines of the _____ School.
- If I do not complete _____ assignments my incomplete work will result in review of my agreement and I may not be allowed to continue in Independent Study.

I agree to:

- Be supervised by and meet regularly with my teacher, as specified on page 1.
- Complete my assigned work by its due date, as explained by my teacher and described in my written assignments.

Student's signature: _____

Parent/Guardian/Caregiver:

I understand that the major objective of Independent Study is to provide a voluntary educational alternative for my son or daughter. I agree to the above conditions listed under "Student." I also understand that:

- Learning objectives are consistent with and evaluated in the same manner that they would be if he or she were enrolled in a traditional school program.
- If my child has an individualized education program (IEP), the IEP must specifically provide for his or her enrollment in Independent Study.
- Unless otherwise indicated, the supervising teacher who signs this agreement will meet with my son or daughter on a regular basis as specified on page 1 to direct the child's study and measure progress toward the objectives in this agreement. It is my responsibility to promptly reschedule any appointment missed because of any emergency.
- I am responsible for supervising my child while he or she is completing the assigned work and for ensuring the submission of all completed assignments necessary for evaluation.
- I am liable for the cost of replacement or repair for willfully damaged or destroyed books and other school property checked out to my son or daughter.
- It is my responsibility to provide any needed transportation for my son's or daughter's scheduled meetings and any other travel covered by this agreement.
- I have the right to appeal to the school administrator any decision about my son's or daughter's placement or school program in accordance with the _____ School District's procedures.

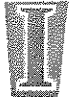
Parent's/Guardian's/Caregiver's signature: _____

Figure 7.11: CDE Sample Assignment/Work Record Assignment and Work Record Form

Name		Subject
Objective (short term)		Date
Study method		
Resources		
Evaluation method		
Signature		
Teacher comments/grade		
Days submitted	Days accepted	Makeup (academic)
Objective (short term)		Date
Study method		
Resources		
Evaluation method		
Signature		
Teacher comments/grade		
Days submitted	Days accepted	Makeup (academic)

White: C.I.S. Canary: Teacher Gold: Student

Figure 7.12: Sample Procedure for an Independent Study Teacher



Step One: Parent Request

1. You receive notice that a student will be gone from school for at least five consecutive school days.
2. Parent is requesting or has been offered voluntary option for independent study.



Step Two: Conference

1. Schedule student and parent conference for purposes of signing the independent study agreement and reviewing criteria for participation.



Step Three: Independent Study Agreement

1. Parent and student conference with certificated teacher.
2. Parent, student, supervising teacher, and other persons responsible sign and date the agreement. Other person's signature and date on subsidiary course/work assignment record satisfies requirement for "other persons responsible".*
 - a. Specify work to be completed
 - b. Indicate the apportionment attendance it is worth
 - c. Beginning and end dates
3. Return conference time and location must be included.
4. Fill out course (subsidiary) agreements.
5. Complete daily assignment log.

* Note: The agreement can never be back dated, have dates altered, or banked.



Step Four: Course (Subsidiary) Agreements

1. Student and certificated teacher must sign and date for each academic subject.
2. Course agreements must specify:
 - a. Beginning and end dates
 - b. Objectives
 - c. Learning activities
 - d. Methods of evaluation
 - e. Manner of reporting
 - f. Specific resources made available to the student
3. Independent study supervising teacher secures assignments from the course teacher(s) at the elementary level. The supervising teacher may be the classroom teacher who directly makes assignments.
4. Only equivalent classroom curriculum is to be assigned, both in quality and quantity.
5. A course or work assignment record is required for each subject.

**Step Five:**

When the
Student Returns

1. Certificated teacher and student meet to evaluate completed assignments and/or student progress.*
2. Teacher evaluates student's progress and determines apportionment and academic value.
3. No half days or hours, count only in full day or full hour increments.
4. Teacher records academic credit and grade on applicable forms.
5. Representative (and original) work samples assembled by teacher, who signs (or initials) and dates face page of sample.
6. Student's evaluated work is returned to the student's regular teachers.

Keeping a File:

1. A file must be maintained for each student and kept for three full school years; i.e. retain documents created in the 2006-07 school year until July 2010.
2. The folder includes:
 - a. Independent study agreement
 - b. Course agreements
 - c. Assignment log sheets
 - d. Original samples of evaluated student work signed and dated by the supervising teacher.
3. Apportionment record signed and dated by the supervising teacher.
4. Files must be alphabetical by grade level and by school year.

**Keeping the
Register:**

1. Setup according to the school year (not calendar year).
2. Must be done in pen (black or blue). Mark "C" for apportionment and "Z" for non-apportionment.
3. Sign and date every page, and total ADA claimed.
4. Must be turned in to attendance office monthly.
5. The register is reviewed and may be returned for corrections.
6. Make sure students are enrolled weekdays only. Weekends and holidays may not be counted.

ADA

1. Record attendance in state approved attendance system.
2. Signed and dated by certificated employee as per approved system.
3. Registers are turned in at the end of the school year.
4. ADA collected assists in recouping ADA that would have been lost and allows students to keep up with their class work.
5. No ADA may be claimed if the work is not turned in on time or is done after the assignment due date, or time exceeding maximum period authorized in board policy or the independent study agreement end date, whichever occurs sooner.

Special Education:

1. If a student has an IEP, he/she cannot participate in the independent study program unless the IEP specifically provides for that participation. The auditors may require a copy of the student's IEP.

Bilingual:

1. Meet the needs of the bilingual student: Talk to the classroom teacher and the bilingual aide (or teacher) in order to set up appropriate work.

Year-Round or Multi-Track Independent Study:

1. Independent study cannot be used to make up attendance for days missed in year-round or multi-track.
2. Independent study, when offered during Intersession, is recorded in hours and reported on the approved attendance report as supplemental hourly programs, subject to specific criteria for these programs.

Figure 7.13: Sample Procedures for School Site Attendance Personnel

1. Parents and student request the short term independent study option from the student's school site. The attendance office contact s the student's supervising teacher.
2. The attendance clerk at the school site changes the student's records in SASIxp to reflect that the student is on independent study.

Elementary School

Procedures for Changing Attendance Record to Reflect Independent Study In Process

1. The attendance clerk opens the student's records in the Daily Attendance atom in SASIxp (Figure 1).

Daily Attendance												
Last Name		First Name		Middle Name		Grd	Gen	Trk	Student ID			
						01	F	4				
Show Full Year			Days of Activity			Attendance Totals						
Date	Mon	Tue	Wed	Thu	Fri	Date	Mon	Tue	Wed	Thu	Fri	
07/05/04	NE	VAC	VAC	VAC	VAC	07/12/04	VAC	VAC	VAC	VAC	VAC	
07/19/04	VAC	VAC	VAC	VAC	VAC	07/26/04	VAC	VAC	VAC	VAC	VAC	
08/02/04						08/09/04						
08/16/04						08/23/04						
08/30/04						09/06/04	HOL					
09/13/04				OTH	OTH	09/20/04						
09/27/04						10/04/04						
10/11/04				OTH	OTH	10/18/04						
10/25/04	VAC	VAC	VAC	VAC	VAC	11/01/04	VAC	VAC	VAC	VAC	VAC	
11/08/04	VAC	VAC	VAC	HOL	VAC	11/15/04	VAC	VAC	VAC	VAC	VAC	
11/22/04	VAC	VAC	VAC	HOL	HOL	11/29/04						
12/06/04						12/13/04						

Figure 1, Student Record in SASIxp Daily Attendance Atom

2. The attendance clerk refers to the student's agreement for short term independent study (see sample forms section) for the beginning and ending dates of the student's independent study. The beginning date must be at least three days after the request for independent study, and the ending date must be at least five, but no more than 20, consecutive school days after the beginning date. The clerk navigates to the dates of independent study within the student's daily attendance record in SASIxp, and for each school day that the student will be on independent study the clerk enters the attendance code ISP, for independent study pending (in process). This is done by clicking in the box for each day, which will bring up a drop-down menu of attendance codes (see Figure 2).

✓	- Present
T30	- (+)Tardy +30
TDY	- (-)Tardy -30
UNX	- (A)Unx Ver Ab
ISP	- (B)IS Pending
ISC	- (C)IS Compl
VER	- (D)Verify Ill
FTP	- (F)Field Trip
JUV	- (H)Juv Hall
ILL	- (I)Illness
STP	- (J)STOPP
CNF	- (K)Conf/Ofc
LIC	- (L)Lice
SAT	- (M)Sat. Mkeup
SSR	- (O)Sup Std Rm
PER	- (P)Personal
HH	- (Q)Home Hosp
ATP	- (R)Tchr Verif
SUS	- (S)Suspension
TRY	- (T)Verify Tdy
TRU	- (V)Truancy

Figure 2, Drop-Down Menu of Attendance Codes (opened by clicking on a date in the student's attendance record)- ISP (Independent Study Pending)

- The attendance clerk enters the ISP code into the field for each day the student will be on independent study. This code indicates that the student is on independent study, and that the attendance for that student while on independent study has not yet been processed.

Daily Attendance												
Last Name		First Name		Middle Name		Grd	Gen	Trk	Student ID			
				I		01	F	4				
Show Full Year			Days of Activity			Attendance Totals						
Date	Mon	Tue	Wed	Thr	Fri	Date	Mon	Tue	Wed	Thr	Fri	
07/05/04	ME	VAC	VAC	VAC	VAC	07/12/04	VAC	VAC	VAC	VAC	VAC	
07/19/04	VAC	VAC	VAC	VAC	VAC	07/26/04	VAC	VAC	VAC	VAC	VAC	
08/02/04						08/09/04						
08/16/04	ISP	ISP	ISP	ISP	ISP	08/23/04						
08/30/04						09/06/04	HOL					
09/13/04					OTH	09/20/04						
09/27/04						10/04/04						
10/11/04					OTH	10/18/04						
10/25/04	VAC	VAC	VAC	VAC	VAC	11/01/04	VAC	VAC	VAC	VAC	VAC	
11/08/04	VAC	VAC	VAC	HOL	VAC	11/15/04	VAC	VAC	VAC	VAC	VAC	
11/22/04	VAC	VAC	VAC	HOL	HOL	11/29/04						
12/06/04						12/13/04						

Figure 3, Student Record of Attendance showing ISP code (this sample figure reflects the student's participation in independent study from August 16th to August 20).

4. The attendance clerk exits the student's SASIxp record. The student is now enrolled in independent study, and the attendance clerk does not enter any attendance information for the student until he or she returns from independent study and re-enters his or her original program.
5. When the student returns from independent study, the supervising teacher evaluates the student's work and submits the evaluation/certification statement (Figure 4) to the attendance clerk. This form is found at the bottom of the assignment agreement form. The attendance clerk at the school site changes the attendance codes in the student's records in SASIxp to reflect that the student's attendance from their time on independent study.

Procedures for Recording of Attendance After Student's Work is Evaluated

1. The attendance clerk reviews the evaluation/certification statement completed by the supervising teacher to determine the number of days for which the student is to receive attendance credit (Figure 4, see i) and the number of days the student for which the student does not receive attendance credit (Figure 4, see ii). The total of these two numbers must equal the number of attendance days possible; for example, if the student was on independent study for five days and received attendance credit for four of those days, the number of days not credited would be one.

SUPERVISING TEACHER'S EVALUATION/CERTIFICATION STATEMENT

To be completed by Supervising Teacher after evaluation of assignment

My signature below indicates that I, the assigned supervising teacher, have personally evaluated the time value (apportionment credit) of the student's work products, or that I have personally reviewed the evaluations made by other certified teachers.

Actual Days of Absence From _____ to _____ Date Assignments Evaluated _____

Total Number of Attendance Days Possible		i
Total Number of Days Credited		
Total Number of Days Not Credited		ii

Supervising Teacher's Signature: _____ Date: _____

Figure 4, Supervising teacher's evaluation/certification statement (from the lower portion of the assignments agreement form.)

i: The number of days of attendance credit the student is awarded for the work they completed while on independent study.

ii: The number of days of attendance credit the student is not awarded for their independent study.

2. The attendance clerk opens the student's records in the Daily Attendance atom in SASIxp (Figure 5). The student's record for the time spent on independent study is coded ISP, for independent study pending.

The screenshot shows a 'Daily Attendance' window for a student. The student's name is partially visible as 'I' and the grade is '01 F 4'. The window includes a table with columns for dates and days of the week (Mon-Fri). The attendance record shows various codes: 'NE', 'VAC', 'ISP', 'OTH', and 'HOL'. The 'ISP' codes are present for the dates 08/16/04, 08/17/04, 08/18/04, 08/19/04, and 08/20/04.

Date	Mon	Tue	Wed	Thu	Fri	Date	Mon	Tue	Wed	Thu	Fri
07/05/04	NE	VAC	VAC	VAC	VAC	07/12/04	VAC	VAC	VAC	VAC	VAC
07/19/04	VAC	VAC	VAC	VAC	VAC	07/26/04	VAC	VAC	VAC	VAC	VAC
08/02/04						08/09/04					
08/16/04	ISP	ISP	ISP	ISP	ISP	08/23/04					
08/30/04						09/06/04	HOL				
09/13/04				OTH	OTH	09/20/04					
09/27/04						10/04/04					
10/11/04				OTH	OTH	10/18/04					
10/25/04	VAC	VAC	VAC	VAC	VAC	11/01/04	VAC	VAC	VAC	VAC	VAC
11/08/04	VAC	VAC	VAC	HOL	VAC	11/15/04	VAC	VAC	VAC	VAC	VAC
11/22/04	VAC	VAC	VAC	HOL	HOL	11/29/04					
12/06/04						12/13/04					

Figure 5, Student Record of Attendance showing ISP code

- ISP codes are changed to the code ISC (independent study completed) for a number of days to equal the number of days of attendance credit the student was awarded according to the evaluation/certification statement (Figure 4, see A). Any remaining days are coded as ISI (independent study incomplete). Days coded ISI are considered unexcused absences. Figure 6 shows the attendance record of a student who received full attendance credit for the five days spent on independent study; the code for each of the five days has been changed to ISC.

The screenshot shows a 'Daily Attendance' window for a student, identical to Figure 5. The attendance record is updated to show 'ISC' codes for the dates 08/16/04, 08/17/04, 08/18/04, 08/19/04, and 08/20/04, reflecting attendance credit for completed independent study.

Date	Mon	Tue	Wed	Thu	Fri	Date	Mon	Tue	Wed	Thu	Fri
07/05/04	NE	VAC	VAC	VAC	VAC	07/12/04	VAC	VAC	VAC	VAC	VAC
07/19/04	VAC	VAC	VAC	VAC	VAC	07/26/04	VAC	VAC	VAC	VAC	VAC
08/02/04						08/09/04					
08/16/04	ISC	ISC	ISC	ISC	ISC	08/23/04					
08/30/04						09/06/04	HOL				
09/13/04				OTH	OTH	09/20/04					
09/27/04						10/04/04					
10/11/04				OTH	OTH	10/18/04					
10/25/04	VAC	VAC	VAC	VAC	VAC	11/01/04	VAC	VAC	VAC	VAC	VAC
11/08/04	VAC	VAC	VAC	HOL	VAC	11/15/04	VAC	VAC	VAC	VAC	VAC
11/22/04	VAC	VAC	VAC	HOL	HOL	11/29/04					
12/06/04						12/13/04					

Figure 6, Student's Daily Attendance Record Reflecting Attendance Credit for Completed Independent Study

Records maintenance

The written agreement, course/work assignment, sample of student work products, and teacher records (apportionment and academic) shall be maintained until after the third July following completion of the audit required by *Education Code* Section 41020 (5 *CCR* sections 16023, 16026). Mandatory permanent pupil records (5 *CCR* Section 432) shall be maintained indefinitely. These files shall be maintained by the designated custodian of records (administrator, teacher, or other designated person) and be accessible for auditors.

Distribution of documents

- *Independent study agreement form* – one copy to pupil services
- *Assignments agreement for short-term independent study* – one copy to pupil services
- *Independent study attendance report* – one copy to attendance accounting, business services
- The *short-term independent study “control” log* is an optional form that can be completed and maintained by the attendance clerk.

Secondary School

Procedures for Changing Attendance Record to Reflect Independent Study In Process

1. The attendance clerk opens the student's records in the Period Attendance atom in SASIxp (Figure 7).

Date	Day	All	Attendance Periods							
			0	1	2	3	4	5	6	7
09/29/03										
09/30/03										
10/01/03		ISP								
10/02/03										
10/03/03										
10/06/03										
10/07/03										
10/08/03										
10/09/03										
10/10/03										
10/13/03										

Figure 7, Student Record in SASIxp Period Attendance Atom

2. The attendance clerk refers to the student's agreement for short-term independent study (see sample forms section) for the beginning and ending dates of the student's independent study. The beginning date must be at least three days after the request for independent study, and the ending date must be at least five, but no more than 20, consecutive school days after the beginning date.
3. The clerk navigates to the dates of independent study within the student's period attendance record in SASIxp (Figure 8), and for each school day that the student will be on independent study the clerk enters the attendance code ISP, for independent study pending (in process), in the All Day field (Figure 8, see i) and in the field for each period of the day (Figure 8, see ii). This is done by clicking in each field, which will bring up a drop-down menu of attendance codes (see Figure 2). The ISP code indicates that the student is on independent study, and that the attendance for that student while on independent study has not yet been processed.

Date	Day	0	1	2	3	4	5	6	7
09/29/03									
09/30/03									
10/01/03	ISP		ISP	ISP	ISP	ISP	ISP		
10/02/03									
10/03/03									
10/06/03									
10/07/03									
10/08/03									
10/09/03									
10/10/03									
10/13/03									

Figure 8, Student Record of Attendance showing ISP code for one day of the student's independent study

- i: The All Day field must be coded ISP to prevent the student from being marked truant.
- ii: Each of the attendance periods must be coded ISP to prevent the student from being marked absent in that period.

4. The attendance clerk exits the student's SASIxp record. The student is now enrolled in independent study, and the attendance clerk does not enter any attendance information for the student until he or she returns from independent study and re-enters his or her original program.
5. When the student returns from independent study, the supervising teacher evaluates the student's work and submits the evaluation/certification statement (Figure 9) to the attendance clerk. This form is found at the bottom of the assignment agreement form. The attendance clerk at the school site changes the attendance codes in the student's records in SASIxp to reflect that the student's attendance from their time on independent study.

Procedures for Recording of Attendance After Student Work is Evaluated

1. The attendance clerk reviews the evaluation/certification statement completed by the supervising teacher (Figure 9) to determine the number of days for which the student is to receive attendance credit (Figure 9, see i) and the number of days the student for which the student does not receive attendance credit (Figure 9, see ii). The total of these two numbers must equal the number of attendance days possible; for example, if the student was on independent study for five days and received attendance credit for four of those days, the number of days not credited would be one.

SUPERVISING TEACHER'S EVALUATION/CERTIFICATION STATEMENT

To be completed by Supervising Teacher after evaluation of assignment

My signature below indicates that I, the assigned supervising teacher, have personally evaluated the time value (apportionment credit) of the student's work products, or that I have personally reviewed the evaluations made by other certified teachers.

Actual Days of Absence From _____ to _____ Date Assignments Evaluated _____

Total Number of Attendance Days Possible		<i>i</i>
Total Number of Days Credited		
Total Number of Days Not Credited		<i>ii</i>

Supervising Teacher's Signature: _____ Date: _____

Figure 9, Supervising teacher's evaluation/certification statement (from the lower portion of the assignments agreement form)

- i*: The number of days of attendance credit the student is awarded for the work they completed while on independent study.
- ii*: The number of days of attendance credit the student is not awarded for their independent study.

2. The attendance clerk opens the student's records in the Period Attendance atom in SASIxp (Figure 10). The student's record for the time spent on independent study is coded ISP, for independent study pending.

The screenshot shows a window titled "Period Attendance" with fields for Last Name, First Name, Middle Name, Grd (07), Gen (M), and Student ID. Below these fields is a table with columns: Full Year, Days of Activity, Reason Totals, and Type Totals. The main table has columns for Date, Day, and Attendance Periods (0-7). The row for 10/01/03 shows "ISP" in the Day column and "ISP" in the Attendance Periods columns for days 1 through 7. The bottom of the window has navigation buttons: Home, Search, Print, Undo, and Save.

Figure 10, Student Record of Attendance showing ISP code

3. ISP codes are changed to the code ISC (independent study completed) for the All Day field and each period field of a number of days to equal the number of days of attendance credit the student was awarded according to the evaluation/certification statement (Figure 9, see i). Any remaining days are coded as ISI (independent study incomplete) in the All Day field and each period field. Days coded ISI are considered unexcused absences. Figure 11 shows the coding for a day of attendance credit for independent study (independent study cannot be less than five consecutive school days, so an actual attendance record would never have a single day coded for independent study).

Date	All Day	Attendance Periods
		0 1 2 3 4 5 6 7
09/29/03		
09/30/03		
10/01/03	ISC	ISC ISC ISC ISC ISC
10/02/03	ISC	
10/03/03		
10/06/03		
10/07/03		
10/08/03		
10/09/03		
10/10/03		
10/13/03		

Figure 11, Student's Daily Attendance Record Reflecting Attendance Credit for Completed Independent Study

Records maintenance

The written agreement, course/work assignment, sample of student work products, and teacher records (apportionment and academic) shall be maintained until after the third July following completion of the audit required by *Education Code* Section 41020 (5 *CCR* sections 16023, 16026). Mandatory permanent pupil records (5 *CCR* Section 432) shall be maintained indefinitely. These files shall be maintained by the designated custodian of records (administrator, teacher, or other designated person) and be accessible for auditors.

Distribution of documents

- *Independent study agreement form* – one copy to pupil services
- *Assignments agreement for short-term independent study* – one copy to pupil services
- *Independent study attendance report* – one copy to attendance accounting, business services
- The *short-term independent study "control" log* is an optional form that can be completed and maintained by the attendance clerk.

Each agency should develop checklists that are applicable to their specific procedures. The samples provided are for reference purposes only.

Figure 7.14: Sample Parent Questionnaire

Parent Questionnaire

Parent Name _____

Child Name _____

Purpose of Independent Study _____

Access	Methods for Submitting Work Assignments	Methods for Assisting Child
<input type="checkbox"/> Computer <input type="checkbox"/> Internet <input type="checkbox"/> E-mail <input type="checkbox"/> Word Processing <input type="checkbox"/> Other Programs	<input type="checkbox"/> E-mail <input type="checkbox"/> UPS/FedEx <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Phone Conferencing <input type="checkbox"/> Conferencing	<input type="checkbox"/> E-mail <input type="checkbox"/> Phone calls <input type="checkbox"/> Home visits <input type="checkbox"/> Parent

Study Location

Yes No Can your child work alone?

Yes No Do you think your child will be able to finish all assignments given?

Yes No Is your child responsible enough to make any necessary appointments with his or her teacher?

Yes No Will there be an appropriate place and space available for your child to study at home or on your vacation?

Yes No Are you aware of the supporting role you must play, as a parent, if your child is under 18 years of age?

Yes No Is your child capable of reading at the grade level required to complete the assigned coursework?

Yes No Is your child able to work in an unstructured environment?

Yes No Without the company of other children, will your child be able to grow socially at a normal level?

Yes No Does your child understand that s/he is enrolling in the Independent Study program voluntarily?

Yes No A classroom option will always be available. Has your child been made aware of this?

Yes No Does your child have one of the following deficit credits: special needs, travel, gifted or talented, previous dropout, or is raised by people who want to be more involved in the education?

Figure 7.15: Sample Independent Study Checklist

Independent Study

Description

- ☒ Serves K-12 and adult education students
- ☒ Enrollment is voluntary
- ☒ Classroom option always available
- ☒ A one semester agreement signed by the pupil, parent (guardian), independent study teacher, and other person(s) responsible
- ☒ School may terminate or deny a pupil's participation in independent study if all conditions of the agreement are not met
- ☒ Pupil may also end participation at anytime to regularly attend classroom instruction
- ☒ Pupil should be assigned a full day's assignments, comparable to time in a regular school day
- ☒ Pupil only attends school when there is an appointed time with the teacher
- ☒ Work experience and ROP are available
- ☒ Parents must take a responsible role.

Qualifiers

	Yes	No
1. Is there evidence that the pupil can work alone?	_____	_____
2. Is there an indication that the pupil will work to complete assignments	_____	_____
3. Can the pupil make the necessary appointments with the teacher.	_____	_____
4. Is there an appropriate place and space to study at home?	_____	_____
5. If the pupil is under 18 years of age, does the parent understand the supporting role they must play?	_____	_____
6. Does this pupil read at a grade level that will enable him or her to complete the assignment?	_____	_____
7. Can this pupil work in an unstructured environment?	_____	_____
8. Will this pupil be able to grow in an unstructured environment?	_____	_____
9. Does the pupil understand they are enrolling voluntarily?	_____	_____
10. Does the pupil understand a classroom option will always be available?	_____	_____
11. Does the pupil have one of the following deficit credits, gifted or talented, special needs, has been a dropout, travel or parents who want to be more involved in the education?	_____	_____

Figure 7.16: Sample Student Evaluation/Orientation Checklist

Independent Study Student Evaluation/Orientation Check List

Student _____ Date Checked _____

Signature of reviewer

Please indicate with a all areas that are complete and in compliance

____ Referral form (filled out completely)

____ Student Orientation	____ interview/explanation of program
	____ child rights explained
	____ enrollment form
	____ transcript evaluation
	____ assessment administered

Results of assessment:

____ Math	____ Reading	____ Other
-----------	--------------	------------

____ Independent Study Agreement (check for required signatures and dates)

____ Course Agreement (filled out with signatures)

____ Weekly Assignment, evaluation and progress sheet (check assignments are given and work has been graded and evaluation indicated)

____ Materials assigned sheet

____ Student Work Samples (graded by teacher)
3 varied samples for each course agreement

____ Attendance Sheet-check days of attendance against weekly report of work accepted

Figure 7.17: Sample Agreement Checklist

INDEPENDENT STUDY AGREEMENT CHECK OFF LIST

BEFORE STUDENT LEAVES:

- Reason for Independent Study Agreement. Usually this is family travel.
- Length of Assignment: State beginning date/ending date.
- Reporting School Month Number: School month/months child will be on independent study
- Total Number of School Days: # of days student will be absent (should not include weekends or holidays). A student should not be marked excused on attendance register if he/she is on independent study.
- Manner: e.g. meeting, email, telephone, or other forms of communication with the teacher
- Days Assigned: The number of days a student will be absent from school.
- Evaluation Method: How will you evaluate this student? Oral/written reports/work assignments/grade/etc.
- Resources: Materials and personnel made available to the student.
- Signature and Date Lines: Signed and dated by all required parties to the agreement before the student begins independent study.
- Pink copy: Send to Accounting
- Yellow copy: Give to parent/student
- White copy: Retained by school
- Goldenrod copy: When student returns, send completed copy to Accounting

AFTER STUDENT RETURNS:

- 1 Teacher: Fill in days credited in the appropriate boxes.
- 2 Teacher Evaluating Comments: Grade/Complete/Incomplete/Satisfactory/etc.
Evaluate homework assignments and fill in evaluation comments on Agreement and homework samples.
- 3 Days submitted and days accepted: Fill in at the bottom of the form. The State does not allow partial credit.
- 4 Sign and **date** Agreement Completed or Agreement Not Completed.
- 5 Office Manager:
Goldenrod copy: Send to Accounting.
- 6 White copy: Keep with homework samples for a three-year period.
- 7 Send ATD 02 to Accounting. No credit can be given until the ATD 02 is received.

Figure 7.18: Sample Substitute Teacher Checklist**INDEPENDENT STUDY
SUBSTITUTE TEACHER CHECKLIST****New Pupils**

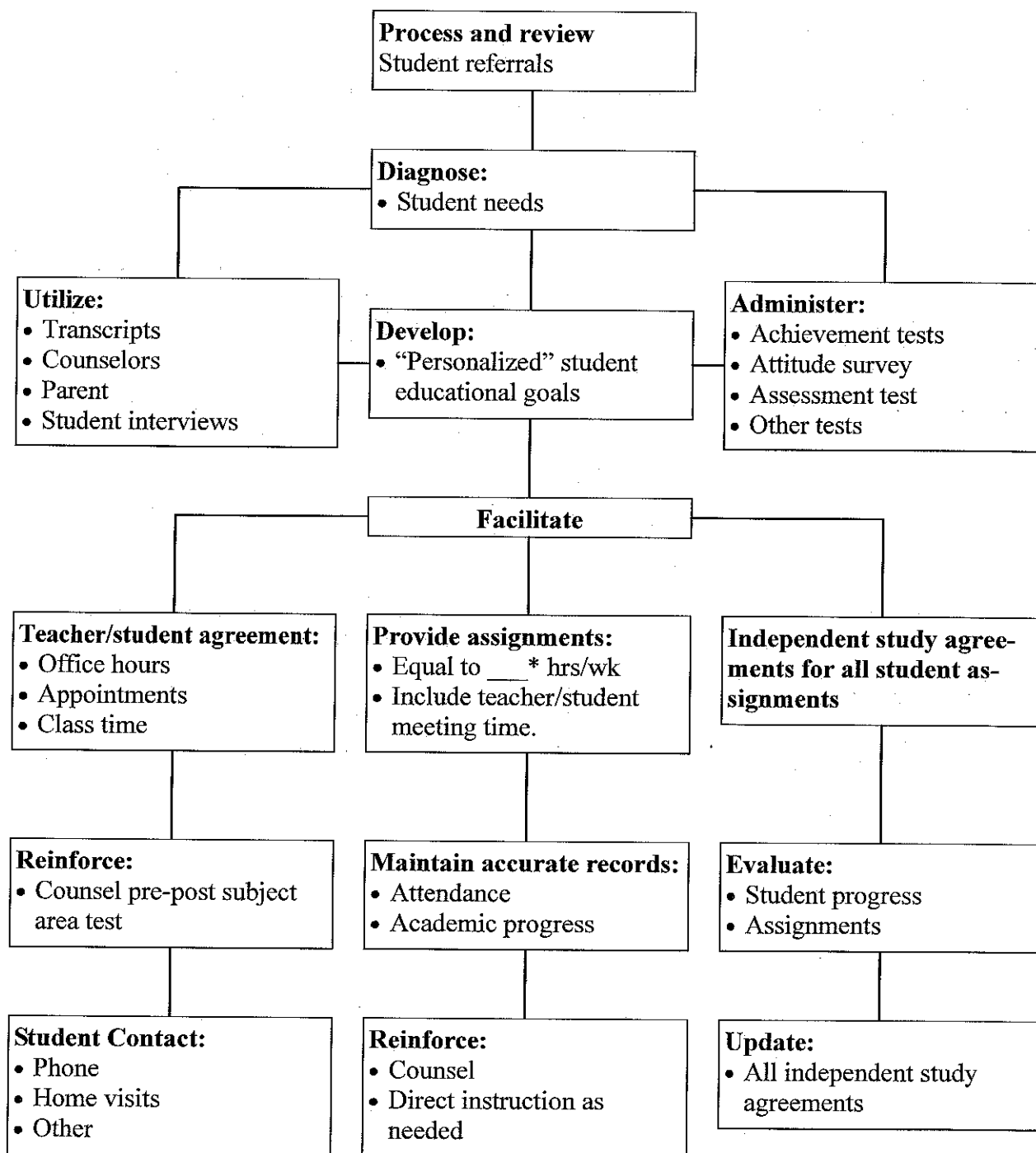
- 1. Fill out child registration sheets
- 2. Administer tests for ability range
- 3. Review transcript
- 4. (If no transcript, assign a 5-unit English contract, Assign only one subject at a time)
- 5. Explain weekly assignment sheet
- 6. Go over master agreement/child conduct
- 7. Obtain necessary signatures for under age child.
- 8. Place all paperwork in child folder
- 9. Assign weekly appointment time

Pupils Already Enrolled

- 1. Turn in completed work (child's name and assignment written on 1st page of work)
- 2. Turn in weekly assignment sheet (must be completely filled out)
- 3. Place completed work in assigned place
- 4. Place weekly assignment sheets in pupil's folder
- 5. Issue new work and record on assignment sheet in pupil's folder
- 6. Issue new weekly assignment sheets
- 7. Write new course agreement, if needed
- 8. Call pupils who have not shown for an appointment

This sample chart was originally published in *Independent Study Operations Manual (2000 Edition)*, © 2000 by the California Department of Education. Portions of the manual and ordering instructions are available at <http://www.cde.ca.gov/sp/eo/is/>.

Figure 7.19: Process Chart: Independent Study Teachers



*The district sets the numbers of hours based on the full-time school day defined in local board policies for elementary and secondary full day public schools.

Figure 7.20: ReportWriter Brochure

ReportWriter is an independent study curriculum and agreement software product. Pricing and other information is available at SchoolPathways.com. Figures 7.19—7.26 are samples of product features and reports.

Features of the ReportWriter Program

- ReportWriter is an intuitive, curriculum-delivery software program that allows a teacher to deliver over 1500 texts to their students at the click of a mouse!
- Each assignment automatically notes the objectives and key State Standards that correspond to that assignment.
- ReportWriter delivers assignments in either a detailed lesson plan format, or in a more general, objectives-based format, to fit the needs of individual learners.
- ReportWriter allows you to create and design your own curriculum, assign your own objectives, and use the program's built in State Standards drop-down files to match standards with lessons if you desire. The Course Builder allows you to build a course all at once or "as-you-go". Your course is stored in a permanent file in the program data-bank, and kept for your personal use, or can be shared with your entire school. Either way, you maintain editing privileges.

Getting Started with ReportWriter

- **Information page.** Each student has an information page that can be used to store information such as student address, phone number, student number, etc.
- **Notes.** Keep notes on each student on the notepad feature. No pieces of paper to lose. These can also be printed and filed in hard copy.
- **Learning Periods.** School-wide learning periods can be set for all teachers, or learning periods can be easily modified to reflect different beginning and/or ending dates for each student individually.

Assigning Courses for Your Students

- **Assigning Courses.** Courses can be assigned from the over 1500, and growing, texts creating the program's lesson plans. Our catalog resource pages help schools research texts and give needed ordering information.
- **Grading Choices.** Courses can be graded using a general category such as Language Arts, Mathematics, or Science. More specific grading by course name, such as U. S. Government, Biology, or Algebra 1, is also an option.
- **Alternate Course Titles.** You can change the name of a course from the one that ReportWriter has assigned it by typing in your new alternate name in the field provided.
- **Course Credits.** Courses can be assigned credits to be later used in the independent study agreement and report card features.
- **Special Course Attributes.** Designations of Elective or Modified can be assigned to any course. Other school specific attributes can also be added to personalize the program for your school.

Creating Independent study Agreements

- **Independent study Agreements.** *ReportWriter* allows teachers to create independent study agreements from courses they've assigned within the program. The verbiage can be modified to your school's needs.
- **Easy to Create.** Independent study Agreements are completed with a few mouse clicks, ready to be printed, signed, and filed at the school. If course assignments are changed, the program automatically reminds you to create a new independent study agreement to keep you state compliant.

Assigning Work

- **Assignments.** Assign work by clicking on any module of work. You can assign all modules by clicking the "All" tab. You have the choice of assigning work in a lesson plan format or a synopsis format.
 - *Lesson Plan* format shows all specific assignments with a description and page numbers. These assignments are matched to specific objectives and the California State Standards.
 - *Synopsis* format gives a more general assignment by just showing the objectives you wish the student to meet. It also matches these objectives to California State Standards.
- **Custom Assignment.** Add a custom assignment to your module to show a specific task. These custom assignments are easily changed or deleted. You can also delete any assignment listed.
- **Assigned Modules are Noted.** After you have assigned modules, the name of the course and the numbers of the modules are shown in the window below. It also shows whether you assigned it in a lesson plan or synopsis version.
- **Assigned Modules are Grayed Out.** When you go into future learning periods to assign work, the modules you have already assigned in previous learning periods show up in gray text. You can still reassign these modules if you choose but it is a reminder that you assigned them once already.
- **Assignment Notes.** Banners can be created to show on the Assignment Sheet. You might want to remind your students of an upcoming field trip or school-wide testing. Just type out an announcement in the "notes" section and it will appear under the heading on the report.
- **Copy Assignments.** You can copy modules from one learning period to another (if a student didn't complete work assigned). You can copy **JUST** one course or All courses - you choose. You can also copy assignments you've made to one student to other students in the same way - one course/several courses/all courses.

Evaluations

- **Gradebook.** The Evaluation page is an actual grade calculator. Work can be graded by 1. the module or 2. the assignments within a module - you make the choice. Not all assignments have to be graded. You must, however, weight grades you give. As you give grades you will notice that the *GPA calculator* at the bottom of the page keeps track of the current GPA in the particular subject for the learning period.
- **Comments.** Personalized comments can be added to any report. In the Evaluation page, ~~"Canned Comments" have been organized for you in a list so your favorite comments are easy to find.~~

Reports

- **Toggle between Lesson Plan version and Synopsis version.** You now have the ability to make assignment reports to your students in the Lesson Plan version and then, after evaluating at the end of the month, switching to the synopsis version at the click of a button. Many teachers like to assign in LP version but would rather save paper by turning in records to the office in the Synopsis version. This is now easily accomplished without having to re-create the lesson.
- **Report Cards.** The program has several different types of report cards. Data on these reports is automatically populated from courses loaded and input in the Evaluation page. You choose the learning periods you want to appear, the name of the course as you want it to appear, even IF you want it to appear!
 - *Progress Reports,*
 - *Primary/Intermediate and Secondary Report Cards.*
 - *Work Summary Reports*
- **State Standards Compliance Report.** A report can be created that shows all state standards addressed in student assignments throughout the year. A reverse search can also be done to find modules of work in courses assigned where lessons pertaining to unassigned state standards can be found.

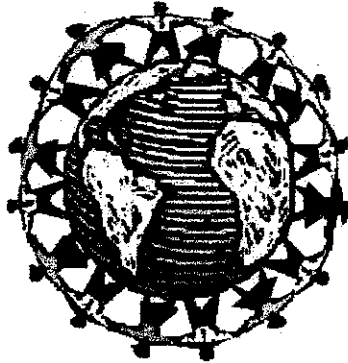
Alternate Course Types

- **Custom Course.** You'll love the new custom course feature, It is set up like a tree. You can edit it at any time, even after you have saved it and shut down the program. The easy pull-down list of CA State Standards allows you to attach standards to any module. You can create a course module by module from month to month. It is also easy to share it with your team of teachers or even with all users of *ReportWriter* 4.0.
- **Standards Based and Generic Courses.** Some families don't use State Adopted Curriculum or texts developed by publishers. To address this issue, we have turned each set of CA State Standards into courses with modules, objectives, and assignments. If a student is learning to write essays, you might assign standards based generic lessons from Word Analysis, Fluency, and Systematic Vocabulary Development, Writing Strategies, and Writing Applications. These Standards-Based Courses are listed in our choice of courses on the drop-down menu just like all our other courses and in two formats.

Technical Support and Training

- **Training.** When a school purchases *ReportWriter*, one training for staff members is included. Phone and Email support is always available.
- **Automatic Feedback Form.** If you have a comment or question about RW, just connect to the Internet, then go to "feedback" under the tools tab. Your comments will go directly to *ReportWriter*.
- **Customer Support.** *ReportWriter* has an excellent reputation for customer support. Most inquiries are responded to within minutes but all problems are addressed with 24 hours.
- **Online Demonstration.** Visit us online and view our on-line demonstration by clicking on "Demonstration."

Figure 7.21: Sample ReportWriter Master Agreement for Independent Study



Master Agreement for Independent Study

Student: John Doe
Student Number: 56
Address: 150 Pacific Ave
Location: Portola, CA 96122
1st Phone Number: 530-832-5979
DOB: 11/06/1989
Program Placement: General Education

Contract Term: Spring Semester
Beginning Date: 01-24-2005
End Date: 06-10-2005
Year: 2004 - 2005
2nd Phone Number:
Grade Level: 9
School for Classroom Option: PHS

It is understood that:

Objectives: The student will complete the courses listed below. All course objectives will be consistent with the established district or charter school's governing board and are consistent with district or charter school standards as outlined in the district or charter school's subject/course descriptions. Assignment and Work Record Forms will include additional descriptions of the major objectives and activities of the courses of study covered by this agreement including the evaluation of student work and are incorporated herein. The term "course value" (CV) refers to the number of credits (secondary education) or weeks of work (elementary education) the student will attempt.

Schedule and Course Value

Category	Subject	Curriculum	CV	Attributes
Language Arts	Literature 9	HS - Language of Literature 9, Textbook Based - McDougal Littell (2000)	5 Credits	Honors
Mathematics	Algebra 1	8-HS - Algebra 1, CA - Glencoe (2005)	5 Credits	
Science	Biology	HS - Biology - AGS (2004)	5 Credits	
Social Studies	World History	HS - World History, The Modern Era - Prentice Hall (1999)	5 Credits	A-G

Method of study: Specific methods of study will be designated on the Student assignment and Work Record and are incorporated herein. Examples of methods of study for the student will include: Independent Reading, Textbook Activities, Study Projects, Library Research, Learning Center Courses, Web/Internet Research, Problem Solving, Drill & Practice, Experiential Learning, Computerized Curriculum, Field Trips

Specific Resources: The school will provide appropriate instructional materials and personnel necessary to the achievement of the objectives and must include resources that are normally available to all students on the same terms as the terms on which they are available to all. Assignments and specific resources will be designated on the Assignment and Work Record forms and are incorporated herein.

Method of Evaluation: Academic evaluations will be designated on the Assignment and Work Record and are incorporated herein. Other acceptable methods of evaluation include, but are not limited to: Student Conferences, Progress/Report Cards, Chapter/Unit Tests, Work Samples, Portfolios, Teacher Made Tests, Observations, State Standards Testing, CA High School Exit, Learning Journals, Presentations, Quizzes, Labs, Finals.

Students are required to report to their teacher as scheduled: Manner of Reporting: One-on-One, Small Group, Email, Fax Time: 4:00, Day: Wednesday Frequency: Once every 20 days, Duration: 1 Semester, Location: Learning Center

Student: John Doe Teacher: LaAnn Reed

Voluntary Statement It is understood that independent study is a continuously voluntary educational alternative and that a classroom option is always available at the student's home district. Instruction may be provided for a student through independent study only if the student is offered the alternative of classroom instruction.

Assignments: According to the district or charter school policy for grades K through 12, the maximum length of time allowed between when the assignment was made and the date the assignment is due is 20 days, unless an exception is made in accordance with the district or charter school policy. After 1 missed assignments, as per board policy, an evaluation will be made to determine whether independent study is an appropriate strategy for this student.

Additional courses may be added to this agreement as needed if the agreement is re-signed and re-dated by the teacher and the student.

Signatures and Dates: I have read and I understand the terms of this agreement, and agree to all provisions set forth.

Student: _____ Date: _____

Parent/Guardian/Caregiver: _____ Date: _____

Supervising Teacher: _____ Date: _____

Other: _____ Date: _____

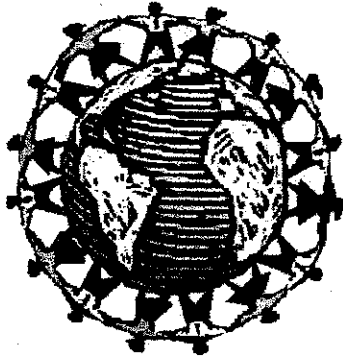
Other: _____ Date: _____

Other: _____ Date: _____

Other: _____ Date: _____

Student: John Doe Teacher: LaAnn Reed

Figure 7.22: Sample ReportWriter Acknowledgement of Responsibilities



Acknowledgement of Responsibilities

Student: John Doe

Student Number: 56

Address: 150 Pacific Ave

Location: Portola, CA 96122

1st Phone Number: 530-832-5979

DOB: 11/06/1989

Program Placement: General Education

Contract Term: Spring Semester

Beginning Date: 01-24-2005

End Date: 06-10-2005

Year: 2004 - 2005

2nd Phone Number:

Grade Level: 9

School for Classroom Option: PHS

Students Agreement/Responsibilities

- I voluntarily request participation in this independent study program and have read and understand the terms of the master agreement
- I will complete all course work outlined in the master agreement, and as assigned to me in the periodic Student Assignment and Work Record.

Parent/Legal Guardians Agreement

I agree to the above conditions listed under Students Agreement/Responsibilities. I also understand that:

- I am responsible for the daily monitoring/verification of all subjects studied, with scheduled monitoring by the Independent Study Teacher.
- If I become aware of special or extenuating circumstances that will prohibit my student from turning-in the assigned work by the due date, I will contact the Independent Study Teacher prior to the due-date to make alternative arrangements.
- I understand that it is my responsibility to provide any needed transportation for my child's scheduled meetings at a mutually agreed upon location reflected on the face of the master agreement and that lack of transportation is not an acceptable reason for failing to meet with the Independent Study Teacher. I have the right to appeal any decision about my child's placement in accordance with the school's policies and procedures.

Independent Study Teachers Agreement

- The Independent Study Teacher will assign a body of work to be completed during the duration of this agreement.
- The Independent Study Teacher will evaluate work in a timely manner.
- The Independent Study Teacher will notify the student and parent/legal guardian of the academic credit granted for work completed.

Student: John Doe Teacher: LeAnn Reed

We, the undersigned, understand the voluntarily agree to the terms and conditions of this Independent Study agreement. Our signatures below indicate that we voluntarily participated in the establishment of these Agreements/Responsibilities and that we understand and accept our responsibilities in relation to this document.

Student: _____ Date: _____

Parent/Guardian/Caregiver: _____ Date: _____

Teacher: _____ Date: _____

Other: _____ Date: _____

Student: John Doe Teacher: LeAnn Reed

Figure 7.23: Sample ReportWriter Student Assignment and Work Record



Student Assignment & Work Record

Student Name: John Doe Student# 56 Grade: 9
 Teacher: LeAnn Reed Teacher# 1 Learning Period: 6
 Date Assignment Made: 01/24/2005 Date Assignment Due: 02/18/2005

Teacher Signature: _____ Date: _____
The number of attendance days possible for this student's learning period is _____. In my professional judgment, the student has completed work that has a value of ____ days.

Category: Language Arts

Course Text: HS – Language of Literature 9, Textbook Based – McDougal Littell (2000)

Course Title: Literature 9

Module 1: Unit 1–Part 1 – Crisis and Conflict. The Necklace, The Most Dangerous Game, Where Have You Gone, Charming Billy?

- Assignments** 1. Understand and read works of fiction: works of prose that have imaginary elements.
/ Objectives: 2. Understand PLOT, CHARACTER, SETTING AND THEME: the elements of fiction that are the building blocks of good fiction.
 3. Vocabulary Skills: Build and develop these vocabulary skills: looking for context and meaning clues.
 4. Grammar Skills: Review and practice abstract and concrete nouns; choosing precise verbs; and adverbs.
 5. Relate Real World Writing to other forms of writing: note the importance of good writing skills in real-life situations.

CA State Standards: WAFSVD:1.1; RC:2.4,2.5,2.8; LRA:3.2,3.3,3.4,3.5,3.6; WS:1.2,1.3;
 WA:2.1.a,2.2.b,2.3.b,2.4.a,2.4.b,2.4.c,2.4.d,2.6.a,2.6.b,2.6.c; WOELC:1.1,1.2,1.3; LSS:1.14;
 SA:2.3.a,2.3.c,2.3.d,2.3.e,2.3.f,2.5.a,2.5.b,2.5.c

Category: Mathematics

Course Text: 8–HS – Algebra 1, CA – Glencoe (2005)

Course Title: Algebra 1

Module 1: Chapter 1 – The Language of Algebra.

- Assignments** 1. Write mathematical expressions for verbal expressions.
/ Objectives: 2. Write verbal expressions for mathematical expressions.
 3. Evaluate numerical expressions by using the order of operations.
 4. Solve open sentence equations and inequalities.

CA State Standards: A1:4.0,25.2

Category: Science

Course Text: HS – Biology – AGS (2004)

Course Title: Biology

Module 1: Chapter 1 – The Basic Unit of Life.

Student John Doe Teacher: LeAnn Reed LP: 6

- Assignments** 1. Describe a cell and explain some of its functions.
/ Objectives: 2. Explain what tissues and organs are.
3. Identify ways that plant and animal cells are alike and different.
4. Describe the functions of structures in cells.

CA State Standards: BLS:1.a,1.f,1.g,1.i,1.j,5.a; IE:1.a

Category: Social Studies

Course Text: HS – World History, The Modern Era – Prentice Hall (1999)

Course Title: World History

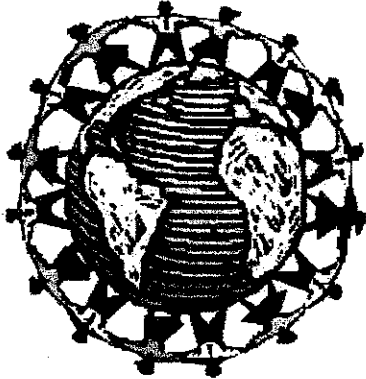
Module 1: Review Unit. Early Civilization to Early Modern Times.

- Assignments** 1. Identify the eight basic features common to most civilizations.
/ Objectives: 2. Identify the main periods of ancient Egyptian history.
3. Identify contributions of early civilizations in India and China.
4. Summarize the central teachings of Hinduism and Buddhism.
5. Describe the kinds of government the Greeks developed.
6. Identify key achievements of the Mayans, Aztecs.
7. Explain how medieval society was organized under feudalism.
8. Identify how feudalism developed in Japan.
9. Summarize the achievements of the Renaissance.
10. Identify key advances of the Scientific Revolution.

CA State Standards: SS:10.1.1,10.1.2,10.2.2

Student: John Doe Teacher: LeAnn Reed LP: 6

Figure 7.24: Sample ReportWriter Work Summary Report



Work Summary Report

Student Name: John Doe
Teacher Name: Leann Reed
Date Parameters:

Student Number: 56
Teacher Number: 1
02/21/2005 to 03/21/2005

Grade Level: 9
Learning Period: 7

Course: Literature 9

Category: Language
Arts

Text: *The Language of Literature Grade 9 by McDougal Littell, 2000; a 37 Module Course.*

Module 1: Unit 1--Part 1 -- Crisis and Conflict. The Necklace, The Most Dangerous Game, Where Have You Gone, Charming Billy?

Score/Evaluation: B-

Comments: *Reading, vocabulary development and comprehension skills are strong.*

Cumulative Grade: B-

Course: Algebra 1

Category:
Mathematics

Text: *Algebra 1, CA Edition by Glencoe, 2005; a 36 Module Course.*

Module 1: Chapter 1 -- The Language of Algebra.

Score/Evaluation: B-

Comments: *John uses methods/formulas presented in lessons to complete assignment.*

Cumulative Grade: B-

Course: Biology

Category: Science

Text: *Biology by AGS, 2004; a 36 Module Course.*

Module 1: Chapter 1 -- The Basic Unit of Life.

Score/Evaluation: A+

Comments: *John is able to explain newly gained knowledge.*

Cumulative Grade: A+

Course: World History

Category: Social
Studies

Text: *World History -- The Modern Era by Prentice Hall, 1999; a 36 Module Course.*

Module 1: Review Unit. Early Civilization to Early Modern Times.

Score/Evaluation: C

Comments:

Cumulative Grade: C

Teacher Signature: _____

Date: _____

The number of attendance days possible for this student's learning period is _____. In my professional judgment, the student has completed work that has a value of _____ days.

Student: John Doe Teacher: Leann Reed

Figure 7.25: Sample ReportWriter Progress Report



Progress Report

Student Name: John Doe

Student# 56

Grade: 9

Teacher: LeAnn Reed

Teacher# 1

Dates From: 02/21/2005 To: 03/21/2005

Category: Literature 9	Learning Period	Grade
	Learning Period 7 (02/21/2005-03/21/2005)	B-
		Cumulative Grade to Date: B-
Category: Algebra 1	Learning Period	Grade
	Learning Period 7 (02/21/2005-03/21/2005)	B-
		Cumulative Grade to Date: B-
Category: Biology	Learning Period	Grade
	Learning Period 7 (02/21/2005-03/21/2005)	A+
		Cumulative Grade to Date: A+
Category: World History	Learning Period	Grade
	Learning Period 7 (02/21/2005-03/21/2005)	C
		Cumulative Grade to Date: C

Teacher's Comments

John is gaining self-confidence and work quality has improved.

Parent/Guardian Signature _____

Date _____

Teacher Signature _____

Date _____

Figure 7.26: Sample ReportWriter Secondary Report Card



Secondary Report Card

Student Name: John Doe
 Teacher: LeAnn Reed
 Semester 2

Student# 56
 Teacher# 1
 Year: 2004 - 2005

Grade: 9

Subject	Grade	Credits Attempted	Credits Earned	Comments
World History	C	5	5	(A-G)
Biology	A+	5	5	
Algebra 1	B-	5	5	
Litcrature 9	B-	5	5	(Honors)

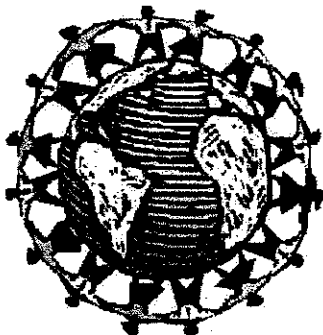
GPA: 2.92

Comments: John has a good attitude that is reflected in his schoolwork and social interactions.

Teacher Signature: _____

Date: _____

Figure 7.27: Sample ReportWriter Standards Compliance Report



Standards Compliance Report

Student Name: Doe, John
Teacher: Reed, LeAnn

Student# 56
Teacher# 1

Grade: 9

Grade 9-10	CA Standards: Language Arts	Atmp.	Mast	Blueprint Items / Pct	
WAFSVD / 1.0	Word Analysis, Fluency, and Systematic Vocabulary Development – Students apply their knowledge of word origins to determine the meaning of new words encountered in reading materials and use those words accurately.	0		✓	11%
WAFSVD / 1.1	Identify and use the literal and figurative meanings of words and understand word derivations.	1	1	✓	
WAFSVD / 1.2	Distinguish between the denotative and connotative meanings of words and interpret the connotative power of words.	0			
WAFSVD / 1.3	Identify Greek, Roman, and Norse mythology and use the knowledge to understand the origin and meaning of new words (e.g., the word narcissistic drawn from the myth of Narcissus and Echo).	0		✓	
RC / 2.0	Reading Comprehension (Focus on Informational Materials) – Students read and understand grade-level-appropriate material. They analyze the organizational patterns, arguments, and positions advanced. The selections in Recommended Literature, Grades Nine Through Twelve (1990) illustrate the quality and complexity of the materials to be read by students. In addition, by grade twelve, students read two million words annually on their own, including a wide variety of classic and contemporary literature, magazines, newspapers, and online information. In grades nine and ten, students make substantial progress toward this goal.	0		18	24%
RC / 2.1	Analyze the structure and format of functional workplace documents, including the graphics and headers, and explain how authors use the features to achieve their purposes.	0		✓	
RC / 2.2	Prepare a bibliography of reference materials for a report using a variety of consumer, workplace, and public documents. Comprehension and Analysis of Grade-	0		✓	
RC / 2.3	Generate relevant questions about readings on issues that can be researched.	0		✓	
RC / 2.4	Synthesize the content from several sources or works by a single author dealing with a single issue; paraphrase the ideas and connect them to other sources and related topics to demonstrate comprehension.	1	1	✓	
RC / 2.5	Extend ideas presented in primary or secondary sources through original analysis, evaluation, and elaboration.	1	1	✓	
RC / 2.6	Demonstrate use of sophisticated learning tools by following technical directions (e.g., those found with graphic calculators and specialized software programs and in access guides to World Wide Web sites on the Internet).	0		✓	
RC / 2.7	Critique the logic of functional documents by examining the sequence of information and procedures in anticipation of possible reader misunderstandings.	0		✓	
RC / 2.8	Evaluate the credibility of an author's argument or defense of a claim by critiquing the relationship between generalizations and evidence, the comprehensiveness of evidence, and the way in which the author's intent affects the structure and tone of the text (e.g., in professional journals, editorials, political speeches, primary source material).	1	1	✓	
LRA / 3.0	Literary Response and Analysis – Students read and respond to historically or culturally significant works of literature that reflect and enhance their studies of history and social science. They conduct in-depth analyses of recurrent patterns and themes. The selections in Recommended Literature, Grades Nine Through Twelve illustrate the quality and complexity of the materials to be read by students.	0		16	21%

Student: Doe, John Teacher: Reed, LeAnn

LRA / 3.1	Articulate the relationship between the expressed purposes and the characteristics of different forms of dramatic literature (e.g., comedy, tragedy, drama, dramatic monologue).	0		✓	
LRA / 3.2	Compare and contrast the presentation of a similar theme or topic across genres to explain how the selection of genre shapes the theme or topic.	1	1	✓	
LRA / 3.3	Analyze interactions between main and subordinate characters in a literary text (e.g., internal and external conflicts, motivations, relationships, influences) and explain the way those interactions affect the plot.	1	0	✓	
LRA / 3.4	Determine characters' traits by what the characters say about themselves in narration, dialogue, dramatic monologue, and soliloquy.	1	1	✓	
LRA / 3.5	Compare works that express a universal theme and provide evidence to support the ideas expressed in each work.	1	1	✓	
LRA / 3.6	Analyze and trace an author's development of time and sequence, including the use of complex literary devices (e.g., foreshadowing, flashbacks).	1	1	✓	
LRA / 3.7	Recognize and understand the significance of various literary devices, including figurative language, imagery, allegory, and symbolism, and explain their appeal.	0		✓	
LRA / 3.8	Interpret and evaluate the impact of ambiguities, subtleties, contradictions, ironies, and incongruities in a text.	0		✓	
LRA / 3.9	Explain how voice, persona, and the choice of a narrator affect characterization and the tone, plot, and credibility of a text.	0		✓	
LRA / 3.10	Identify and describe the function of dialogue, scene designs, soliloquies, asides, and character foils in dramatic literature.	0		✓	
LRA / 3.11	Evaluate the aesthetic qualities of style, including the impact of diction and figurative language on tone, mood, and theme, using the terminology of literary criticism. (Aesthetic approach)	0		✓	
LRA / 3.12	Analyze the way in which a work of literature is related to the themes and issues of its historical period. (Historical approach).	0		✓	
WS / 1.0	Writing Strategies – Students write coherent and focused essays that convey a well-defined perspective and tightly reasoned argument. The writing demonstrates students' awareness of the audience and purpose. Student progresses through the stages of the writing process as needed.	0		✓	27%
WS / 1.1	Establish a controlling impression or coherent thesis that conveys a clear and distinctive perspective on the subject and maintain a consistent tone and focus throughout the piece of writing.	0		✓	
WS / 1.2	Use precise language, action verbs, sensory details, appropriate modifiers, and the active rather than the passive voice.	1		✓	
WS / 1.3	Use clear research questions and suitable research methods (e.g., library, electronic media, personal interview) to elicit and present evidence from primary and secondary sources.	1	1	✓	
WS / 1.4	Develop the main ideas within the body of the composition through supporting evidence (e.g., scenarios, commonly held beliefs, hypotheses, definitions).	0		✓	
WS / 1.5	Synthesize information from multiple sources and identify complexities and discrepancies in the information and the different perspectives found in each medium (e.g., almanacs, microfiche, news sources, in-depth field studies, speeches, journals, technical documents).	0		✓	
WS / 1.6	Integrate quotations and citations into a written text while maintaining the flow of ideas.	0			
WS / 1.7	Use appropriate conventions for documentation in the text, notes, and bibliographies by adhering to those in style manuals (e.g., Modern Language Association Handbook, The Chicago Manual of Style).	0		✓	
WS / 1.8	Design and publish documents by using advanced publishing software and graphic programs.	0			
WS / 1.9	Revise writing to improve the logic and coherence of the organization and controlling perspective, the precision of word choice, and the tone by taking into consideration the audience, purpose, and formality of the context.	0		✓	
WA / 2.0	Writing Applications (Genres and Their Characteristics) – Students combine the rhetorical strategies of narration, exposition, persuasion, and description to produce texts of at least 1,500 words each. Student writing demonstrates a command of standard American English and the research, organizational, and drafting strategies outlined in Writing Standard 1.0.	0			
WA / 2.1	Write biographical or autobiographical narratives or short stories.	0			
WA / 2.1.a	Relate a sequence of events and communicate the significance of the events to the audience.	1			
WA / 2.1.b	Locate scenes and incidents in specific places.	0			
WA / 2.1.c		0			

Student: Doe, John Teacher: Reed, LeAnn

	Describe with concrete sensory details the sights, sounds, and smells of a scene and the specific actions, movements, gestures, and feelings of the characters; use interior monologue to depict the characters' feelings.				
WA / 2.1.d	Pace the presentation of actions to accommodate changes in time and mood.	0			
WA / 2.1.e	Make effective use of descriptions of appearance, images, shifting perspectives, and sensory details.	0			
WA / 2.2	Write responses to literature.	0			
WA / 2.2.a	Demonstrate a comprehensive grasp of the significant ideas of literary works.	0			
WA / 2.2.b	Support important ideas and viewpoints through accurate and detailed references to the text or to other works.	1			
WA / 2.2.c	Demonstrate awareness of the author's use of stylistic devices and an appreciation of the effects created.	0			
WA / 2.2.d	Identify and assess the impact of perceived ambiguities, nuances, and complexities within the text.	0			
WA / 2.3	Write expository compositions, including analytical essays and research reports.	0			
WA / 2.3.a	Marshal evidence in support of a thesis and related claims, including information on all relevant perspectives.	0			
WA / 2.3.b	Convey information and ideas from primary and secondary sources accurately and coherently.	1			
WA / 2.3.c	Make distinctions between the relative value and significance of specific data, facts, and ideas.	0			
WA / 2.3.d	Include visual aids by employing appropriate technology to organize and record information on charts, maps, and graphs.	0			
WA / 2.3.e	Anticipate and address readers' potential misunderstandings, biases, and expectations.	0			
WA / 2.3.f	Use technical terms and notations accurately.	0			
WA / 2.4	Write persuasive compositions.	0			
WA / 2.4.a	Structure ideas and arguments in a sustained and logical fashion.	1			
WA / 2.4.b	Use specific rhetorical devices to support assertions (e.g., appeal to logic through reasoning; appeal to emotion or ethical belief; relate a personal anecdote, case study, or analogy).	1			
WA / 2.4.c	Clarify and defend positions with precise and relevant evidence, including facts, expert opinions, quotations, and expressions of commonly accepted beliefs and logical reasoning.	1			
WA / 2.4.d	Address readers' concerns, counterclaims, biases, and expectations.	1			
WA / 2.5	Write business letters.	0			
WA / 2.5.a	Provide clear and purposeful information and address the intended audience appropriately.	0			
WA / 2.5.b	Use appropriate vocabulary, tone, and style to take into account the nature of the relationship with, and the knowledge and interests of, the recipients.	0			
WA / 2.5.c	Highlight central ideas or images.	0			
WA / 2.5.d	Follow a conventional style with page formats, fonts, and spacing that contribute to the documents' readability and impact.	0			
WA / 2.6	Write technical documents (e.g., a manual on rules of behavior for conflict resolution, procedures for conducting a meeting, minutes of a meeting).	0			
WA / 2.6.a	Report information and convey ideas logically and correctly.	1			
WA / 2.6.b	Offer detailed and accurate specifications.	1			
WA / 2.6.c	Include scenarios, definitions, and examples to aid comprehension (e.g., troubleshooting guide).	1			
WA / 2.6.d	Anticipate readers' problems, mistakes, and misunderstandings.	0			
WOELC / 1.0	Written and Oral English Language Conventions – Students write and speak with a command of standard English conventions.	0		13	17%
WOELC / 1.1	Identify and correctly use clauses (e.g., main and subordinate), phrases (e.g., gerund, infinitive, and participial), and mechanics of punctuation (e.g., semicolons, colons, ellipses, hyphens).	1	1	✓	
WOELC / 1.2	Understand sentence construction (e.g., parallel structure, subordination, proper placement of modifiers) and proper English usage (e.g., consistency of verb tenses).	1	1	✓	
WOELC / 1.3	Demonstrate an understanding of proper English usage and control of grammar, paragraph and sentence structure, diction, and syntax.	1	1	✓	

Student: Doe, John Teacher: Reed, LeAnn

WOELC / 1.4	Produce legible work that shows accurate spelling and correct use of the conventions of punctuation and capitalization.	0		✓	
WOELC / 1.5	Reflect appropriate manuscript requirements, including title page presentation, pagination, spacing and margins, and integration of source and support material (e.g., in-text citation, use of direct quotations, paraphrasing) with appropriate citations.	0		✓	
LSS / 1.0	Listening and Speaking Strategies – Students formulate adroit judgments about oral communication. They deliver focused and coherent presentations of their own that convey clear and distinct perspectives and solid reasoning. They use gestures, tone, and vocabulary tailored to the audience and purpose.	0			
LSS / 1.1	Formulate judgments about the ideas under discussion and support those judgments with convincing evidence.	0			
LSS / 1.2	Compare and contrast the ways in which media genres (e.g., televised news, news magazines, documentaries, online information) cover the same event.	0			
LSS / 1.3	Choose logical patterns of organization (e.g., chronological, topical, cause and effect) to inform and to persuade, by soliciting agreement or action, or to unite audiences behind a common belief or cause.	0			
LSS / 1.4	Choose appropriate techniques for developing the introduction and conclusion (e.g., by using literary quotations, anecdotes, references to authoritative sources).	0			
LSS / 1.5	Recognize and use elements of classical speech forms (e.g., introduction, first and second transitions, body, conclusion) in formulating rational arguments and applying the art of persuasion and debate.	0			
LSS / 1.6	Present and advance a clear thesis statement and choose appropriate types of proof (e.g., statistics, testimony, specific instances) that meet standard tests for evidence, including credibility, validity, and relevance.	0			
LSS / 1.7	Use props, visual aids, graphs, and electronic media to enhance the appeal and accuracy of presentations.	0			
LSS / 1.8	Produce concise notes for extemporaneous delivery.	0			
LSS / 1.9	Analyze the occasion and the interests of the audience and choose effective verbal and nonverbal techniques (e.g., voice, gestures, eye contact) for presentations.	0			
LSS / 1.10	Analyze historically significant speeches (e.g., Abraham Lincoln's "Gettysburg Address," Martin Luther King, Jr.'s "I Have a Dream") to find the rhetorical devices and features that make them memorable.	0			
LSS / 1.11	Assess how language and delivery affect the mood and tone of the oral communication and make an impact on the audience.	0			
LSS / 1.12	Evaluate the clarity, quality, effectiveness, and general coherence of a speaker's important points, arguments, evidence, organization of ideas, delivery, diction, and syntax.	0			
LSS / 1.13	Analyze the types of arguments used by the speaker, including argument by causation, analogy, authority, emotion, and logic.	0			
LSS / 1.14	Identify the aesthetic effects of a media presentation and evaluate the techniques used to create them (e.g., compare Shakespeare's <i>Henry V</i> with Kenneth Branagh's 1990 film version).	1	1		
SA / 2.0	Speaking Applications (Genres and Their Characteristics) – Students deliver polished formal and extemporaneous presentations that combine the traditional rhetorical strategies of narration, exposition, persuasion, and description. Student speaking demonstrates a command of standard American English and the organizational and delivery strategies outlined in Listening and Speaking Standard 1.0.	0			
SA / 2.1	Deliver narrative presentations.	0			
SA / 2.1.a	Narrate a sequence of events and communicate their significance to the audience.	0			
SA / 2.1.b	Locate scenes and incidents in specific places.	0			
SA / 2.1.c	Describe with concrete sensory details the sights, sounds, and smells of a scene and the specific actions, movements, gestures, and feelings of characters.	0			
SA / 2.1.d	Pace the presentation of actions to accommodate time or mood changes.	0			
SA / 2.2	Deliver expository presentations.	0			
SA / 2.2.a	Marshal evidence in support of a thesis and related claims, including information on all relevant perspectives.	0			
SA / 2.2.b	Convey information and ideas from primary and secondary sources accurately and coherently.	0			

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SA / 2.2.c	Make distinctions between the relative value and significance of specific data, facts, and ideas.	0			
SA / 2.2.d	Include visual aids by employing appropriate technology to organize and display information on charts, maps, and graphs.	0			
SA / 2.2.e	Anticipate and address the listener's potential misunderstandings, biases, and expectations.	0			
SA / 2.2.f	Use technical terms and notations accurately.	0			
SA / 2.3	Apply appropriate interviewing techniques.	0			
SA / 2.3.a	Prepare and ask relevant questions.	1			
SA / 2.3.b	Make notes of responses.	0			
SA / 2.3.c	Use language that conveys maturity, sensitivity, and respect.	1			
SA / 2.3.d	Respond correctly and effectively to questions.	1			
SA / 2.3.e	Demonstrate knowledge of the subject or organization.	1			
SA / 2.3.f	Compile and report responses.	1			
SA / 2.3.g	Evaluate the effectiveness of the interview.	0			
SA / 2.4	Deliver oral responses to literature.	0			
SA / 2.4.a	Advance a judgment demonstrating a comprehensive grasp of the significant ideas of works or passages (i.e., make and support warranted assertions about the text).	0			
SA / 2.4.b	Support important ideas and viewpoints through accurate and detailed references to the text or to other works.	0			
SA / 2.4.c	Demonstrate awareness of the author's use of stylistic devices and an appreciation of the effects created.	0			
SA / 2.4.d	Identify and assess the impact of perceived ambiguities, nuances, and complexities within the text.	0			
SA / 2.5	Deliver persuasive arguments (including evaluation and analysis of problems and solutions and causes and effects).	0			
SA / 2.5.a	Structure ideas and arguments in a coherent, logical fashion.	1			
SA / 2.5.b	Use rhetorical devices to support assertions (e.g., by appeal to logic through reasoning; by appeal to emotion or ethical belief; by use of personal anecdote, case study, or analogy).	1			
SA / 2.5.c	Clarify and defend positions with precise and relevant evidence, including facts, expert opinions, quotations, expressions of commonly accepted beliefs, and logical reasoning.	1			
SA / 2.5.d	Anticipate and address the listener's concerns and counterarguments.	0			
SA / 2.6	Deliver descriptive presentations.	0			
SA / 2.6.a	Establish clearly the speaker's point of view on the subject of the presentation.	0			
SA / 2.6.b	Establish clearly the speaker's relationship with that subject (e.g., dispassionate observation, personal involvement).	0			
SA / 2.6.c	Use effective, factual descriptions of appearance, concrete images, shifting perspectives and vantage points, and sensory details.	0			

Student Doe, John Teacher: Reed, LaAnn



Section Eight: Legal Citations

The *Education Code* sections included in this document do not take into consideration pending legislation. The reader is cautioned to incorporate any new legislative changes when reference is made to the section. *Education Codes* may be accessed directly on the internet at www.leginfo.ca.gov/calaw.html.

Education Code sections

§56026	Individuals With Exceptional Needs
§41020	Audit
§42238.5	Computation of Average Daily Allowance
§46300	Average Daily Attendance
§46300.1	Average Daily Attendance
§46300.2	Average Daily Attendance
§46300.4	Average Daily Attendance
§46300.6	Average Daily Attendance
§46300.7	Average Daily Attendance
§47612	Appropriations of Funds for Charter Schools
§48050	Admission- Nonresident Pupils
§48051	Admission- Legal Status
§48052	Admission- Tuition for Nonresident Pupils
§48204	Residency Requirements
§48204	Residency Requirements
§48205	Excused Absences
§48206.3	Home/Hospital Instruction
§48915	Expulsion
§48917	Suspension
§49067	Pupil Records
§51225.3	Requirements for Graduation
§51745	Independent Study
§51745.6	Independent Study
§51746	Services and Resources
§51747	Apportionment for Independent Study Pupils
§51747.3	Restrictions on Funding Claims for Independent Study
§51747.5	Supervision and Evaluation of Independent Study by Qualified Personnel
§51748	Written Records for Apportionments

§52123	Class Size Reduction Program Funding Guidelines
§52500	Adult Education Programs
§52500.1	Pupil Eligibility for Adult Education Programs
§52501	Governing Board Role in Adult Education Programs
§52501.3	Requirements for Adult Education Programs
§52501.5	Allocation of Adult Education Program Funds
§52502	Establishment of Adult Schools
§52504	Course of Study Requirements for Adult Education Programs
§52505	Adult Education Program Calendar
§52513	Weekend Classes for Adult Education Programs
§52514	High Schools in Jails, Camps, or Farms
§52522	Innovation and Alternative Instructional Delivery in Adult Education Programs
§52522.2	Department of Education Report on Adult Education

California Code of Regulations, Title 5 sections

§16027	Destruction of Records.
§11701	District Responsibilities
§11701.5	Equitable Provision of Resources and Services
§11702	Requirements for Agreements
§11703	Records
§11960	Regular Average Daily Attendance for Charter Schools
§11963	Definition of Classroom-Based Instruction
§16020	Definition of Records.
§16022	Classification of Records.
§16023	Class 1--Permanent Records.
§16024	Class 2--Optional Records.
§16025	Class 3--Disposable Records.
§16026	Retention Period.
§11700	Definitions

Education Code sections

§2558. County Superintendent of Schools Apportionment

Notwithstanding any other law, for the 1979-80 fiscal year and each fiscal year thereafter, the Superintendent of Public Instruction shall apportion state aid to county superintendents of schools pursuant to this section.

(a) The Superintendent of Public Instruction shall total the amounts computed for the fiscal year pursuant to Sections 2550, 2551.3, 2554, 2555, and 2557 and Section 2551, as that section read on January 1, 1999. For the 1979-80 fiscal year and for purposes of calculating the 1979-80 fiscal year base amounts in succeeding fiscal years, the amounts in Sections 2550, 2551, 2552, 2554, 2555, and 2557, as they read in the 1979-80 fiscal year, shall be multiplied by a factor of 0.994. For the 1981-82 fiscal year and for purposes of calculating the 1981-82 fiscal year base amounts in succeeding fiscal years, the amount in this subdivision shall be multiplied by a factor of 0.97.

(b) For the 1995-96 fiscal year and each fiscal year thereafter, the county superintendent of schools shall adjust the total revenue limit computed pursuant to this section by the amount of increased or decreased employer contributions to the Public Employees' Retirement System resulting from the enactment of Chapter 330 of the Statutes of 1982, adjusted for any changes in those contributions resulting from subsequent changes in employer contribution rates, excluding rate changes due to the direct transfer of the state-mandated portion of the employer contributions to the Public Employees' Retirement System through the current fiscal year. The adjustment shall be calculated for each county superintendent of schools as follows:

(1) Determine the amount of employer contributions that would have been made in the current fiscal year if the applicable Public Employees' Retirement System employee contribution rate in effect immediately prior to the enactment of Chapter 330 of the Statutes of 1982 were in effect during the current fiscal year.

(2) Determine the actual amount of employer contributions made to the Public Employees' Retirement System in the current fiscal year.

(3) If the amount determined in paragraph (1) is greater than the amount determined in paragraph (2), the total revenue limit computed pursuant to this part for that county superintendent of schools shall be decreased by the amount of the difference between those paragraphs; or if the amount determined in paragraph (1) is less than the amount determined in paragraph (2), the total revenue limit for that county superintendent of schools shall be increased by the amount of the difference between those paragraphs.

(4) For the purposes of this subdivision, employer contributions to the Public Employees' Retirement System for any of the following positions shall be excluded from the calculation specified above:

(A) Positions or portions of positions supported by federal funds that are subject to supplanting restrictions.

(B) Positions supported by funds received pursuant to paragraph (1) of subdivision (a) of Section 54203.

(C) Positions supported, to the extent of employers' contributions not exceeding twenty-five thousand dollars (\$25,000) by any single educational agency, from a non-General Fund revenue source determined to be properly excludable from this subdivision by the Superintendent of Public Instruction with the approval of the Director of Finance. Commencing in the 2002-03 fiscal year, only positions supported from a non-General Fund revenue source determined to be properly excludable as identified for a particular local education agency or pursuant to a blanket waiver by the Superintendent of Public Instruction and the Director of Finance, prior to the 2002-03 fiscal year, may be excluded pursuant to this paragraph.

(5) For accounting purposes, any reduction to county office of education revenue limits made by this subdivision may be reflected as an expenditure from appropriate sources of revenue as directed by the Superintendent of Public Instruction.

(6) The amount of the increase or decrease to the revenue limits of county superintendents of schools made by this subdivision for the 1995-96 to 2001-02 fiscal years, inclusive, may not be adjusted by the deficit factor applied to the revenue limit of each county superintendent of schools pursuant to Section 2558.45.

(7) For the 2003-04 fiscal year and any fiscal year thereafter, the revenue limit reduction specified in Section 2558.46 may not be applied to the amount of the increase or decrease to the revenue limits of each county superintendent of schools computed pursuant to paragraph (3).

(c) The Superintendent of Public Instruction shall also subtract from the amount determined in subdivision (a) the sum of: (1) local property tax revenues received pursuant to Section 2573 in the then current fiscal year, and tax

revenues received pursuant to Section 2556 in the then current fiscal year, (2) state and federal categorical aid for the fiscal year, (3) district contributions pursuant to Section 52321 for the fiscal year, and other applicable local contributions and revenues, (4) any amounts that the county superintendent of schools was required to maintain as restricted and not available for expenditure in the 1978-79 fiscal year as specified in the second paragraph of subdivision (c) of Section 6 of Chapter 292 of the Statutes of 1978, as amended by Chapter 51 of the Statutes of 1979, and (5) the amount received pursuant to subparagraph (C) of paragraph (3) of subdivision (a) of Section 33607.5 of the Health and Safety Code that is considered property taxes pursuant to that section.

(d) The remainder computed in subdivision (c) shall be distributed in the same manner as state aid to school districts from funds appropriated to Section A of the State School Fund.

(e) If the remainder determined pursuant to subdivision (c) is a negative amount, no state aid shall be distributed to that county superintendent of schools pursuant to subdivision (d), and an amount of funds of that county superintendent equal to that negative amount shall be deemed restricted and not available for expenditure during the current fiscal year. In the next fiscal year, that amount shall be considered local property tax revenue for purposes of the operation of paragraph (1) of subdivision (c).

(f) The calculations set forth in paragraphs (1) to (3), inclusive, of subdivision (b) exclude employer contributions for employees of charter schools funded pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

§41020. Audit

(a) It is the intent of the Legislature to encourage sound fiscal management practices among local educational agencies for the most efficient and effective use of public funds for the education of children in California by strengthening fiscal accountability at the district, county, and state levels.

(b) (1) Not later than the first day of May of each fiscal year, each county superintendent of schools shall provide for an audit of all funds under his or her jurisdiction and control and the governing board of each local educational agency shall either provide for an audit of the books and accounts of the local educational agency, including an audit of income and expenditures by source of funds, or make arrangements with the county superintendent of schools having jurisdiction over the local educational agency to provide for that auditing.

(2) A contract to perform the audit of a local educational agency that has a disapproved budget or has received a negative certification on any budget or interim financial report during the current fiscal year or either of the two preceding fiscal years, or for which the county superintendent of schools has otherwise determined that a lack of going concern exists, is not valid unless approved by the responsible county superintendent of schools and the governing board.

(3) If the governing board of a local educational agency has not provided for an audit of the books and accounts of the local educational agency by April 1, the county superintendent of schools having jurisdiction over the local educational agency shall provide for the audit of each local educational agency.

(4) An audit conducted pursuant to this section shall fully comply with the Government Auditing Standards issued by the Comptroller General of the United States.

(5) For purposes of this section, "local educational agency" does not include community colleges.

(c) Each audit conducted in accordance with this section shall include all funds of the local educational agency, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the local educational agency. Each audit shall also include an audit of pupil attendance procedures.

(d) All audit reports for each fiscal year shall be developed and reported using a format established by the Controller after consultation with the Superintendent and the Director of Finance.

(e) (1) The cost of the audits provided for by the county superintendent of schools shall be paid from the county school service fund and the county superintendent of schools shall transfer the pro rata share of the cost chargeable to each district from district funds.

(2) The cost of the audit provided for by a governing board shall be paid from local educational agency funds. The audit of the funds under the jurisdiction and control of the county superintendent of schools shall be paid from the county school service fund.

(f) (1) The audits shall be made by a certified public accountant or a public accountant, licensed by the California Board of Accountancy, and selected by the local educational agency, as applicable, from a directory of certified

public accountants and public accountants deemed by the Controller as qualified to conduct audits of local educational agencies, which shall be published by the Controller not later than December 31 of each year.

(2) Commencing with the 2003-04 fiscal year and except as provided in subdivision (d) of Section 41320.1, it is unlawful for a public accounting firm to provide audit services to a local educational agency if the lead audit partner, or coordinating audit partner, having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local educational agency in each of the six previous fiscal years. The Education Audits Appeal Panel may waive this requirement if the panel finds that no otherwise eligible auditor is available to perform the audit.

(3) It is the intent of the Legislature that, notwithstanding paragraph (2) of this subdivision, the rotation within public accounting firms conform to provisions of the federal Sarbanes-Oxley Act of 2002 (P.L. 107-204; 15 U.S.C. Sec. 7201 et seq.), and upon release of the report required by the act of the Comptroller General of the United States addressing the mandatory rotation of registered public accounting firms, the Legislature intends to reconsider the provisions of paragraph (2). In determining which certified public accountants and public accountants shall be included in the directory, the Controller shall use the following criteria:

(A) The certified public accountants or public accountants shall be in good standing as certified by the Board of Accountancy.

(B) The certified public accountants or public accountants, as a result of a quality control review conducted by the Controller pursuant to Section 14504.2, shall not have been found to have conducted an audit in a manner constituting noncompliance with subdivision (a) of Section 14503.

(g) (1) The auditor's report shall include each of the following:

(A) A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Chapter 3 (commencing with Section 14500) of Part 9 of Division 1 of Title 1.

(B) A summary of audit exceptions and management improvement recommendations.

(C) Each audit of a local educational agency shall include an evaluation by the auditor on whether there is substantial doubt about the ability of the local educational agency to continue as a going concern for a reasonable period of time. This evaluation shall be based on the Statement of Auditing Standards (SAS) No. 59, as issued by the AICPA regarding disclosure requirements relating to the ability of the entity to continue as a going concern.

(2) To the extent possible, a description of correction or plan of correction shall be incorporated in the audit report, describing the specific actions that are planned to be taken, or that have been taken, to correct the problem identified by the auditor. The descriptions of specific actions to be taken or that have been taken shall not solely consist of general comments such as "will implement," "accepted the recommendation," or "will discuss at a later date."

(h) Not later than December 15, a report of each local educational agency audit for the preceding fiscal year shall be filed with the county superintendent of schools of the county in which the local educational agency is located, the department, and the Controller. The Superintendent shall make any adjustments necessary in future apportionments of all state funds, to correct any audit exceptions revealed by those audit reports.

(i) (1) Commencing with the 2002-03 audit of local educational agencies pursuant to this section, each county superintendent of schools shall be responsible for reviewing the audit exceptions contained in an audit of a local educational agency under his or her jurisdiction related to attendance, inventory of equipment, internal control, and any miscellaneous items, and determining whether the exceptions have been either corrected or an acceptable plan of correction has been developed.

(2) Commencing with the 2004-05 audit of local educational agencies pursuant to this section, each county superintendent of schools shall include in the review of audit exceptions performed pursuant to this subdivision those audit exceptions related to use of instructional materials program funds, teacher misassignments pursuant to Section 44258.9, information reported on the school accountability report card required pursuant to Section 33126 and shall determine whether the exceptions are either corrected or an acceptable plan of correction has been developed.

(j) Upon submission of the final audit report to the governing board of each local educational agency and subsequent receipt of the audit by the county superintendent of schools having jurisdiction over the local educational agency, the county office of education shall do all of the following:

(1) Review audit exceptions related to attendance, inventory of equipment, internal control, and other miscellaneous exceptions. Attendance exceptions or issues shall include, but not be limited to, those related to revenue limits, adult education, and independent study.

- (2) If a description of the correction or plan of correction has not been provided as part of the audit required by this section, then the county superintendent of schools shall notify the local educational agency and request the governing board of the local educational agency to provide to the county superintendent of schools a description of the corrections or plan of correction by March 15.
- (3) Review the description of correction or plan of correction and determine its adequacy. If the description of the correction or plan of correction is not adequate, the county superintendent of schools shall require the local educational agency to resubmit that portion of its response that is inadequate.
- (k) Each county superintendent of schools shall certify to the Superintendent and the Controller, not later than May 15, that his or her staff has reviewed all audits of local educational agencies under his or her jurisdiction for the prior fiscal year, that all exceptions that the county superintendent was required to review were reviewed, and that all of those exceptions, except as otherwise noted in the certification, have been corrected by the local educational agency or that an acceptable plan of correction has been submitted to the county superintendent of schools. In addition, the county superintendent shall identify, by local educational agency, any attendance-related audit exception or exceptions involving state funds, and require the local educational agency to which the audit exceptions were directed to submit appropriate reporting forms for processing by the Superintendent.
- (l) In the audit of a local educational agency for a subsequent year, the auditor shall review the correction or plan or plans of correction submitted by the local educational agency to determine if the exceptions have been resolved. If not, the auditor shall immediately notify the appropriate county office of education and the department and restate the exception in the audit report. After receiving that notification, the department shall either consult with the local educational agency to resolve the exception or require the county superintendent of schools to follow up with the local educational agency.
- (m) (1) The Superintendent shall be responsible for ensuring that local educational agencies have either corrected or developed plans of correction for any one or more of the following:
- (A) All federal and state compliance audit exceptions identified in the audit.
 - (B) Any exceptions that the county superintendent certifies as of May 15 have not been corrected.
 - (C) Any repeat audit exceptions that are not assigned to a county superintendent to correct.
- (2) In addition, the Superintendent shall be responsible for ensuring that county superintendents of schools and each county board of education that serves as the governing board of a local educational agency either correct all audit exceptions identified in the audits of county superintendents of schools and of the local educational agencies for which the county boards of education serve as the governing boards or develop acceptable plans of correction for those exceptions.
- (3) The Superintendent shall report annually to the Controller on his or her actions to ensure that school districts, county superintendents of schools, and each county board of education that serves as the governing board of a school district have either corrected or developed plans of correction for any of the exceptions noted pursuant to paragraph (1).
- (n) To facilitate correction of the exceptions identified by the audits issued pursuant to this section, commencing with 2002-03 audits pursuant to this section, the Controller shall require auditors to categorize audit exceptions in each audit report in a manner that will make it clear to both the county superintendent of schools and the Superintendent which exceptions they are responsible for ensuring the correction of by a local educational agency. In addition, the Controller annually shall select a sampling of county superintendents of schools and perform a follow-up of the audit resolution process of those county superintendents of schools and report the results of that follow-up to the Superintendent and the county superintendents of schools that were reviewed.
- (o) County superintendents of schools shall adjust subsequent local property tax requirements to correct audit exceptions relating to local educational agency tax rates and tax revenues.
- (p) If a governing board or county superintendent of schools fails or is unable to make satisfactory arrangements for the audit pursuant to this section, the Controller shall make arrangements for the audit and the cost of the audit shall be paid from local educational agency funds or the county school service fund, as the case may be.
- (q) Audits of regional occupational centers and programs are subject to the provisions of this section.
- (r) This section does not authorize examination of, or reports on, the curriculum used or provided for in any local educational agency.
- (s) ~~Notwithstanding any other provision of law, a nonauditing, management, or other consulting service to be pro-~~

vided to a local educational agency by a certified public accounting firm while the certified public accounting firm is performing an audit of the agency pursuant to this section must be in accord with Government Accounting Standards, Amendment No. 3, as published by the United States General Accounting Office.

§42238.5. Computation of Average Daily Allowance

(a) For purposes of Section 42238, the fiscal year average daily attendance shall be computed pursuant to paragraph (1) or (2).

(1) The second principal apportionment regular average daily attendance for either the current or prior fiscal year, whichever is greater. However, prior fiscal year average daily attendance shall be adjusted for any loss or gain of average daily attendance due to a reorganization or transfer of territory, or, commencing in the 1993-94 fiscal year, and each fiscal year thereafter, for any change in average daily attendance for pupils who are concurrently enrolled in adult programs and classes pursuant to Section 52616.17.

(2) Any school district that elects to receive funding pursuant to Article 4 (commencing with Section 42280) shall compute its units of average daily attendance for purposes of Section 42238 by subtracting the amount determined in subparagraph (B) from the amount determined in subparagraph (A).

(A) The units of average daily attendance computed pursuant to paragraph (1).

(B) The units of average daily attendance resulting from pupils attending schools funded pursuant to Article 4 (commencing with Section 42280).

(b) For purposes of this article, regular average daily attendance shall be the base revenue limit average daily attendance, excluding summer school average daily attendance.

(c) For purposes of this section, for the 1998-99 fiscal year only, the prior year average daily attendance shall be the 1997-98 regular average daily attendance, excluding absences excused pursuant to subdivision (b) of Section 46010, as that subdivision read on July 1, 1996.

§46300. Average Daily Attendance

(a) In computing average daily attendance of a school district or county office of education, there shall be included the attendance of pupils while engaged in educational activities required of those pupils and under the immediate supervision and control of an employee of the district or county office who possessed a valid certification document, registered as required by law.

(b) (1) For the purposes of a work experience education program in a secondary school that meets the standards of the California State Plan for Vocational Education, "immediate supervision," in the context of off-campus work training stations, means pupil participation in on-the-job training as outlined under a training agreement, coordinated by the school district under a state-approved plan, wherein the employer and certificated school personnel share the responsibility for on-the-job supervision.

(2) The pupil-teacher ratio in a work experience program shall not exceed 125 pupils per full-time equivalent certificated teacher coordinator. Notwithstanding Section 52033, this ratio may be waived by the State Board of Education pursuant to Article 3 (commencing with Section 33050) of Chapter 1 of Part 20 under criteria developed by the State Board of Education.

(3) A pupil enrolled in a work experience program shall not be credited with more than one day of attendance per calendar day, and shall be a full-time pupil enrolled in regular classes that meet the requirements of Section 46141 or 46144.

(c) (1) For purposes of the rehabilitative schools, classes, or programs described in Section 48917 that require immediate supervision, "immediate supervision" means that the person to whom the pupil is required to report for training, counseling, tutoring, or other prescribed activity shares the responsibility for the supervision of the pupils in the rehabilitative activities with certificated personnel of the district.

(2) A pupil enrolled in a rehabilitative school, class, or program shall not be credited with more than one day of attendance per calendar day.

(d) (1) For the purposes of computing the average daily attendance of pupils engaged in the educational activities required of high school pupils who are also enrolled in a regional occupational center or regional occupational program, the school district shall receive proportional average daily attendance credit for those educational activities

that are less than the minimum schoolday, pursuant to regulations adopted by the State Board of Education; however, none of that attendance shall be counted for purposes of computing attendance pursuant to Section 52324.

(2) A school district shall not receive proportional average daily attendance credit pursuant to this subdivision for any pupil in attendance for less than 145 minutes each day.

(3) The divisor for computing proportional average daily attendance pursuant to this subdivision is 240, except that, in the case of a pupil excused from physical education classes pursuant to Section 52316, the divisor is 180.

(4) Notwithstanding any other provision of law, travel time of pupils to attend a regional occupational center or regional occupational program shall not be used in any manner in the computation of average daily attendance.

(e) (1) In computing the average daily attendance of a school district, there shall also be included the attendance of pupils participating in independent study conducted pursuant to Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 for five or more consecutive schooldays.

(2) A pupil participating in independent study shall not be credited with more than one day of attendance per calendar day.

(f) For purposes of cooperative vocational education programs and community classrooms described in Section 52372.1, "immediate supervision" means pupil participation in paid and unpaid on-the-job experiences, as outlined under a training agreement and individualized training plans wherein the supervisor of the training site and certificated school personnel share the responsibility for the supervision of on-the-job experiences.

(g) In computing the average daily attendance of a school district, there shall be included the attendance of pupils in kindergarten after they have completed one school year in kindergarten only if the school district has on file for each of those pupils an agreement made pursuant to Section 48011, approved in form and content by the State Department of Education and signed by the pupil's parent or guardian, that the pupil may continue in kindergarten for not more than an additional school year.

§46300.1. Average Daily Attendance

Commencing July 1, 1993, no school district may receive school district apportionments pursuant to Section 42238 for independent study by pupils 21 years of age or older or by pupils 19 years of age or older who have not been continuously enrolled in kindergarten or any of grades 1 to 12, inclusive, since their 18th birthday.

§46300.2. Average Daily Attendance

The State Department of Education shall apportion funds for community school and independent study average daily attendance only for average daily attendance claimed by school districts and county superintendents of schools for pupils who officially reside in the county in which the apportionment claim is reported, or who officially reside in a county immediately adjacent to the county in which the apportionment claim is reported.

§46300.4. Average Daily Attendance

If a pupil 21 years of age or older, or a pupil 19 years of age or older, has not been continuously enrolled in kindergarten or any of grades 1 to 12, inclusive, since his or her 18th birthday, any attendance credit for coursework he or she is pursuing through independent study shall be eligible for apportionment only if it is one or more of the types of courses set forth in paragraph (1) of subdivision (a) of Section 51225.3 or any course required by the governing board as a prerequisite to receiving a diploma of high school graduation. This section shall become operative on July 1, 1990.

§46300.6. Average Daily Attendance

The State Department of Education shall not apportion funds to a local education agency for a pupil in the independent study program if that agency has provided any funds or other things of value to the pupil or his or her parent or guardian that the agency does not provide to pupils who attend regular classes or to their parents or guardians.

§46300.7. Average Daily Attendance

Notwithstanding any other provision of law, no school district or county office of education shall receive apportionments for any pupil in independent study unless that entity receives written permission from the parent or guardian of the pupil prior to the commencement of independent study by that pupil. The written permission shall specify the actual dates of participation, the methods of study and evaluation, and the resources to be made available for the independent study program for the pupil.

§47612. Appropriations of Funds for Charter Schools

(a) A charter school shall be deemed to be under the exclusive control of the officers of the public schools for purposes of Section 8 of Article IX of the California Constitution, with regard to the appropriation of public moneys to be apportioned to any charter school, including, but not limited to, appropriations made for the purposes of this chapter.

(b) The average daily attendance in a charter school may not, in any event, be generated by a pupil who is not a California resident. To remain eligible for generating charter school apportionments, a pupil over 19 years of age shall be continuously enrolled in public school and make satisfactory progress towards award of a high school diploma. The State Board of Education shall, on or before January 1, 2000, adopt regulations defining "satisfactory progress."

(c) A charter school shall be deemed to be a "school district" for purposes of Article 1 (commencing with Section 14000) of Chapter 1 of Part 9, Section 41301, Section 41302.5, Article 10 (commencing with Section 41850) of Chapter 5 of Part 24, Section 47638, and Sections 8 and 8.5 of Article XVI of the California Constitution.

§48050. Admission- Nonresident Pupils

The governing board of any school district may, with the approval of the county superintendent of schools, admit to the elementary and high schools of the district pupils living in an adjoining state which is contiguous to the school district. An agreement shall be entered into between the governing board and the governing board or authority of the school district in which the pupils reside providing for the payment by the latter of an amount sufficient to reimburse the district of attendance for the total cost of educating the pupil, including the total of the amounts expended per pupil for the current expenses of education, the use of buildings and equipment, the repayment of local bonds and interest payments and state building loan funds, capital outlay, and transportation to and from school. The amount of the tuition for the current expenses of education per unit of average daily attendance of pupils from the adjoining state shall equal the average current expenditure, exclusive of all transportation expenditures, per unit of average daily attendance in the district of attendance. The per pupil cost attributable to capital outlay shall be on the basis of an average expenditure for the preceding five years. The cost of transportation shall not exceed ten dollars (\$10) per month. Tuition payments shall be made during the school year with final payment at the end of the school year after all costs have been determined. If the amount paid is more or less than the total cost of education and transportation, adjustment shall be made for the following semester or school year. The attendance of the pupils shall not be included in computing the average daily attendance of the class or school for the purpose of obtaining apportionment of state funds. In lieu of entering an agreement with the governing board or authority of the school district in which the pupil from the adjoining state resides, the governing board of the school district in this state may enter an agreement with the parent or guardian of the pupil on the same terms as is provided in this section.

§48051. Admission- Legal Status

Any person, otherwise eligible for admission to any class or school of a school district of this state, whose parents are or are not citizens of the United States, whose actual and legal residence is in a foreign country adjacent to this state, and who regularly returns within a 24-hour period to said foreign country may be admitted to the class or school of the district by the governing board of the district.

§48052. Admission- Tuition for Nonresident Pupils

The governing board of the district shall, as a condition precedent to the admission of any person, under Section

48051, require the parent or guardian of such person to pay to the district an amount not more than sufficient to reimburse the district for the total cost of educating the person, including the total of the amounts expended per pupil for the current expenses of education, the use of buildings and equipment, the repayment of local bonds and interest payments and state building loan funds, capital outlay, and transportation to and from school. The per pupil cost attributable to capital outlay shall be on the basis of an average expenditure for the preceding five years. The cost of transportation shall not exceed ten dollars (\$10) per month. Tuition payments shall be made in advance for each month or semester during the period of attendance. If the amount paid is more or less than the total cost of education and transportation, adjustment shall be made for the following semester or school year. The attendance of the pupils shall not be included in computing the average daily attendance of the class or school for the purpose of obtaining apportionment of state funds. The school district shall not be eligible for nonimmigrant or noncitizen reimbursement under the provisions of Chapter 11 (commencing with Section 42900) of Part 24 of Division 3 of this title, Article 2 (commencing with Section 56865) of Chapter 6 of Part 30 of this division for these students.

§48204. Residency Requirements

Notwithstanding Section 48200, a pupil is deemed to have complied with the residency requirements for school attendance in a school district, if he or she is any of the following:

- (a) A pupil placed within the boundaries of that school district in a regularly established licensed children's institution, or a licensed foster home, or a family home pursuant to a commitment or placement under Chapter 2 (commencing with Section 200) of Part 1 of Division 2 of the Welfare and Institutions Code. An agency placing a pupil in a home or institution described in this subdivision shall provide evidence to the school that the placement or commitment is pursuant to law.
- (b) A pupil for whom interdistrict attendance has been approved pursuant to Chapter 5 (commencing with Section 46600) of Part 26.
- (c) A pupil whose residence is located within the boundaries of that school district and whose parent or legal guardian is relieved of responsibility, control, and authority through emancipation.
- (d) A pupil who lives in the home of a caregiving adult that is located within the boundaries of that school district. Execution of an affidavit under penalty of perjury pursuant to Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code by the caregiving adult is a sufficient basis for a determination that the pupil lives in the caregiver's home, unless the school district determines from actual facts that the pupil is not living in the caregiver's home.
- (e) A pupil residing in a state hospital located within the boundaries of that school district.
- (f) A school district may deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both the parents or legal guardians of the pupil is employed within the boundaries of that school district.
 - (1) This subdivision does not require the school district within which the parents or guardians of a pupil are employed to admit the pupil to its schools. Districts may not, however, refuse to admit pupils under this subdivision on the basis, except as expressly provided in this subdivision, of race, ethnicity, sex, parental income, scholastic achievement, or any other arbitrary consideration.
 - (2) The school district in which the residency of either the parents or guardians of the pupil is established, or the school district to which the pupil is to be transferred under this subdivision, may prohibit the transfer of the pupil under this subdivision if the governing board of the district determines that the transfer would negatively impact the court-ordered or voluntary desegregation plan of the district.
 - (3) The school district to which the pupil is to be transferred under this subdivision may prohibit the transfer of the pupil if the district determines that the additional cost of educating the pupil would exceed the amount of additional state aid received as a result of the transfer.
 - (4) The governing board of a school district that prohibits the transfer of a pupil pursuant to paragraph (1), (2), or (3) is encouraged to identify, and communicate in writing to the parents or guardians of the pupil, the specific reasons for that determination and is encouraged to ensure that the determination, and the specific reasons therefore, are accurately recorded in the minutes of the board meeting in which the determination was made.
 - (5) The average daily attendance for pupils admitted pursuant to this subdivision is calculated pursuant to Section 46607.

(6) Unless approved by the sending district, this subdivision does not authorize a net transfer of pupils out of any given district, calculated as the difference between the number of pupils exiting the district and the number of pupils entering the district, in any fiscal year in excess of the following amounts:

(A) For any district with an average daily attendance for that fiscal year of less than 501, 5 percent of the average daily attendance of the district.

(B) For any district with an average daily attendance for that fiscal year of 501 or more, but less than 2,501, 3 percent of the average daily attendance of the district or 25 pupils, whichever amount is greater.

(C) For any district with an average daily attendance of 2,501 or more, 1 percent of the average daily attendance of the district or 75 pupils, whichever amount is greater.

(7) Once a pupil is deemed to have complied with the residency requirements for school attendance pursuant to this subdivision and is enrolled in a school in a school district whose boundaries include the location where one or both parents of a pupil is employed, or where the legal guardian of the pupil is employed, the pupil does not have to reapply in the next school year to attend a school within that school district and the district governing board shall allow the pupil to attend school through the 12th grade in that district if the parent or guardian so chooses and if one or both of the pupil's parents or guardians continues to be employed by an employer situated within the attendance boundaries of the school district, subject to paragraphs (1) to (6), inclusive.

(g) This section is inoperative on and after July 1, 2007, and as of January 1, 2008, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2008, deletes or extends the dates on which it becomes inoperative and is repealed.

§48205. Excused Absences

(a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

(1) Due to his or her illness.

(2) Due to quarantine under the direction of a county or city health officer.

(3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.

(4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.

(5) For the purpose of jury duty in the manner provided for by law.

(6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.

(7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

(8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

§48206.3. Home/Hospital Instruction

(a) Except for those pupils receiving individual instruction provided pursuant to Section 48206.5, a pupil with a temporary disability which makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or inadvisable shall receive individual instruction provided by the district in which the pupil is deemed to reside.

(b) For purposes of this section and Sections 48206.5, 48207, and 48208, the following terms have the following meanings:

(1) "Individual instruction" means instruction provided to an individual pupil in the pupil's home, in a hospital or other residential health facility, excluding state hospitals, or under other circumstances prescribed by regulations adopted for that purpose by the State Board of Education.

(2) "Temporary disability" means a physical, mental, or emotional disability incurred while a pupil is enrolled in regular day classes or an alternative education program, and after which the pupil can reasonably be expected to return to regular day classes or the alternative education program without special intervention. A temporary disability shall not include a disability for which a pupil is identified as an individual with exceptional needs pursuant to Section 56026.

(c) (1) For purposes of computing average daily attendance pursuant to Section 42238.5, each clock hour of teaching time devoted to individual instruction shall count as one day of attendance.

(2) No pupil shall be credited with more than five days of attendance per calendar week, or more than the total number of calendar days that regular classes are maintained by the district in any fiscal year.

(d) Notice of the availability of individualized instruction shall be given pursuant to Section 48980.

§48915. Expulsion

(a) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

(1) Causing serious physical injury to another person, except in self-defense.

(2) Possession of any knife or other dangerous object of no reasonable use to the pupil.

(3) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.

(4) Robbery or extortion.

(5) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(b) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:

(1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

(1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.

(2) Brandishing a knife at another person.

(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

(5) Possession of an explosive.

(d) The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

(1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.

(2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.

(3) Is not housed at the schoolsite attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

(1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The governing board shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study which meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 31/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

§48917. Suspension

(a) The governing board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program shall not be considered in the governing board's determination as to whether the pupil has satisfactorily completed the rehabilitation program.

(b) The governing board shall apply the criteria for suspending the enforcement of the expulsion order equally to all pupils, including individuals with exceptional needs as defined in Section 56026.

(c) During the period of the suspension of the expulsion order, the pupil is deemed to be on probationary status.

(d) The governing board may revoke the suspension of an expulsion order under this section if the pupil commits any of the acts enumerated in Section 48900 or violates any of the district's rules and regulations governing pupil conduct. When the governing board revokes the suspension of an expulsion order, a pupil may be expelled under the terms of the original expulsion order.

(e) Upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

(f) A decision of the governing board to suspend an expulsion order does not affect the time period and requirements for the filing of an appeal of the expulsion order with the county board of education required under Section 48919. Any appeal shall be filed within 30 days of the original vote of the governing board.

§49067. Pupil Records

(a) The governing board of each school district shall prescribe regulations requiring the evaluation of each pupil's achievement for each marking period and requiring a conference with, or a written report to, the parent of each pupil whenever it becomes evident to the teacher that the pupil is in danger of failing a course. The refusal of the parent to attend the conference, or to respond to the written report, shall not preclude failing the pupil at the end of the grading period.

(b) The governing board of any school district may adopt regulations authorizing a teacher to assign a failing grade to any pupil whose absences from the teacher's class that are not excused pursuant to Section 48205 equal or exceed a maximum number which shall be specified by the board. Regulations adopted pursuant to this subdivision shall include, but not be limited to, the following:

(1) A reasonable opportunity for the pupil or the pupil's parent or guardian to explain the absences.

(2) A method for identification in the pupil's record of the failing grades assigned to the pupil on the basis of excessive unexcused absences.

(c) Notwithstanding the provisions of subdivision (a) of Section 49061, the provisions of this section shall apply to the parent or guardian of any pupil without regard to the age of the pupil.

§51225.3. Requirements for Graduation

(a) Commencing with the 1988-89 school year, no pupil shall receive a diploma of graduation from high school who, while in grades 9 to 12, inclusive, has not completed all of the following:

(1) At least the following numbers of courses in the subjects specified, each course having a duration of one year, unless otherwise specified.

(A) Three courses in English.

(B) Two courses in mathematics.

(C) Two courses in science, including biological and physical sciences.

(D) Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics, and a one-semester course in economics.

(E) One course in visual or performing arts or foreign language. For the purposes of satisfying the requirement specified in this subparagraph, a course in American Sign Language shall be deemed a course in foreign language.

(F) Two courses in physical education, unless the pupil has been exempted pursuant to the provisions of this code.

(2) Other coursework as the governing board of the school district may by rule specify.

(b) The governing board, with the active involvement of parents, administrators, teachers, and pupils, shall adopt alternative means for pupils to complete the prescribed course of study which may include practical demonstration of skills and competencies, supervised work experience or other outside school experience, career technical education classes offered in high schools, courses offered by regional occupational centers or programs, interdisciplinary study, independent study, and credit earned at a postsecondary institution. Requirements for graduation and specified alternative modes for completing the prescribed course of study shall be made available to pupils, parents, and the public.

§51745. Independent Study

(a) Commencing with the 1990-91 school year, the governing board of a school district or a county office of education may offer independent study to meet the educational needs of pupils in accordance with the requirements of this article. Educational opportunities offered through independent study may include, but shall not be limited to, the following:

(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) Individualized alternative education designed to teach the knowledge and skills of the core curriculum. Inde-

pendent study shall not be provided as an alternative curriculum.

(4) Continuing and special study during travel.

(5) Volunteer community service activities that support and strengthen pupil achievement.

(b) Not more than 10 percent of the pupils participating in an opportunity school or program, or a continuation high school, calculated as specified by the State Department of Education, shall be eligible for apportionment credit for independent study pursuant to this article. A pupil who is pregnant or is a parent who is the primary caregiver for one or more of his or her children shall not be counted within the 10 percent cap.

(c) No individual with exceptional needs, as defined in Section 56026, may participate in independent study, unless his or her individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 specifically provides for that participation.

(d) No temporarily disabled pupil may receive individual instruction pursuant to Section 48206.3 through independent study.

(e) No course included among the courses required for high school graduation under Section 51225.3 shall be offered exclusively through independent study.

§51745.6. Independent Study

(a) The ratio of average daily attendance for independent study pupils 18 years of age or less to school district full-time equivalent certificated employees responsible for independent study, calculated as specified by the State Department of Education, shall not exceed the equivalent ratio of pupils to full-time certificated employees for all other education programs operated by the school district. The ratio of average daily attendance for independent study pupils 18 years of age or less to county office of education full-time equivalent certificated employees responsible for independent study, to be calculated in a manner prescribed by the State Department of Education, shall not exceed the equivalent ratio of pupils to full-time certificated employees for all other educational programs operated by the high school or unified school district with the largest average daily attendance of pupils in that county. The computation of those ratios shall be performed annually by the reporting agency at the time of, and in connection with, the second principal apportionment report to the Superintendent of Public Instruction.

(b) Only those units of average daily attendance for independent study that reflect a pupil-teacher ratio that does not exceed the ratio described in subdivision (a) shall be eligible for apportionment pursuant to Section 42238.5, for school districts, and Section 2558, for county offices of education. Nothing in this section shall prevent a school district or county office of education from serving additional units of average daily attendance greater than the ratio described in subdivision (a), except that those additional units shall not be funded pursuant to Section 42238.5 or Section 2558.

(c) The calculations performed for purposes of this section shall not include either of the following:

(1) The average daily attendance generated by special education pupils enrolled in special day classes on a full-time basis, or the teachers of those classes.

(2) The average daily attendance or teachers in necessary small schools that are eligible to receive funding pursuant to Article 4 (commencing with Section 42280) of Chapter 7 of Part 24.

(d) The pupil-teacher ratio described in subdivision (a) in a unified school district participating in the class size reduction program pursuant to Chapter 6.10 (commencing with Section 52120) may, at the school district's option, be calculated separately for kindergarten and grades 1 to 6, inclusive, and for grades 7 to 12, inclusive.

§51746. Services and Resources

It is the intent of the Legislature that school districts and county offices of education offering independent study shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully and shall ensure the same access to all existing services and resources in the school in which the pupil is enrolled pursuant to Section 51748 as is available to all other pupils in the school. In addition, the services and resources may include, but need not be limited to, any of the following:

(a) A designated learning center or study area staffed by appropriately trained personnel.

(b) The services of qualified personnel to assess the achievement, abilities, interests, aptitudes, and needs of participating pupils to determine each of the following:

- (1) Whether full-time independent study is the most appropriate alternative for the pupil being referred.
- (2) If the answer to paragraph (1) is affirmative, the determination of the most appropriate individualized plan and resources to be made available to pupils enrolled in full-time independent study.

§51747. Apportionment for Independent Study Pupils

A school district or county office of education shall not be eligible to receive apportionments for independent study by pupils, regardless of age, unless it has adopted written policies, and has implemented those policies, pursuant to rules and regulations adopted by the Superintendent of Public Instruction, that include, but are not limited to, all of the following:

- (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.
- (b) 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 he or she 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.
- (c) A requirement that a current written agreement for each independent study pupil shall be maintained on file including, but not limited to, all of the following:
 - (1) The manner, time, frequency, and place for submitting a pupil's assignments and for reporting his or her progress.
 - (2) The objectives and methods of study for the pupil's work, and the methods utilized to evaluate that work.
 - (3) The specific resources, including materials and personnel, that will be made available to the pupil.
 - (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, 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.
 - (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 semester, or one-half year for a school on a year-round calendar.
 - (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.
 - (7) 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.
 - (8) Each written agreement shall be signed, prior to 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 the Family Code.

§51747.3. Restrictions on Funding Claims for Independent Study

- (a) Notwithstanding any other provision of law, a local educational agency, including, but not limited to, a charter school, may not claim state funding for the independent study of a pupil, whether characterized as home study or otherwise, if the agency has provided any funds or other thing of value to the pupil or his or her parent or guardian that the agency does not provide to pupils who attend regular classes or to their parents or guardians. A charter school may not claim state funding for the independent study of a pupil, whether characterized as home study or otherwise, if the charter school has provided any funds or other thing of value to the pupil or his or her parent or

guardian that a school district could not legally provide to a similarly situated pupil of the school district, or to his or her parent or guardian.

(b) Notwithstanding paragraph (1) of subdivision (d) of Section 47605 or any other provision of law, community school and independent study average daily attendance shall be claimed by school districts, county superintendents of schools, and 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.

(c) The Superintendent of Public Instruction shall not apportion funds for reported average daily attendance, through full-time independent study, of pupils who are enrolled in school pursuant to subdivision (b) of Section 48204.

(d) In conformity with Provisions 25 and 28 of Section 2.00 of the Budget Act of 1992, this section is applicable to average daily attendance reported for apportionment purposes beginning July 1, 1992. The provisions of this section are not subject to waiver by the State Board of Education, by the State Superintendent of Public Instruction, or under any provision of Part 26.8 (commencing with Section 47600).

§51747.5. Supervision and Evaluation of Independent Study by Qualified Personnel

(a) The independent study by each pupil or student shall be coordinated, evaluated, and, notwithstanding subdivision (a) of Section 46300, shall be under the general supervision of an employee of the school district or county office of education who possesses a valid certification document pursuant to Section 44865 or an emergency credential pursuant to Section 44300, registered as required by law.

(b) School districts and county offices of education may claim apportionment credit for independent study only to the extent of the time value of pupil or student work products, as personally judged in each instance by a certificated teacher.

§51748. Written Records for Apportionments

School districts and county offices of education shall not be eligible to receive apportionment for independent study attendance by any pupil who is not otherwise identified in the written records of the district or county board by grade level, program placement, and the school in which he or she is enrolled.

§52123. Class Size Reduction Program Funding Guidelines

A school district's application for funding to implement a program pursuant to this chapter shall include the district's certification of each of the following items as a condition to receiving any apportionment under Section 52126:

(a) Certification of the number of classes in each eligible grade level selected for a class size reduction apportionment pursuant to this chapter.

(b) Certification of pupil enrollment, as of October of the previous calendar year, in each class selected for class size reduction pursuant to subdivision (a). Classes comprised of special education pupils enrolled in special day classes on a full-time basis shall not be included in this program. School districts may not claim funding pursuant to this chapter for any pupil who is enrolled in independent study pursuant to Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 for the full regular schoolday nor may school districts claim funding pursuant to this chapter for any pupil for any portion of the full regular day that the pupil is enrolled in independent study pursuant to that article. Charter schools may not claim funding pursuant to this chapter for any pupil who is enrolled in a program of home study for the full regular schoolday nor may charter schools claim funding for any pupil for any portion of the full regular schoolday that the pupil is enrolled in a program of home study.

(c) (1) Except as provided in paragraph (2), certification that a certificated teacher has been hired by the school district and is providing direct instructional services to each class selected for class size reduction pursuant to this chapter and that there are not more than 20 pupils per each class.

(2) In a school district that applies for funding pursuant to subdivision (h) of Section 52122, certification of all of the following:

(A) A certificated teacher has been hired by the school district and is providing direct instructional services to each

class selected for class size reduction pursuant to this chapter.

(B) The ratio of pupils to teacher does not exceed the 20 to 1 standard ratio by more than two pupils.

(3) For the purposes of this subdivision, "class" shall be defined in the same manner as provided in the regulations adopted by the Superintendent of Public Instruction prior to July 1, 1996, pursuant to Sections 41376 and 41378 (subdivision (a) of Section 15103 of Title 5 of the California Code of Regulations).

(d) Certification that the school district has a staff development program pursuant to Section 52127 and that the program has been approved by the governing board of the school district.

(e) Certification that the school district will collect and maintain any data required by the Superintendent of Public Instruction that will aid in the evaluation of the Class Size Reduction Program. The data shall include, but not be limited to, individual test scores or other records of pupil achievement. Any data collected shall be protected in a manner that will not permit the personal identification of any pupil or parent.

(f) Commencing with the 1998-99 school year and each school year thereafter, certification that each class reduced pursuant to this chapter is housed in either a separate, self-contained classroom or that the space of each class for each grade level at that schoolsite provides a square footage per pupil enrolled in each class that is not less than the average square footage per pupil enrolled in those grade levels at that schoolsite in the 1995-96 school year.

§52500. Adult Education Programs

Adult schools and evening high schools shall consist of classes for adults. Minors may be admitted to those classes pursuant to board policy and Section 52500.1.

§52500.1. Pupil Eligibility for Adult Education Programs

Eligibility of high school pupils for enrollment in adult education programs, courses, and classes shall be limited to pupils who meet all of the following conditions:

(a) High school pupils who enroll in adult education programs, courses, and classes pursuant to Section 41976, except that high school pupils shall not be counted for adult education apportionment purposes if those pupils are enrolled in programs, courses, or classes pursuant to paragraph (5), (7), (8), (9), or (10) of subdivision (a) of Section 41976.

(b) High school pupils who have completed a counseling session that involved the pupil, a certificated representative of the high school, and the pupil's parent or guardian, and who have a school record that contains written documentation of the session and a statement that the pupil is voluntarily enrolling in the adult education course or class, and that enrollment in an adult education program, course, or class will enhance the pupil's progress toward meeting the educational requirements for graduation from high school. Commencing July 1, 1994, no school district shall enroll high school pupils pursuant to this subdivision unless the school district complies with the conditions set forth in this subdivision.

§52501. Governing Board Role in Adult Education Programs

The governing board of any school district maintaining secondary schools shall have power with the approval of the Department of Education to establish and maintain classes for adults, except program and classes in outdoor science education and conservation education as the term is employed in Section 8760, for the purpose of providing instruction in civic, vocational, literacy, health, homemaking, technical and general education.

§52501.3. Requirements for Adult Education Programs

Each governing board maintaining classes for adults shall meet the requirements set forth in Sections 35145, 41010, 41011, 41015, 41020, 42103, 42600, 51040, 51041, 51050, and 51056.

§52501.5. Allocation of Adult Education Program Funds

(a) Except as provided in subdivision (b), no revenue derived from the average daily attendance of adult education programs shall be expended for other than adult education purposes, nor shall revenue derived from other average daily attendance be expended for adult education purposes.

(b) When a district's adult revenue limit as allowed by Section 52616 is composed of average daily attendance from both a regional occupational center or program and an adult education program, the adult revenue limit income may be allocated to each program in a proportion other than the amount of adult revenue limit per average daily attendance otherwise allocable thereto.

§52502. Establishment of Adult Schools

The governing board of a high school district or unified school district may establish classes for adults. If such classes result in average daily attendance in any school year of 100 or more, such districts shall establish an adult school for the administration of the program.

§52503. Establishment of Adult Schools

The governing board of a high school district or unified school district may establish and maintain one or more adult schools by resolution of the governing board.

§52504. Course of Study Requirements for Adult Education Programs

Classes for adults shall conform to any course of study and graduation requirements otherwise imposed by law or under the authority of law.

§52505. Adult Education Program Calendar

Such classes may be convened at such hours and for such length of time during the day or evening and at such period and for such length of time during the school year as may be determined by the governing authority.

§52506. Program Standards and Handbook

The department shall establish standards including standards of attendance, curriculum, administration, and guidance and counseling service for these classes as a basis for the several apportionments of state funds provided herein for the support of these classes. The Superintendent of Public Instruction shall prepare, distribute, and maintain a detailed handbook for use by the local educational agencies. The handbook shall contain course approval criteria, implementation plans for administrative regulations, and procedures for securing course and program approvals.

§52507. Governing Board Authority to Grant Recognition

Governing boards shall have the authority to provide for granting appropriate credits, certificates, diplomas or other recognition of skill or accomplishment in such classes which such districts are otherwise authorized to grant.

§52508. Authority to Award Diplomas or Certificates from Adult Schools

The governing board of a high school district or a unified school district shall have the authority to award diplomas or certificates to adults and eligible minors enrolled in adult schools upon satisfactory completion of a prescribed course of study in an elementary school program.

§52509. Requirements for Granting of Diplomas from Adult Schools

The governing board of any school district maintaining an adult school shall prescribe the requirements for the granting of diplomas.

§52510. Requirements for Eight Grade Graduation from Adult School

The governing board of each district maintaining an adult school and offering an elementary program shall prescribe requirements for eighth grade graduation from the adult school.

§52511. Extra-District Location of Adult Schools

(a) Whenever the governing board of a school district maintaining an adult school or classes for adults is unable to maintain the school or classes in the district because of its inability to secure a teacher or teachers, or because of lack of facilities, the board may, with the approval of the county superintendent of schools and the Superintendent of Public Instruction, maintain the school or classes of the district elsewhere than within the district or contract for instruction of the students in such school or classes with the governing board of another district.

(b) Notwithstanding the provisions of subdivision (a) of this section, whenever the governing board of a school district offering automobile driver training in an adult school or classes for adults determines that such training cannot be conducted effectively wholly within the district's boundaries, it may cause the training to be conducted outside the boundaries of the district.

§52512. Adult Education Programs Conjoined with Other Programs

Classes for adults may be maintained in conjunction with day or evening high schools, day or evening adult schools, or day or evening regional occupational centers.

§52513. Weekend Classes for Adult Education Programs

The governing board of any high school district or unified school district may provide for the maintenance on Saturday and Sunday of classes for adults.

§52514. High Schools in Jails, Camps, or Farms

High schools maintained in any state institution for adults or in any city, county, or city and county jail, road camp or farm shall consist only of classes for adults.

§52515. Approval of Adult Education Programs

State funds shall not be apportioned to a school district based on the attendance of students enrolled in adult schools, unless the courses have been approved by the department pursuant to Section 41976.

§52516. Authority of Governing Board to Establish Adult Education Courses in Elementary Subjects

The governing board of any school district maintaining an adult school shall have authority with the approval of the Department of Education to establish a prescribed course in elementary subjects appropriate to needs of adults.

§52517. Restrictions on Average Daily Attendance Apportionment Reports

No high school or unified school district shall report for state apportionments average daily attendance in classes: (1) if the district receives full compensation for such class from any public or private agency, individual or group of individuals, except fees authorized by Section 52612; or (2) if such classes are not located in facilities clearly identified in such a manner, and established by appropriate procedures, to insure that attendance in such classes is open to the general public, except those authorized pursuant to Section 52570 and those in state hospitals. The State Board of Education may adopt such regulations as may be necessary to enforce this section.

§52518. Restriction on Recreational Physical Education Classes for Adults

No class for adults in dancing or recreational physical education shall be maintained by any district for which the district receives money from the State School Fund.

§52519. Requirements for Establishment of Vocational or Occupational Training Programs

(a) The governing board of any high school district or unified school district shall, prior to establishing a voca-

tional or occupational training program, conduct a job market study of the labor market area in which it proposes to establish the program. The study shall use the State-Local Cooperative Labor Market Information Program established in Section 10533 of the Unemployment Insurance Code, or if this program is not available in the labor market area, other available sources of labor market information. The study shall include a California Occupational Information System supply analysis of existing vocational and occupational education or training programs for adults maintained by high schools, community colleges, and private postsecondary schools in the area to ensure that the anticipated employment demand for the adults enrolled in the proposed program justifies the establishment of the proposed courses of instruction.

(b) Subsequent to completing the study required by this section and prior to establishing the program, the governing board of the high school or unified school district shall determine whether or not the study justifies the proposed vocational education program.

(c) If the governing board of the high school district or unified school district determines that the job market study justifies the initiation of the proposed program, it shall, by resolution, determine whether the program shall be offered through the district's own facilities or through a contract with an approved private postsecondary school pursuant to Section 8092.

§52520. Review of Vocational and Occupational Training Programs

(a) Every vocational or occupational training program for adults offered by any high school district or unified school district shall be reviewed every two years by the governing board to assure that each program does all of the following:

- (1) Meets a documented labor market demand.
- (2) Does not represent unnecessary duplication of other manpower training programs in the area.
- (3) Is of demonstrated effectiveness as measured by the employment and completion success of its students.

(b) Any program that does not meet the requirements of subdivision (a) and the standards promulgated by the governing board shall be terminated within one year.

(c) The review process required by this section shall include the review and comments by the local workforce Investment board established pursuant to the Workforce Investment Act of 1998 (29 U.S.C. Sec. 2801 et seq.), and pursuant to (Division 8 (commencing with Section 15000) of the Unemployment Insurance Code), which review and comments shall occur prior to any decision by the appropriate governing body.

§52522. Innovation and Alternative Instructional Delivery in Adult Education Programs

(a) The Superintendent of Public Instruction may approve school district plans for adult education innovation and alternative instructional delivery. School districts making an application under this section shall demonstrate how the needs of adults will be addressed by programs, including, but not limited to:

- (1) Worksite adult basic education skills instruction.
- (2) Distance learning using video and other communication technologies.
- (3) Home-based and community-based independent study approaches using instructional technologies.
- (4) Tests of alternative reimbursement approaches other than average daily attendance to determine whether they are reasonable and feasible, to the extent that there is no decrease in the number of students served nor an increase in cost to the state.

(b) School districts approved to implement demonstration programs under this section may expend up to 5 percent of their adult block entitlement for implementation of approved programs.

(c) School districts implementing programs under this provision shall report expenditures to the superintendent in an annual fiscal report, as specified in regulations adopted by the superintendent. Funds reported under this section and approved by the superintendent shall continue to be allocated as part of the district's adult block entitlement in subsequent fiscal years.

(d) The superintendent shall adopt rules and regulations for the administration of this section to include:

- (1) Allowable expenditures.
- (2) The range of expenditures per pupil enrolled in the program.
- (3) Reporting requirements.

(4) Program evaluation. The superintendent shall report not later than March 30, 1995, to the Legislature on the impact of these demonstrations on the adult education instructional delivery system.

§52522.2. Department of Education Report on Adult Education

It is the intent of the Legislature that the State Department of Education vigorously monitor the compliance of school districts regarding the programs and funding requirements for adult education. Therefore, not later than January 1, 1996, the State Department of Education shall report to the Governor and the fiscal committees and the education policy committees of both houses of the Legislature on the implementation of the adult education program and the fiscal aspects of the adult education program for the period of July 1, 1993, to June 30, 1995. The report shall identify, by school district, any abuses of the letter or intent of the statutes pertaining to adult education, and the report shall contain recommendations for the modification, if necessary, of the funding formulas used to calculate the adult block entitlement or for program improvements to adult education.

§52523. Adult Education Program Criteria

Adult education programs, courses, and classes shall not be used to supplant the regular high school curriculum for high school pupils enrolled in adult education. Adult education shall supplement and enrich the high school pupil's educational experiences. Therefore, adult education, at a minimum, shall meet the following criteria:

(a) All programs, courses, and classes conducted as adult education shall be open to adults and listed in the district's catalog of adult education classes provided to the public and shall be under the supervision and jurisdiction of the adult education administrator as determined by the school district governing board. Adults shall have priority over other students for admission to any adult education class if those adults enroll not later than the regular enrollment period for those classes. The enrollment period shall be published in the course catalog. No course required by the school district for high school graduation or necessary for pupils to maintain satisfactory academic progress shall be offered exclusively through the adult education program. An adult for purposes of this section is a person 18 years of age or older or other person who is not concurrently enrolled in a regular high school program.

(b) Each adult education teacher, whether part time or full time, under contract status or in an hourly position, shall be part of the adult school faculty and shall be under the direct supervision of the authorized adult education administrator.

(c) Enrollment of high school pupils shall be voluntary on the part of the pupil taking the class. Prior to enrollment by a high school pupil in an adult education program, class, or course, the pupil shall have documentation of the counseling session held pursuant to subdivision (b) of Section 52500.1.

(d) Enrollment of a high school pupil in an adult education program, course, or class shall be for sound educational purposes, including, but not limited to, the following:

(1) The adult education program, course, or class is not offered in the regular high school curriculum.

(2) The adult education program, course, or class is needed by the pupil to make up deficient credits for graduation from high school.

(3) The adult education program, course, or class allows the pupil to gain vocational and technical skills beyond that provided by the regular high school's vocational and technical education program.

(4) The adult education program, course, or class, supplements and enriches the high school pupil's educational experience.

(e) A high school pupil shall not be enrolled for apportionment purposes in an adult education program, course, or class that would be considered any of the following:

(1) Physical education.

(2) Driver's training and education.

(3) Visual and performing arts.

(4) Band.

(5) Preparation of a school yearbook or school newspaper.

(6) Training for, or participation in, athletic camps, cheerleading or spirit organizations, student government, or extracurricular student clubs. The Superintendent of Public Instruction shall issue a program advisory that further

defines the purposes set forth in subdivision (d) and the courses set forth in subdivision (e). The superintendent is authorized to issue, at any time, rules and regulations instead of the program advisory.

§56026. Individuals With Exceptional Needs

"Individuals with exceptional needs" means those persons who satisfy all the following:

- (a) Identified by an individualized education program team as a child with a disability, as that phrase is defined in subparagraph (A) of paragraph (3) of Section 1401 of Title 20 of the United States Code.
- (b) Their impairment, as described by subdivision (a), requires instruction, services, or both, which cannot be provided with modification of the regular school program.
- (c) Come within one of the following age categories:
 - (1) Younger than three years of age and identified by the district, the special education local plan area, or the county office as requiring intensive special education and services, as defined by the State Board of Education.
 - (2) Between the ages of three to five years, inclusive, and identified by the district, the special education local plan area, or the county office pursuant to Section 56441.11.
 - (3) Between the ages of five and 18 years, inclusive.
 - (4) Between the ages of 19 and 21 years, inclusive; enrolled in or eligible for a program under this part or other special education program prior to his or her 19th birthday; and has not yet completed his or her prescribed course of study or who has not met proficiency standards or has not graduated from high school with a regular high school diploma.
- (A) Any person who becomes 22 years of age during the months of January to June, inclusive, while participating in a program under this part may continue his or her participation in the program for the remainder of the current fiscal year, including any extended school year program for individuals with exceptional needs established pursuant to regulations adopted by the State Board of Education, pursuant to Article 1 (commencing with Section 56100) of Chapter 2.
- (B) Any person otherwise eligible to participate in a program under this part shall not be allowed to begin a new fiscal year in a program if he or she becomes 22 years of age in July, August, or September of that new fiscal year. However, if a person is in a year-round school program and is completing his or her individualized education program in a term that extends into the new fiscal year, then the person may complete that term.
- (C) Any person who becomes 22 years of age during the months of October, November, or December while participating in a program under this act shall be terminated from the program on December 31 of the current fiscal year, unless the person would otherwise complete his or her individualized education program at the end of the current fiscal year.
- (D) No school district, special education local plan area, or county office of education may develop an individualized education program that extends these eligibility dates, and in no event may a pupil be required or allowed to attend school under the provisions of this part beyond these eligibility dates solely on the basis that the individual has not met his or her goals or objectives.
- (d) Meet eligibility criteria set forth in regulations adopted by the board, including, but not limited to, those adopted pursuant to Article 2.5 (commencing with Section 56333) of Chapter 4.
- (e) Unless disabled within the meaning of subdivisions (a) to (d), inclusive, pupils whose educational needs are due primarily to limited English proficiency; a lack of instruction in reading or mathematics; temporary physical disabilities; social maladjustment; or environmental, cultural, or economic factors are not individuals with exceptional needs.

California Code of Regulations, Title 5 sections

§11700. Definitions

- (a) "Full-time equivalent certificated employees" means any combination of full-time certificated employees and part-time certificated employee assignments that aggregate to the amount of instructional time specified in the contract of a full-time certificated classroom teacher of the district or county office of education.
- (b) "General supervision" means the supervising teacher's
- (1) continuing oversight of the study design, implementation plan, allocation of resources, and evaluation of pupil or adult education student progress for any pupil's or adult education student's independent study; and
 - (2) personal determination or personal review of the determination made by another certificated teacher of the time values for apportionment purposes of each pupil's or adult education student's work products.
- (c) "Independent study" means an alternative to classroom instruction consistent with the district's course of study.
- (d) "Independent study is an optional educational alternative in which no public may be required to participate" means
- (1) with regard to school districts or county offices of education, that
 - (A) they are not required to offer independent study, and
 - (B) school districts or county offices of education that do offer independent study are not obliged to permit a pupil or adult education student to engage in independent study if school officials given responsibility for the decision determine that independent study is not an appropriate alternative for the pupil or adult education student; and,
 - (2) with regard to pupils or adult education students,
 - (A) a pupil's or an adult education student's choice to commence, or to continue in, independent study must not be coerced, and
 - (B) in the case of a pupil who is referred or assigned to any school, class, or program pursuant to Education Code sections 48915 or 48917, and to the extent that independent study is not prohibited, instruction may be provided to the pupil through independent study only if the pupil has the continuing option of classroom instruction.
- (e) "Method utilized to evaluate" means any specified procedure through which a certificated teacher personally assesses the extent to which achievement of the pupil or adult education student meets the objectives of an assignment.
- (f) "Methods of study" means the pupil or adult education student activities selected by the supervising teacher as the means to reach the educational objectives set forth in the written agreement.
- (g) "Missed assignment" means any specified independent study assignment that has not been turned in, or evidenced as completed, by a pupil or adult education student by the due date for the assignment.
- (h) "Regular school program" means the classroom-based instructional program or its equivalent that a pupil or adult education student would have attended had the pupil or adult education student not elected independent study.
- (i) "Specific resources" include all resources, including materials and services, reasonably necessary to the achievement of the objectives in the written agreement, and shall not be construed to exclude resources normally available to all pupils or adult education students on the same terms as the terms on which they are normally available to all pupils or adult education students.
- (j) "Supervising teacher" means the certificated teacher employed by the school district or county office of education and assigned, as noted in the written agreement, the responsibility for coordinating, evaluating, and providing general supervision of a pupil's or adult education student's independent study pursuant to Education Code section 51747.5(a).
- (k) "Type of program" means statutory program category for purposes of attendance accounting.
- (l) "Work product" means that which results from a pupil's or adult education student's efforts and actions to complete or perform the assignments given and which is subsequently evaluated by a certificated teacher.

§11701. District Responsibilities

In setting policy pursuant to subdivisions (a) and (b) of Education Code section 51747, the local governing board shall consider, in a public hearing, the scope of its existing or prospective use of independent study as an instructional strategy, its purposes in authorizing independent study, and factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of pupils or adult education students. Adopted policies shall reflect an awareness that excessive leniency in their terms can result in pupils falling so far behind their age peers as to increase, rather than decrease, the risk of their dropping out of school.

§11701.5. Equitable Provision of Resources and Services

Consistent with the statutory authorization to offer independent study as an alternative instructional strategy to meet the educational needs of pupils or adult education students,

(a) the independent study option is to be substantially equivalent in quality and in quantity to classroom instruction, thereby ensuring that a pupil or adult education student who engages in independent study on a full-time basis, or on a part-time basis in conjunction with part- or full-time classroom study, will be enabled to complete the district or county office of education adopted course of study within the customary time frame for completion of that course of study;

(b) pupils or adult education students who choose to engage in independent study are to have the same access to existing services and resources as the other pupils or adult education students of the school in which the independent study pupil or adult education student is enrolled; and

(c) pupils or adult education students who choose to engage in independent study are to have equality of rights and privileges with the pupils or adult education students of the district or county office of education who choose to continue in the regular school program.

§11702. Requirements for Agreements

(a) Each signature required for an independent study agreement shall be dated. An agreement is not in effect until it is complete as to all terms, signed and dated.

(b) The curriculum and methods of study specified in an independent study agreement shall be consistent with the district or county office of education policies and procedures for curriculum and instruction as adopted by the governing board.

§11703. Records

(a) Maintaining records to meet audit requirements is the responsibility of the local district or county superintendent's office. These records may be on site(s).

(b) Records shall include but not be limited to:

(1) A copy of adopted governing board policy and procedures.

(2) A separate listing of the pupils and adult education students, 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 12 inclusive and each of those students in adult education, as specified in their written agreements.

(3) A file of all agreements, including 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 teacher.

(4) A daily or hourly attendance credit register, as appropriate to the program in which the pupils or adult education students are enrolled, separate from classroom attendance records, and maintained on a current basis as time values of pupil or adult education student work products are personally judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons.

§11960. Regular Average Daily Attendance for Charter Schools

(a) As used in Education Code section 47612, "attendance" means the 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. "Regular average daily attendance" shall be computed by dividing a charter school's total number of pupil-days of attendance by the number of calendar days on which school was actually taught in the charter school. For purposes of determining a charter school's total number of pupil-days of attendance, no pupil may generate more than one day of attendance in a calendar day.

(b) The State Superintendent of Public Instruction shall proportionately reduce the amount of funding that would otherwise have been apportioned to a charter school on the basis of average daily attendance for a fiscal year, if school was actually taught in the charter school on fewer than 175 calendar days during that fiscal year.

(c)(1) Beginning in 2004-05, a pupil who is over the age of 19 years may generate attendance for apportionment purposes in a charter school only if both of the following conditions are met:

(A) The pupil was enrolled in a public school in pursuit of a high school diploma (or, if a student in special education, an individualized education program) while 19 years of age and, without a break in public school enrollment since that time, is enrolled in the charter school and is making satisfactory progress towards award of a high school diploma (or, if a student in special education, satisfactory progress in keeping with an individualized education program) consistent with the definition of satisfactory progress set forth in subdivision (b) of Section 11965.

(B) The pupil is not over the age of 22 years.

(2) This subdivision shall not apply to a charter school program specified in Education Code section 47612.1. A charter school program as specified in Education Code section 47612.1 may be either:

(A) the whole of a charter school, if the school has an exclusive partnership agreement with one or more of the programs specified in Education Code section 47612.1 and serves no other pupils; or

(B) an instructional program operated by a charter school that is exclusively dedicated to pupils who are also participating in one of the programs specified in Education Code section 47612.1, provided that arrangement is set forth in an exclusive partnership agreement between the charter school and one or more of the programs specified in Education Code section 47612.1.

(d) No individual who is ineligible to generate attendance for apportionment purposes in a charter school pursuant to subdivision (c) may be claimed as regular attendance for apportionment purposes by a local education agency that is authorized by law to grant charters. This subdivision shall not apply to claims other than claims for regular attendance for apportionment purposes.

§11963. Definition of Classroom-Based Instruction

(a) In accordance with the definition of classroom-based instruction specified in Education Code section 47612.5 (e)(1), and for purposes of identifying and reporting that portion of a charter school's average daily attendance that is generated through nonclassroom-based instruction pursuant to Education Code sections 47634.2(c) and 47612.5 (e)(2), classroom-based instruction in a charter school occurs only when all four of the following conditions are met.

(1) The charter school's pupils are engaged in educational activities required of those pupils, and the pupils are under the immediate supervision and control of an employee of the charter school who is authorized to provide instruction to the pupils within the meaning of Education Code section 47605(I).

(2) At least 80 percent of the instructional time offered at the charter school is at the schoolsite.

(3) The charter school's schoolsite is a facility that is used principally for classroom instruction.

(4) The charter school requires its pupils to be in attendance at the schoolsite at least 80 percent of the minimum instructional time required pursuant to Education Code section 47612.5(a)(1).

(b) The requirement to be "at the schoolsite" is satisfied if either of the following conditions is met.

(1) The facility in which the pupils receive instruction is:

(A) Owned, rented, or leased by the charter school principally for classroom instruction;

(B) Provided to the charter school by a school district pursuant to Education Code section 47614 principally for classroom instruction; or

(C) Provided to the charter school free-of-charge principally for classroom instruction pursuant to a written agreement.

When not being used by the charter school for classroom instruction, the facility may be rented, leased, or allowed to be used for other purposes (e.g., for evening adult classes not offered by the charter school, local theater productions, or community meetings) and still be deemed to be principally for classroom instruction.

(2) The charter school facility meets the criteria in paragraph (1) of subdivision (b) and the pupils are on a field trip during which the pupils remain under the immediate supervision and control of the employee of the charter school and are carrying out an educational activity required of the pupils.

(c) The requirement to be "at the schoolsite" is not satisfied if the pupils are in a personal residence (i.e., a dwelling), even if space in the residence is set aside and dedicated to instructional purposes and/or the charter school rents or leases space in the residence for the provision of instruction. As used in this subdivision, a personal residence shall not include a facility that is licensed by a state or local government agency to operate as a facility in which pupils not related to the facility's owners are provided custodial care and supervision (e.g., a licensed children's institution or a boarding school).

(d) The definitions in this section are solely for the purpose of determining if a charter school must submit a determination of funding request pursuant to Education Code section 47634.2.

§16020. Definition of Records.

(a) As used in this article, "records" means all records, maps, books, papers, and documents of a school district required by law to be prepared or retained or which are prepared or retained as necessary or convenient to the discharge of official duty.

§16022. Classification of Records.

(a) Prior Year Records. Before January 1, the district superintendent (or a person designated by the district not employing a superintendent) shall review documents and papers originating during the prior school year and classify them as Class 1--Permanent, Class 2--Optional, or Class 3--Disposable.

(b) Continuing Records. Records of a continuing nature, i.e., active and useful for administrative, legal, fiscal, or other purposes over a period of years, shall not be classified until such usefulness has ceased. A pupil's cumulative record, if not transferred, is a continuing record until the pupil ceases to be enrolled in the district.

(c) Microfilm Copy. Whenever an original record is photographed, microphotographed, or otherwise reproduced on film, the copy thus made is hereby classified as Class 1--Permanent. The original record, unless classified as Class 2--Optional, may be classified as Class 3--Disposable and may then be destroyed in accordance with this chapter if the following conditions have been met:

(1) The reproduction was accurate in detail and on film of a type approved for permanent, photographic records by the United States Bureau of Standards.

(2) The superintendent has attached to or incorporated in the microfilm copy his signed and dated certification of compliance with the provisions of Section 1531 of the Evidence Code.

(3) The microfilm copy was placed in a conveniently accessible file, and provision was made for preserving permanently, examining and using same.

(d) Any "historical inventory of equipment" shall be a continuing record as provided in subdivision (b) and shall not be subject to classification for retention or destruction until the inventory is superseded or until the equipment is removed from district ownership.

§16023. Class 1--Permanent Records.

The original of each of the records listed in this section, or one exact copy thereof when the original is required by law to be filed with another agency, is a Class 1--Permanent record and shall be retained indefinitely, unless microfilmed in accordance with Section 16022(c).

(a) Annual Reports.

(1) Official budget.

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- (2) Financial report of all funds, including cafeteria and student body funds.
 - (3) Audit of all funds.
 - (4) Average daily attendance, including Period 1 and Period 2 reports.
 - (5) Other major annual reports, including:
 - (A) Those containing information relating to property, activities, financial condition, or transactions.
 - (B) Those declared by board minutes to be permanent.
 - (b) Official Actions.
 - (1) Minutes of the Board or Committees Thereof, including the text of a rule, regulation, policy, or resolution not set forth verbatim in the minutes but included therein by reference only.
 - (2) Elections, including the call, if any, for and the result (but not including detail documents, such as ballots) of an election called, conducted or canvassed by the governing board for a board member, his recall, issuance of bonds incurring any long-term liability, change in maximum tax rates, reorganization, or any other purpose.
 - (3) Records transmitted by another agency that pertain to that agency's action with respect to district reorganization.
 - (c) Personnel Records.
 - (1) Employees.
 - (A) All detail records relating to employment, assignment, amounts and dates of service rendered, termination or dismissal of an employee in any position, sick leave record, rate of compensation, salaries or wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detail records, a complete proven summary payroll record for every employee of the school district containing the same data may be classified as Class 1--Permanent, and the detail records may then be classified as Class 3--Disposable.
 - (B) Information of a derogatory nature as defined in Education Code Section 44031 shall be Class 1--Permanent only after it becomes final. This information becomes final when:
 1. The time for filing a grievance has lapsed, or
 2. The document has been sustained by the grievance process.
 - (C) Information of a derogatory nature as defined in Education Code Section 44031 shall be Class 3--Disposable if prior to the effective date of this section the document was subject of grievance process and was not sustained.
 - (2) Pupils.
 - (A) The records of enrollment and scholarship for each pupil required by Section 432.
 - (B) All records pertaining to any accident or injury involving a minor for which a claim for damages has been filed as required by law, including any policy of liability insurance relating thereto, except that these records cease to be Class 1--Permanent records one year after the claim has been settled or the statute of limitations has run.
 - (d) Property Records. All detail records relating to land, buildings, and equipment. In lieu of such detail records, a complete property ledger may be classified as Class 1--Permanent, and the detail records may then be classified as Class 3--Disposable, if the property ledger includes:
 - (1) All fixed assets.
 - (2) An equipment inventory.
 - (3) For each unit of property, the date of acquisition or augmentation, the person from whom acquired, an adequate description or identification, and the amount paid, and comparable data if the unit is disposed of by sale, loss, or otherwise.

§16024. Class 2--Optional Records.

Any record worthy of temporary preservation but not classified as Class 1-Permanent may be classified as Class 2-Optional and shall then be retained until reclassified as Class 3-Disposable. If the superintendent and governing board agree that classification should not be made by the time specified in section 16022, all records of the prior year may be classified as Class 2-Optional pending further review and classification within one year.

§16025. Class 3--Disposable Records.

All records not classified as Class 1--Permanent or Class 2--Optional shall be classified as Class 3--Disposable, including but not limited to detail records relating to:

- (a) Records Basic to Audit, including those relating to attendance, average daily attendance, or a business or financial transaction (purchase orders, invoices, warrants, ledger sheets, cancelled checks and stubs, student body and cafeteria fund records, etc.), and detail records used in the preparation of any other report. Teachers' registers may be classified as Class 3--Disposable only if all information required in Section 432 is retained in other records or if the General Record pages are removed from the register and are classified as Class 1--Permanent.
- (b) Periodic Reports, including daily, weekly, and monthly reports, bulletins and instructions.

§16026. Retention Period.

A Class 3--Disposable record shall not be destroyed until after the third July 1 succeeding the completion of the audit required by Education Code Section 41020 or of any other legally required audit, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later. A continuing record shall not be destroyed until the fourth year after it has been classified as Class 3--Disposable.

§16027. Destruction of Records.

Unless otherwise specified in this chapter, all Class 3--Disposable records shall be destroyed during the third school year after the school year in which they originated (e.g., 1976-77 records may be destroyed after July 1, 1980).





Appendix A:

Revised Independent Study Regulations

Prepared by the Legal Office of California Department of Education.

Summary of Major Changes to Independent Study Regulations

Effective January 12, 1998 and Operational July 1, 1998

- Adult education student has been added throughout the independent study statutes
 - Board policies, regulations, agreements must include if LEA claiming adult education independent study apportionment
- Apportionment may only be claimed for independent study to the extent the time value (apportionment credit) is personally judged in each instance by a certificated teacher and the supervising teacher must personally review and evaluate the apportionment determined by other teachers.
- Prior language stated certificated person
- LEAs assigned principal, counselor, etc., as supervising teacher since “certificated person”
- Revisions to ensure that a credentialed teacher actually assesses the pupil work products
- Term “certificated teacher personally” added to regulations to clarify that only certificated teachers are to evaluate pupil work for academic and apportionment credit
- Inclusion of statement in each independent study agreement...an optional educational alternative in which no pupil may be required to participate (voluntary).
 - Independent study not to be provided as an alternative curriculum
 - When student/parent requests to end independent study, student must be transitioned/ returned to regular classroom program within a few days
- Districts and COEs not obliged to permit a student to engage in independent study if determined independent study is not an appropriate alternative
 - Parents or pupils cannot demand
- Suspension and expulsion/due process
 - Inclusion of statement on each independent study agreement that instruction may only be provided if the pupil is offered the alternative of classroom instruction
 - Must be valid offering at the “regular school program” for the pupil during the term of the expulsion
- Community Day Schools cannot place pupils on independent study
- Each independent study agreement must contain the following:
 - “Method utilized to evaluate” means any specified procedure which a certificated teacher personally assesses extent of pupil’s progress towards objectives of an assignment
 - Same criteria and standards as classroom work in terms of evaluation method

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- “Methods of study” means the student activities selected by the supervising teacher to reach the educational objectives stated in written agreement
 - “Regular school program” defined as class-room based instructional program or its equivalent that pupil would have attended
 - When missed assignments trigger evaluation
 - Written record of findings must be maintained in pupil’s permanent record
 - “Specific Resources” means both materials and services of personnel normally available to all other pupils in the school pupil is enrolled
 - 5 CCR Section 11701.5(c) emphasizes pupils or adult education students are entitled, if otherwise eligible, to participate with their peers in the school’s graduation ceremonies, dances, extracurricular activities, etc.
 - Many LEAs restrict independent study students from these specific resources thus are not compliant with the intent of the law
 - “Supervising teacher” replaces “employee”
 - Defined as certificated teacher employed by district or COE
 - Assigned (as noted in agreement) responsibility to coordinate, evaluate, and provide general supervision of student’s independent study
 - Supervising teacher and all other persons responsible for providing direct assistance to pupil must sign and date the independent study agreement
 - This means all course/classroom teachers
 - Individual teachers may sign and date course or work assignment record when supplement to agreement
 - As a condition of apportionment, written records of district or COE must identify pupil by grade level, program placement, and school enrolled
 - Program placement designates attendance accounting required (daily or hourly)
 - Work product replaces term assignment
 - Change recognizes students don’t always complete assignments by the due date, but they usually make some progress towards completion.
 - May claim apportionment credit for time value of progress towards completion of work product personally determined by a certificated teacher
 - Work products (assignments) must be equivalent in quality and quantity to classroom instruction
 - Must be equal to that required in an academic day
 - Can’t simply assign minimum day
 - Independent study students are entitled to participate with peers in school’s graduation ceremonies, dances, etc.
 - As a condition of apportionment, each required signature must also be dated on the independent study agreement to effectuate it.
 - Pupil
 - Parent/guardian/caregiver
 - Certificated supervising teacher
-

-
- Other person(s) responsible
 - All persons directly assisting pupil
 - If no other person(s), then LEA may state N/A
 - Representative samples of student work products must bear evidence of supervising teacher's personal evaluation of time value (apportionment credit) assigned
 - Sign or initial the work product
 - Write date evaluated
 - Indicates when supervising teacher's evaluation occurred
 - Required foot-print in the audit trail
 - Term "completed" in reference to work product was deleted
 - Progress made toward completion is key
 - *Education Code* Section 51747(b)(4) expanded to clarify documentation of ADA to support apportionment claims for independent study
 - Can't be roll book with check marks
 - Attendance credit must be separately identified from other programs
 - Attendance credit register must be completed contemporaneously as apportionment is determined

Appendix B:

Sample Board Policies and Administrative Regulations

The board policy and administrative regulations contained in this manual are simply guidelines. Each school agency is advised to develop policy and regulations that are specific to them. If your district operates an adult education program and/or charter school and will/are offering independent study to pupils enrolled in these educational settings, then board policy and administrative regulations must encompass the new regulations pertaining to these.

Policy Reference UPDATE Service

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CSBA Sample Board Policy

Instruction BP 6158

INDEPENDENT STUDY

Note: A policy on this topic is **mandated** by *Education Code* Section 51747. When setting this mandated policy, the Governing Board is required by 5 *CCR* Section 11701 to publicly consider the scope and purposes of the district's independent study option and factors bearing specifically on the realistic maximum lengths of assignments and the acceptable number of missed assignments for specific populations of students, including adult education students.

Pursuant to Register 97, No. 50, effective January 12, 1998, 5 *CCR* sections 11701-11703 have been amended to specifically include adults engaged in independent study through adult education in the implementation requirements for independent study. Although the term "student" as used below also includes adult students, districts offering adult education should specify that the independent study policy and administrative regulation are also applicable to adult education students.

The Governing Board authorizes independent study as an optional alternative instructional strategy by which students in grades K-12 and adult education may reach curriculum objectives and fulfill graduation requirements. Independent study shall offer a means of individualizing the educational plan for students whose needs may be met best through study outside of the regular classroom setting.

(*cf. 5147 - Dropout Prevention*)

Note: The following paragraph reflects 5 *CCR* Section 11701.5, as added by Register 97, No.

50, to highlight the equality of rights and privileges to which a student is entitled.

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction, thus enabling students enrolled in independent study to complete the district's adopted course of study within the customary time frame. Students in independent study shall have access to the same services and resources as is available to other students in the school.

(cf. 6143 - Courses of Study)
(cf. 6200 - Adult Education)

The Superintendent or designee shall determine that the prospective independent study student understands and is prepared to meet the district's requirements for independent study. Independent study entails a commitment by both the parent/guardian and the student. As the student gets older, he/she assumes a greater portion of the responsibility involved. 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.

Note: *Education Code* Section 51747 **mandates** Board policy which provides that a current written agreement as specified in law be maintained for each student.

The Superintendent or designee shall ensure that a written independent study agreement, as prescribed by law, exists for each participating student. (*Education Code* Section 51747)

The Board recognizes that independent study may be used as an option to encourage students to remain in school. Teachers should carefully set the duration of independent study assignments, within the limits specified by the Board in order to help identify students falling behind in their work or in danger of failing or dropping out of school. Note: *Education Code* Section 51747 **mandates** Board policy on the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete it. As amended in Register 97, No. 50, 5 CCR Section 11700 defines "type of program" as the statutory program category for purposes of attendance accounting, such as adult education and continuation high school. Pursuant to *Education Code* Section 51747, no independent study agreement can be valid for longer than one semester (or one-half year for a school on a year-round calendar). In addition, 5 CCR Section 11701 requires Board policy to reflect an awareness that excessive leniency in the duration of independent study assignments can result in students failing so far behind their peers as to increase, rather than decrease, the risk of their dropping out of school.

The times indicated below are suggestions from the CDE's *Independent Study Operations Manual* and should be revised to reflect the Board's deliberations as to the maximum realistic lengths of assignments and the grades offered by the district. The Board may also want to detail the circumstances which would justify an extension of the maximum length of an assignment in order to set clear and equitable standards for all students.

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,
continuation and adult education | 3 weeks |

When circumstances justify a longer time, the Superintendent or designee may extend the maximum length of an assignment to a period not to exceed eight weeks, pursuant to a written request with justification.

Note: *Education Code* Section 51747 also **mandates** policy which identifies the number of missed assignments allowed before an evaluation determines whether it is in the student's best interest to remain in independent study. When determining the number of missed assignments, the Board should consider how many absences or missed assignments by students in the regular program would trigger action such as calling the parents/ guardians or having a parent/guardian conference.

When any student fails to complete consecutive independent study assignments, the Superintendent or designee shall conduct an evaluation 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.

(cf. 5125 - *Student Records*)

Note: The following paragraph is **optional**.

The Superintendent or designee shall annually report to the Board the number of students engaged in independent study, the ADA generated, the quality of these students' work as measured by standard indicators, and the number and proportion of independent study students who graduate or successfully complete independent study.

Home Schooling Through Independent Study

Note: The following paragraph is **optional**.

The Superintendent or designee shall encourage parents/guardians desiring to teach their children at home to enroll their children in independent study. Such enrollment allows continued contact and cooperation between the school system and home-based student.

Legal Reference:

EDUCATION CODE

17289 *Exemption for building*

44865 *Qualifications for home teachers and teachers in special classes and schools; consent to assignment*

46300-46300.6 *Methods of computing ADA*

48220 *Classes of children exempted*

48340 *Improvement of pupil attendance*

48915 *Expulsion; particular circumstances*

48917 *Suspension of expulsion order*
 51225.3 *Requirements for high school graduation*
 51745-51749.3 *Independent study programs*
 52001 *Improvement of elementary and secondary education: legislative intent*
 52015 *School improvement plans: components of plan*
 52017 *Secondary schools: additional plan components*
 56026 *Individual with exceptional needs*
FAMILY CODE
 6550 *Authorization affidavits*
CODE OF REGULATIONS, TITLE 5
 11700-11703 *Independent study*

Management Resources:

CDE PROGRAM ADVISORIES

1113.09 *Independent Study: New Legislation, SPB: 90/91-04*

0904.86 *Independent Study, SPB: 86/7-5*

CDE PUBLICATIONS

Independent Study Operations Manual, 1993 revised edition, updated 1994, 1996

WEB SITES

CDE: <http://www.cde.ca.gov>

Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6158

INDEPENDENT STUDY

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

(*cf. 6146.1 - High School Graduation Requirements*)

The district 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. (*Education Code* sections 46300.6, 51747.3)

Eligibility

No student shall be required to participate in independent study. (*Education Code* Section 51747)

Students enrolling in independent study must be residents of the local county or an adjacent county. (*Education Code* Section 51747.3)

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* Section 51747.3)

(cf. 5111.12 - *Residency Based on Parent/Guardian Employment*)

No individual with disabilities, as defined in *Education Code* Section 56026, may participate in independent study unless his/her Individualized Education Program specifically provides for such participation. (*Education Code* Section 51745)

(cf. 6159 - *Individualized Education Program*)

No temporarily disabled student may receive individual instruction pursuant to *Education Code* Section 48206.3 by means of independent study. (*Education Code* Section 51745)

(cf. 6183 - *Home and Hospital Instruction*)

Note: AB 1736 (Ch. 461, Statutes of 1998) amended *Education Code* Section 51745 to provide that pregnant/parenting students will not be counted within the 10% cap on the number of students enrolled in an opportunity school/program or a continuation high school who may participate in independent study.

No more than 10% of the students enrolled in a continuation high school or opportunity school or program, not including pregnant and parenting students who are primary caregivers for one or more of their children, may be in independent study at any given time. (*Education Code* Section 51745)

(cf. 5146 - *Married/Pregnant/Parenting Students*)

(cf. 6182 - *Opportunity School/Class/Program*)

(cf. 6184 - *Continuation Education*)

Note: *Education Code* Section 46300.1 provides that no district may receive apportionments pursuant to *Education Code* Section 42238 for independent study by students age 21 or older, or by students 19 or older who have not been continuously enrolled in grades K-12 since their 18th birthday. Under *Education Code* Section 46300.4, however, these students are eligible for independent study through the adult education program; see BP/AR 6200 - Adult Education.

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study through the adult education program. (*Education Code* Section 46300.1)

(cf. 6200 - *Adult Education*)

Criteria for Participation

Note: The following **optional** section is recommended in the CDE's *Independent Study Operations Manual* and may be revised as desired to reflect district practice.

Students who are interested in independent study should contact their school principal. Approval for participation shall be based on the following criteria:

1. Evidence that the student will work independently to complete the program
2. Availability of experienced certificated staff with adequate time to supervise the student effectively

Written Agreements and Assignments

Note: *Education Code* Section 51747 **mandates** that the district's policy provide for a written independent study agreement which contains the following components. Definitions for some of the terms used in the following list are provided in 5 *CCR* Section 11700.

The written independent study agreement for each participating student shall include, but not be limited to, all of the following: (*Education Code* Section 51747)

1. The manner, frequency, time and place for submitting the student's assignments and for reporting his/her progress.
2. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
3. The specific resources, including materials and personnel, that will be made available to the student.

Note: Pursuant to 5 *CCR* Section 11700, "specific resources" may not be construed to exclude resources normally available to all students on the same terms that they are normally available to all students.

4. The district's independent study policy describing the maximum length of time allowed between an assignment and its completion and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study.
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one semester, or one-half year for a school on a year-round calendar.

Note: Districts that operate on a trimester system should limit the terms of an independent study agreement to one trimester.

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 student upon completion.

7. A statement that independent study is an optional educational alternative in which no student may be required to participate. In the case of a student who is referred or assigned to any school, class or program pursuant to *Education Code* sections 48915 or 48917, the agreement shall also include the statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction.

(cf. 5144.1 - Suspension and Expulsion/Due Process)

The curriculum and methods of study specified in the written agreement shall be consistent with the Governing Board's policies, administrative regulations and procedures for curriculum and instruction. (5 CCR Section 11702)

(cf. 6143 - Courses of Study)

Note: The following paragraph is not required by law, but is recommended by the CDE as an important component of an independent study agreement.

The agreement also may include a schedule for achieving objectives and completing the agreement and a schedule of conferences between the student and supervising teacher.

Before beginning the independent study, each written agreement shall be signed and dated by the student, the parent/guardian or caregiver of the student under 18 years of age, the certificated employee designated as responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student. (*Education Code* Section 51747)

Note: *Education Code* Section 46300.7 states that no apportionments shall be received for a student in independent study unless the district receives written permission from the parent/guardian, before the independent study begins, specifying the actual dates of participation, methods of study and evaluation, and resources to be made available for the student's independent study. Since all of these components are included in the above agreement which the parent/guardian must sign, it is suggested that the agreement simply state, next to the parent/guardian's signature, that he/she grants permission for the student's independent study as specified in the agreement.

The agreement shall state that the parent/guardian's signature confers his/her permission for the student's independent study as specified in the agreement.

Student Rights and Responsibilities

Note: The following **optional** section contains recommendations from the CDE's *Independent Study Operations Manual*.

Students participating in independent study shall have the right, continuously, to enter or return to the regular classroom mode of instruction.

Note: According to the CDE, the terms "tardiness" and "truancy" do not apply to independent study students.

Independent study students who are late, miss scheduled conferences or do not submit assigned work on time shall not be reported as tardy or truant. However, the independent study administrator shall promptly and directly address any failure by the student to meet the terms of his/her written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian, as appropriate
2. A special meeting between the student and the teacher and/or counselor
3. A meeting between the student and the administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has missed the number of assignments specified in Board policy as precipitating an evaluation, the Superintendent or designee shall conduct an evaluation which may result in termination of the independent study agreement, with the student's return to a regular classroom or alternative instructional program.

(cf. 1312 - Complaints Concerning the Schools)

(cf. 1312.1 - Complaints Concerning District Employees)

Administration of Independent Study

Each student's independent study shall be coordinated, evaluated and carried out under the general supervision of a certificated employee. (*Education Code Section 51747.5*)

Note: The following **optional** material contains recommendations from the CDE's *Independent Study Operations Manual*.

The responsibilities of the independent study administrator shall be to:

1. Ensure that the district's independent study option is operated in accordance with law, Board policy and administrative regulation
2. Approve the participation of students requesting independent study for a period exceeding five school days
3. Facilitate the completion of independent study written agreements
4. Approve all credits earned through independent study supervised at a location apart from the student's regular school and forward the information to the appropriate staff so that the information becomes part of the student's record

5. Authorize the selection of staff who are assigned to supervise independent study
6. Supervise any staff assigned to independent study functions who are not regularly supervised by another administrator
7. Complete or coordinate the preparation of all necessary records and reports
8. Establish and maintain in a systematic manner all records required by law, Board policy and administrative regulation
9. Monitor enrollment in independent study to stay within prescribed limits and to maximize income to the district without compromising the educational quality of independent study
10. Develop and manage the budget for independent study
11. Obtain and maintain current information and skills required for the operation of an independent study strategy that meets established standards for the district's educational programs
12. Prepare and submit reports as required by the Board or Superintendent
13. Assure a smooth transition into and out of the independent study mode of instruction

Supervising Teachers

Note: The following **optional** section contains recommendations from the CDE's *Independent Study Operations Manual*.

The independent study administrator shall approve the assignment of any teachers who directly supervise independent study on a regular basis. The principal may recommend teachers or students for independent study. The teacher may be the student's regular classroom teacher, particularly for elementary students.

Independent study teachers shall:

1. Complete designated portions of the written agreement and add additional information to the written agreement when appropriate
2. Supervise and approve coursework
3. Design all lesson plans
4. Write the assignments for students
5. Assess all student work

6. Personally judge the time value of assigned work or work products completed and submitted by the student
7. Select and save with each agreement representative samples of the student's completed and evaluated assignments on not less than a monthly basis, preferably biweekly
8. Sign and complete the agreement when the student has reached his/her objectives or the agreement is terminated
9. Maintain any required records and files on a current basis

When appropriate, independent study teachers shall determine and assign grades or other approved measures of achievement.

Records

District records shall identify all students participating in independent study and shall specify the grade level, program placement and school in which each of these students is enrolled. (*Education Code* Section 51748)

Each school shall maintain records for the students at that school.

Records shall be maintained for audit purposes and shall include the following: (*5 CCR* Section 11703)

1. A copy of the Board policy, administrative regulation, and procedures related to independent study
2. A separate listing of the students and adult education students, by grade level, program and school, who have participated in independent study, identifying units of the curriculum attempted and units of the curriculum completed by students in grades K-8 and identifying course credits attempted by and awarded to students in grades 9-12 and in adult education, as specified in their written agreements
3. A file of all agreements, with representative samples of each student's or adult education student's work products bearing signed or initialed and dated notations by the supervising teacher indicating that he/she has personally evaluated the work or that he/she has personally reviewed the evaluations made by another certificated teacher
4. A daily or hourly attendance register, as appropriate to the program in which the students or adult education students are enrolled, separate from classroom attendance records, and maintained on a current basis as time values of student or adult education work products are personally judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons

Note: The following paragraph is **optional**.

The district also shall maintain a record of grades and other evaluations issued to each student for independent study assignments.

Appendix C:

State Controller's K-12 Audit Guide

pp.21-27

The following pages are from the September 2007 *State Controller's Audit Guide*. This guide is available on the website at <http://www.eaap.ca.gov/>. It is highly recommended that the compliance requirements and suggested audit procedures be used in conjunction with the internal audit function.

§ 19819. Independent Study.

If the local education agency reported Average Daily Attendance generated through independent study, perform the following procedures :

(a) At the agency level:

(1) Reconcile the local education agency's independent study attendance records to Average Daily Attendance generated through full-time independent study reported to the California Department of Education.

(2) From the independent study attendance records, select a representative sample of pupils for whom Average Daily Attendance generated through independent study was claimed, including pupils on intermittent or "short term" independent study if the local education agency offered that option, and confirm that every pupil in the sample is identified in the written records of the district or county board by grade level, by program placement, and by the school in which he or she is enrolled.

(3) If, pursuant to the foregoing audit procedure, any pupils are found that were not identified in the written records of the district or county board by any one or more of grade level, program placement, and the school in which he or she was enrolled, recalculate, consistent with the provisions of Education Code Section 46303, the correct number of units of Average Daily Attendance. Include a statement in the Findings and Recommendations section of the audit report of the number of pupils and the number of units of Average Daily Attendance that were inappropriately reported for apportionment and an estimate of their dollar value.

(4) Verify the local education agency's calculation, made pursuant to the provisions of subdivision (a) of Education Code Section 51745.6, of ineligible Average Daily Attendance, if any, generated through full-time independent study by pupils 18 years of age or less.

(5) Interview administrative personnel and school counselors of the local education agency to determine if the local education agency had policies and procedures to ensure that any pupil terminating an independent study agreement was permitted to immediately recommence classroom study.

-
- (6) Interview local education agency administrative personnel as well as a sample of independent study teachers and review written agreements to determine whether it was the local education agency's policy or practice to provide independent study pupils or their parents/guardians with monetary funding or any other things of value such as equipment or paid private instruction. If so, determine whether classroom pupils or their parents/guardians had the same access to funding or things of value. Read program materials provided to all parents/guardians to determine that opportunities were equal and that pupils engaged in independent study were neither offered nor given incentives or special benefits.
- (b) Select a sample of schools that is representative of the local education agency and sufficient in size to allow the auditor to draw a reasonable conclusion with respect to the local education agency's compliance with independent study requirements. Verify that the monthly site summaries used for summarizing attendance provide accurate information by performing the following procedures:
- (1) At each school, examine the attendance accounting records to verify that the attendance of pupils or adult education students or both while engaged in independent study was maintained on separate registers or the local education agency had another mechanism in place to track Average Daily Attendance generated through independent study separately from other Average Daily Attendance.
 - (2) Determine the total number of days of attendance reported for each sampled school that resulted from attendance by pupils or adult education students or both while engaged in independent study. Reconcile the monthly totals (days of apportionment attendance) on the site's attendance summary to the summary maintained by the local education agency for the Second Principal and the Annual attendance reports.
 - (3) Select a test month in the Second Principal or Annual attendance reporting period. Verify the mathematical accuracy of the monthly report and trace totals to the school's attendance summary.
 - (4) Verify that a certificated employee of the local education agency coordinated, evaluated, and provided general supervision, as that term is defined in Section 11700(b), of each pupil's or adult education student's independent study, as required by the provisions of subdivision (a) of Education Code Section 51747.5.
 - (5) Select a representative sample of teachers. Verify the mathematical accuracy of the teachers' attendance records of pupil or adult education student attendance. Trace the monthly totals from the monthly report to the attendance records.
 - (6) If 100 percent apportionment attendance was recorded for all independent study pupils or adult education students or both, ensure that the teacher did not accrue more days of apportionment credit for any assignment than there were school days in that assignment ("banking"); or accrue days of attendance for work submitted subsequent to the specified due date for the assignment ("make-up").
-

(7) For programs in which hourly attendance accounting is not required pursuant to Section 406, verify that attendance credit was recorded in whole days based on the supervising teacher's personal review, evaluation, and assignment of time value to the pupil's or adult education student's work product, or the supervising teacher's review of the evaluation and assignment of time value made by another certificated teacher.

(c) From the attendance records, select a representative sample of pupils/adult education students for whom Average Daily Attendance generated through independent study was claimed, including pupils on intermittent ("short term") independent study if the local education agency offered that option, and perform the following procedures:

(1) Verify that no pupil was enrolled in the local education agency pursuant to subdivision (b) of Education Code Section 48204 while engaged in full-time independent study.

(2) Determine each selected pupil's or adult education student's county of residence at the time of commencing independent study and verify that it is the county in which the apportionment claim is reported or a contiguous county within California.

(3) Determine whether mailing addresses or other evidence of residency changed during the time the pupils/adult education students were in independent study and, if so, whether each pupil or adult education student remained resident of the same or a contiguous county within California.

(4) Verify that a total of not more than one day of attendance generated through independent study was recorded for each pupil, including pupils enrolled in more than one program, for any calendar day on which school was in session.

(5) Verify that a written agreement exists for each pupil/adult education student selected.

(6) Verify that every pupil whose independent study attendance was claimed for apportionment was participating under an agreement for a minimum of five consecutive school days.

(7) Verify that every written agreement contained all the required elements:

(A) The manner, time, frequency, and place for submitting a pupil's or adult education student's assignments and for reporting his or her progress.

(B) The objectives and methods of study (pupil/adult education student activities selected by the supervising teacher as the means to reach the educational objectives set forth in the written agreement) for the pupil's or adult education student's work.

(C) The methods utilized to evaluate that work (any specified procedure through which a certificated teacher personally assesses the extent to which achievement of the pupils/adult education students meets the objectives set forth in the written assignment).

(D) The specific resources, including materials and personnel, to be made available to the

pupils/adult education students (resources reasonably necessary to the achievement of the objectives in the written agreement, not to exclude resources normally available to all pupils/adult education students on the same terms as the terms on which they are normally available to all pupils/adult education students).

(E) A statement of the policies adopted pursuant to subdivisions (a) and (b) of Education Code Section 51747 regarding the maximum length of time allowed between the assignment and the completion of a pupil's or adult education student's assigned work, and the number of assignments a pupil or adult education student may miss before there must be an evaluation of whether it is in the pupil's or adult education student's best interests to continue in independent study.

(F) The duration of the independent study agreement, including the beginning and ending dates for the pupil's or adult education student's participation in independent study under the agreement, with no agreement being for a period longer than one semester, or one-half year for a school on a year-round calendar.

(G) 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/adult education student upon completion.

(H) 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.

(I) Signatures, affixed prior to the commencement of independent study, by

1. the pupil or adult education student;
2. the pupil's parent, legal guardian, or caregiver as that term is used in Family Code Section 6550 and following, if the pupil is less than 18 years of age;
3. the certificated employee who has been designated as having responsibility for the general supervision of independent study; and
4. all other persons, if any, who had direct responsibility for providing assistance to the pupil or adult education student.

(8) Verify that no days of attendance were reported for dates prior to the signing of the agreement by all parties.

(9) Trace each pupil's or adult education student's attendance from the attendance records to the teacher's register, record of the pupil's or adult education student's work completed,

and the corresponding work assignment record. Verify that evaluated pupil/adult education student work samples, bearing signed or initialed and dated notations by the supervising teacher indicating that he or she personally evaluated the work, or that he or she personally reviewed the evaluations made by another certificated teacher, have been retained in the file.

(10) Verify that the pupil/adult education student work product samples are related to the assignment pursuant to which the work was undertaken and reflect the curriculum adopted by the local governing board and not an alternative curriculum.

(11) Review records and other relevant documentation to verify that each pupil's choice to commence or to continue in independent study was entirely voluntary and uncoerced.

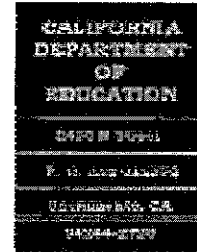
(d) If any inappropriately reported units of Average Daily Attendance are identified through the foregoing audit procedures, recalculate, consistent with the provisions of Education Code Section 46303, the correct number of units of Average Daily Attendance. Include a statement in the Findings and Recommendations section of the audit report of the number of units of Average Daily Attendance that were inappropriately reported for apportionment and an estimate of their dollar value.

NOTE: Authority cited: Section 14502.1, Education Code. Reference: Sections 14502.1, 14503 and 41020, Education Code.

Appendix D: CDE Letter Regarding Make-up Days



CALIFORNIA
DEPARTMENT OF
EDUCATION



January 29, 1999

County Superintendents
District Superintendents

Subject: Short-term Independent Study

Dear Superintendent:

As you know, beginning July 1, 1998, children whose absences from school are excused are no longer counted for purposes of calculating average daily attendance (ADA). Since that change took effect, both the California Department of Education (CDE) and several legislators have received calls from parents complaining that local school officials have pressured them to agree to put their children on independent study when the children were ill.

The 'cornerstone' requirement of the provisions of statute and regulations, is that independent study must be freely voluntary. (See *Education Code* Section 51747 (C) (7), and *California Code of Regulations, Title 5, Section 11700 (c) (2) (a)*: "A pupil's... choice to commence, or to continue in, independent study must not be coerced...")

- Beyond this fundamental requirement of voluntariness, we wish to call your attention to the following related points:
- Although excused absences may no longer be included in ADA, to ensure that districts and county offices have been held fiscally harmless, district revenue limits and their county office equivalents have been increased by factors equivalent to individual local rates of excused absence in 1996-97. In other words, it is not necessary for school districts or county offices of education to convert excused absences to independent study in order to avoid loss of funding.
- It is CDE's understanding of the law that having parents sign independent study agreements in which key terms (such as the beginning and ending dates of the period during which the pupil will be engaging in independent study instead of classroom attendance) are either not specific ('as necessary,' for example), or are left blank, with school staff filling them in later, is not valid, as the purpose of the parents' signatures is to evidence their prior agreement to all of the specific terms of the agreement.
- 'Short-term' independent study does not exist as a separate entity in the law. The rules in statute and regulation that apply to independent study are the same whether the period of independent study is one day or one semester (with the exception that statutory limits on

pupil:teacher ratios in independent study do not apply to pupils who have temporary independent study assignments from their regular classroom teachers). Most of the rules are 'conditions of apportionment'- meaning that if non-compliance is found in an audit, the ADA involved is usually ineligible for state funding. Since there is no statutory 'short-form' version of the many operational and documentation requirements applicable to independent study, local school officials should carefully analyze the true academic and financial 'cost/benefit' ratios of independent study for short periods of time.

- It is CDE's understanding of the law that it is not permissible to use independent study as a means of generating ADA credit for 'make-up' work that a pupil completes after he or she has returned to classroom attendance (and thus terminated independent study). Accordingly, the 'due date' for an absent student's independent study assignment should be the day he or she returns to classroom attendance.
- The law does not allow school districts to have policies which provide that independent study is the only way pupils may receive academic credit for the schoolwork they miss when they are absent for excusable reasons. Effective January 1, 1999, amendments to *Education Code* Section 48205 makes clear that pupils absent from school for any excusable reason, including illness,

"shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. As the teacher of any class from which a pupil is absent shall determine[,] the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence." (Emphasis added.)

(Such after-the-fact 'make-up' does not generate ADA credit (see *Education Code* Section 48205 (k).)

- New subdivision (k) of *Education Code* Section 48980 (effective January 1, 1999) requires the inclusion, beginning with the 1999-2000 school year, of the full text of *Education Code* Section 48205 (from which the passage quoted above was extracted) in the beginning-of-term notices that Section 48980 requires school districts to provide to all parents.

For information on attendance accounting for independent study , please contact Kim Clement, Assistant Field Representative in the Education Finance Division, at (916) 327-0857.

For information on any other aspect of independent study , please contact Lynn Hartzler, Consultant in the Educational Options Office of the Education Support Systems Division, at (916) 323-5034.

Sincerely,



Leslie Fausset
Chief Deputy Superintendent
Educational Policy, Curriculum, and
Department Management



J. Richard Whitmore
Chief Deputy Superintendent
Educational Policy, Finance, and
Accountability

Appendix E

CDE Legal Office Opinion on Home Schooling

The Compulsory Education Law and Home Schooling in California

Prepared by the Legal Office
California Department of Education

California's compulsory education law (*Education Code* Section 48200¹) requires each person between 6 and 18 years of age to attend public school unless legally exempt. The two principal exemptions are instruction in a private full-time day school, or instruction by a tutor or other person.² The critical difference between these two exemption provisions is that tutors are required to hold state teaching credentials but teachers in private schools are not.

In the context of exemption from compulsory public school attendance, "home schooling" is understood as a situation where non-credentialed parents teach their own children, exclusively, at home, call their home a private school, file the informational affidavit required to be filed only by private schools and believe their children are exempt because private school teachers need not be credentialed. To conclude that such a home schooling arrangement is a private school would render the credentialed tutor exemption completely meaningless and ineffective, a result that the courts would not condone. Moreover, a review of the history of California's compulsory attendance law evidences intent by the legislature to exclude home schooling from the exemptions to compulsory public school attendance.

California's compulsory attendance law dates to a 1903 statute which required parents or other having control or charge of a child between the ages of 8 and 14 years to send the child to public school for at least five months of the time public school was in session each year, with at least 18 weeks of consecutive attendance. That statute provided a number of exemptions including one that excused children who were "being taught in a private school or by a private tutor, or at home by any person capable of teaching in such branches of study as are usually taught in the primary and grammar schools of this state."³

A 1905 amendment required that children be sent to school "during the time in which a public school shall be in session."⁴ A 1919 amendment expanded the compulsion to include children between the ages of 8 and 16, and required parents to send their children "to a public full-time

¹ All references are to the *Education Code* unless otherwise indicated.

² There are other, specialized exemptions for mentally gifted children (Section 48223), for part-time classes for children with work permits (Section 48230), and for children subject to continuation education.

³ Stats. 1903, c. 270, p. 388, §1.

⁴ Stats. 1905, c. 333, p. 388, §1.

day school for the full time for which the public schools” were in session. The statute included four exemptions including one for “children being instructed in a private full-time day school by persons capable of teaching” and one for children “being instructed, in study and recitation, for at least three hours a day for one hundred sixty days each calendar year by a private tutor or other person,... *provided* that such tutor or other person shall be capable of teaching;...” (emphasis in the original).⁵ The 1921 and 1927 amendments did not affect the provisions pertinent to this discussion.⁶

In 1929 the School Code was enacted. The compulsory education law was set out at Section 1.130 and following, with the private school exemption at Section 1.143 and the tutor exemption at Section 1.144.

A 1931 amendment altered the tutor exemption to require instruction for at least 170 days each calendar year, and provided that “such tutor or other person shall hold a valid state credential for the grade taught.”⁷

The two distinct exemptions from public school attendance, one for instruction in a private school and one for instruction by a tutor or other person, originated in the same 1903 statute. From 1903 to 1931, home teaching by tutors or other persons capable of teaching was explicitly authorized.

Since 1931, tutors or other persons have been required to hold a valid state credential for the grade level being taught. References to teaching at home or to instruction by tutors or “other persons capable of teaching” have been deleted in favor of the credential requirement. There is a maxim of statutory construction that the expression of one thing is the exclusion of all others. As the Attorney General has stated,

It is a familiar rule of statutory interpretation that the enumeration of acts, things, or persons as coming within the operation or exemption of a statute will preclude the inclusion by implication of other acts, things, or persons. (58 Ops.Cal.Atty.Gen. 586, 589 (1975), citations omitted. Also see 2B Sutherland on Statutory Construction (5th ed.), sec 47.23, p. 216, citing, *inter alia*, County of Madera v. Superior Court of Madera County (4th ed.), sec 22.30, p. 265, citations omitted.)

Further, there is a presumption of change when a statute is amended:

The courts have declared that the mere fact that the legislature enacts an amendment indicates that it thereby intended to change the original act by creating a new right or withdrawing an existing one. Therefore, any material change in the language of the original act is presumed to indicate a change in legal rights. (1A Sutherland on Statutory Construction (4th ed.), sec. 22.30, p.265, citations omitted.)

⁵ Stats. 1919, c. 258, p. 406, §1.

⁶ Stats. 1921, c. 885, p. 1673, §1; Stats. 1927, c. 227, p. 411, §1.

⁷ School Code Section 1.144, Stats. 1931, c. 1215, p. 2580, §3.

If a parent does not hold a teaching credential for the grades taught, the tutor exemption is not satisfied. People v. Turner (1953) 121 Cal.App.2d Supp. 861, appeal dismissed 347 U.S. 972, rejected the concept that parents may designate their own home instruction program a "private school" in order to avoid the credential requirement. That conclusion was affirmed In re Shinn (1961) 195 Cal.App.2d 683.

In 1967, the Legislature enacted Section 33190 requiring that private school authorities file an informational affidavit annually.⁸ In 1970, the private school exemption, Section 48222, was amended to provide that the exemption would only be valid after verification by the attendance supervisor of the district that the private school had complied with Section 33190.⁹ Both sections explicitly stated that filing the private school affidavit is not to be construed as an approval of the school or its courses. Therefore, filing the affidavit has no effect on the status of a person or institution; it does not transform a parent into a private school.

If a parent chooses to teach his or her child at home and does not hold a teaching credential, the child is truant from public school. The appropriate school district is authorized to take truancy action and the parent is subject to an infraction fine. See Section 48240 et seq. and 48290 et seq.

NOTICE

THE GUIDANCE IN THIS DOCUMENT IS NOT BINDING ON LOCAL EDUCATIONAL AGENCIES. EXCEPT FOR THE STATUTES AND COURT DECISIONS THAT ARE REFERENCED HEREIN, THIS DOCUMENT IS EXEMPLARY AND COMPLIANCE WITH IT IS NOT MANDATORY. (See *Education Code* Section 33308.5)

⁸Formerly Section 29009.5, Stats. 1967, c. 1637, p. 3921, §1.

⁹Formerly Section 12154, Stats. 1970, c. 822, p. 1550, §1.

Appendix F

Conflict of Interest: Recommended Policy and Disclosure Statement for Charter Schools

The Directors of the charter school owe a duty of loyalty to the organization which requires that in serving the school they act, not in their personal interests or in the interests of others, but rather solely in the interests of the school. Directors must have undivided allegiance to the school's mission and may not use their positions as Directors, information they have about the school, or the school's property, in a manner that allows them to secure a pecuniary benefit for themselves or their relatives.¹

The conduct of personal business between any Director and the school is prohibited. Business transactions of the school in which a Director has an interest shall not be prohibited, but they shall be subject to close scrutiny. Such proposed transactions shall be reviewed carefully to determine that they are in the best interests of the school and that they will not lead to conflict of interest.² For the purposes of this policy, a Director has an interest in a proposed transaction if he/she has a substantial financial interest in it, or has a substantial financial interest in any organization involved in the proposed transaction, or holds a position as trustee, director, general manager, or principal officer in any such organization. Prior to the start of any negotiations, or consideration of a grant request by the organization, Directors are expected to make full disclosure to the best of their knowledge of any dual interest in a proposed transaction by submitting a report to the President or other officer designated by the Board to handle such matters, supplying any reasons why the transaction might not be in the best interest of the school. In matters requiring prior approval of the Board of Directors, the President or other officer shall forward copies of this disclosure report to the Board before its approval.

A Director with a dual interest in a proposed transaction shall not vote on the matter and shall not participate in any discussion of the matter. Employees of the school who also serve on the Board of Directors shall not participate in collective bargaining negotiations or discussion of salary issues for individual employees, and may not vote on any matters that directly or indirectly influence their salary and benefits or those of other employees.

A Director shall not use inside information of the school for his/her personal benefit, or use such inside information or his/her position as Director to the detriment of the school. Inside information is information obtained through the Director's position that has not become public information.

Each Director has a duty to place the interests of the school foremost in any dealings involving the organization and has a continuing responsibility to comply with the requirements of this Policy. Each Director is required to complete a Director Disclosure Statement annually.

¹ For the purposes of this policy, relative means spouse, parents, siblings, children, grandchildren, the spouses of children and grandchildren, and any other blood relative, if the latter resides in the same household.

Conflict-of-Interest Disclosure Statement- Sample

Please initial in the space at the end of Item A or complete Item B, whichever is appropriate, complete Item C, and sign and date the statement and return it to the board chair.

- A. I am not aware of any relationship or interest or situation involving my family or myself which might result in, or give the appearance of being, a conflict of interest between such family member or me on one hand and the school on the other.
- B. The following are relationships, interests or situations involving me or a member of my family which I consider might result in or appear to be an actual, apparent or potential conflict of interest between such family members or myself on one hand and the school on the other:
1. For-profit corporate directorships, positions and employment with:
 2. Nonprofit trusteeships of positions:
 3. Memberships in the following organizations:
 4. Contracts, business activities and investments with or in the following organizations:
 5. Other relationships and activities:
- C. My primary business or occupation at this time is:

I have read and understand the school's conflict-of-interest policy and agree to be bound by it. I will promptly inform the board chair of the school of any material change that develops in the information contained in the foregoing statement.

Type/print name

Signature

Date