

Independent Study Legal Compliance Review Form

This form is designed to be used as a
Guide to Evaluating Your Independent Study Practices review process.

School/District/County Office of Education Name:

Date:

Compliance Review Conducted By:

Phone:

E-mail:

Instructions:

1. Read this form before beginning the review.
2. For each item:
 - a. Review the Board Policy and Independent Study (I.S.) Written Agreement together to ensure that information provided is consistent across all documents. Also include the Administrative Rules and Regulations if they are used.
 - b. Make sure that the language in the Board Policy, I.S. Written Agreement, and Administrative Rules and Regulations (if appropriate) is clearly worded and addresses the item. Add or delete language as needed.
 - c. Enter the page number of the legal compliance document(s) where the text supporting the item can be found in the appropriate column(s) – Board Policy, Administrative Rules and Regulations [Adm Regs], I.S. Written Agreement, Other Documents. The – Other Documents || column includes documents that are part of and incorporated into the I.S. Written Agreement by written reference (e.g., subsidiary agreements, course syllabi, assignment sheets, work records, grade level objectives).
 - d. It is anticipated that the shaded boxes will not apply to the item. However, if a shaded box does apply, complete it as indicated above.

Abbreviations and Definitions:

- *5 CCR: California Code of Regulations, Title 5*
- *EC: California Education Code*
- *I.S.: Independent study*

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#		Board Policy	Adm Regs
1	Adopted governing Board Policy is in place. <i>EC 51747</i>	Policy #	
2	There was a public hearing for the adoption of the Board Policy. Most recent date: <i>5 CCR 11701</i>		
3	Administrative Rules and Regulations are in place, unless all required elements are included in the Board Policy. <i>5 CCR 11703(b)(1)</i>		Reg #
4	The Board Policy sets the maximum length of time, by grade level and type of program, which may elapse between the time an I.S. assignment is made by a certificated teacher and the date by which the student must complete the assigned work. <i>EC 51747(a)</i>		
5	The Board Policy sets the number of missed assignments that will call for an evaluation to determine whether it is in the best interests of the student to remain in I.S. <i>EC 51747(b)</i>		
6	The Board Policy requires that a current written I.S. Agreement with all required elements and components is on file for each I.S. student. <i>EC 51747(c) and 46300.7, 5 CCR 11703(b)(3)</i>		

The I.S. Written Agreement must contain items 7a-7q. If the item(s) is not in the I.S. Written Agreement, it must be in one or more documents that are incorporated into the I.S. Written Agreement by written reference. Identify these documents in the Other Documents column as appropriate. *EC51747(a-c)*

#	Requirement	I.S. Written Agreement	Other Documents
7a	General student data including the name, address, grade level, school of enrollment, program placement, and birth date of student. <i>EC 51748, 51747.3(b), and 46300.1</i>		
7b	The manner for submitting assignments to the teacher and reporting		

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#	Requirement	I.S. Written Agreement	Other Documents
	the student's progress. <i>EC 51747(c)(1)</i>		
7c	The time for submitting assignments to the teacher and reporting the student's progress. <i>EC 51747(c)(1)</i>		
7d	The frequency for submitting assignments to the teacher and reporting the student's progress. <i>EC 51747(c)(1)</i>		
7e	The place for submitting assignments to the teacher and reporting the student's progress. <i>EC 51747(c)(1)</i>		
7f	The objectives for the course(s) and assignments. <i>EC 51747(c)(2)</i>		
7g	The methods of study (i.e., the student activities selected by the supervising teacher that the student will complete in order to meet the educational objectives). <i>EC 51747(c)(2)</i> , 5 <i>CCR 11700(f)</i> and 11702(b)		
7h	The methods used to evaluate student work toward the objectives of the assignment. <i>EC 51747(c)(2)</i> , 5 <i>CCR 11700(e)</i>		
7i	The specific resources, including instructional materials and personnel, which will be made available to the student. <i>EC 51746</i> and <i>51747(c)(3)</i> , 5 <i>CCR 11700(i)</i> and 11701.5(b)		
7j	A statement of the maximum length of time allowed between the assignment and the completion of the student's assigned work. <i>EC 51747(c)(4)</i>		
7k	The number of missed assignments that will require and evaluation of whether I.S. is an appropriate strategy for the student. <i>EC 51747(c)(4)</i>		
7l	Duration of and Agreement including the beginning and ending dates for pupil's participation in IS under the agreement. No IS agreement shall be valid for a period longer than one school year. <i>EC 51747(c)(5)</i> Minimum—five consecutive schooldays (this does not apply to charter)		
7m	The beginning and end dates of the Agreement.		

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#	Requirement	I.S. Written Agreement	Other Documents
	<i>EC 51747(c)(5)</i>		
7n	A statement of the number of course credits, or for elementary grades, other measures of academic accomplishment appropriate to the I.S. Written Agreement, to be earned by the student upon completion. <i>EC 51747(c)(6), 5 CCR 11703(b)(2)</i>		
7o	The inclusion of a statement that I.S. is an optional educational alternative in which no student is required to participate. <i>EC 51747(c)(7), 5 CCR 11700(d)(2)(A)</i>		
7p	A statement that instruction may be provided for a Section 48915 (expulsion) or 48917 (suspended expulsion) student through I.S. only if the student has the continuing option of classroom instruction. <i>EC 51747(c)(7), 5 CCR 11700(d)(2)(B)</i>		
7q	<p>The Agreement is signed and dated prior to commencement of I.S. by:</p> <ul style="list-style-type: none"> • Student • Parent, legal guardian, or caregiver for a minor (i.e., a student who is less than 18 years old, not legally emancipated) • Certificated supervising teacher • Other assisting person(s) directly responsible for providing assistance to the student. <p><i>EC 51747(8)(A) and 46300.7, 5 CCR 11702(a)</i></p>		
7r	A signed written agreement may be maintained on file electronically. <i>EC 51747(B)</i> This does NOT need to be written on the IS Agreement, however, it is important to note that there are options now for maintaining the Agreement.		

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The following are legal requirements for all schools offering independent study. They are not required by law to be written in the Board Policy. However, they must be in practice. Including them in the Board Policy and/or Administrative Rules and Regulations is an exemplary practice.

#	Check the appropriate box. If a response is – False, If your program is not legally compliant and immediate action is needed. If the item is written in one or more documents, indicate the name of the document and page number in the – Document column.	True	False	Document Name/Page
8	I.S. is substantially equivalent in quality and quantity to classroom instruction. <i>5 CCR 11701.5(a)</i>			
9	I.S. students have the same access to existing services and resources as other students in the school in which the I.S. student is enrolled. <i>EC 51746, 5 CCR 11700(i) and 11701.5(b)</i>			
10	I.S. students have equal rights and privileges as students in the classroom program. <i>5 CCR 11701.5(c)</i>			
11	The school/program teaches the knowledge and skills of the core curriculum and does not provide an alternative curriculum. <i>EC 51745(a)(3); 5 CCR 11702(b)</i>			
12	I.S. students complete the district or county office of education adopted course of study within the customary time frame for completion of that course of study. <i>5 CCR 11701.5(a)</i>			
13	No course required for high school graduation is offered exclusively through I.S. <i>EC 51745(e)</i>			
14	Sectarian materials are not assigned or used for ADA purposes. California Constitution, Article IX, Section 8 EXCEPTION: The study of religion—and a comparison of materials from various religions—may be appropriate in some history-social science or English units. For additional guidance on this topic, see Appendix C of the History-Social Science Framework for California Public Schools.			
15	A certificated teacher who is an employee of the District, COE, or charter school generally supervises, coordinates, and evaluates the work of each I.S. student. <i>EC 51747.5, 5 CCR 11700(b)</i>			

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16	Instruction in any core academic subject is delivered by a highly qualified teacher. Instruction is the delivery; i.e., teaching of standards-aligned curriculum.			
17	Charter schools that use I.S. comply with <i>EC 51745-51749.3. EC 47612.5(b)</i>			
18	K-12 I.S. students are enrolled in a school of the LEA as a condition of apportionment. <i>EC 51748</i>			
19	The LEA only claims ADA for I.S. students who reside in the county in which the apportionment claim is reported or an adjoining county. <i>EC 46300.2 and 51747.3(b)</i>			
20	The LEA does not claim ADA for a full-time K-12 I.S. student whose residence status is based solely on their parent/guardian/caregiver's employment within district boundaries. <i>EC 51741.3(c)</i>			
21	The LEA does not provide non-charter school I.S. students or their parents or guardians with funds or any other things of value that are not provided to students who attend regular classes. <i>EC 46300.6 and 51747.3(a)</i>			
22	The LEA does not provide charter school I.S. students or their parents or guardians with funds or any other things of value that are not provided to students who attend regular classes. <i>EC 51747.3(a)</i>			
23	The I.S. teacher-ADA ratio does not exceed the baseline ratio for other instructional programs in the District. <i>EC 51745.6</i>			
24	The LEA does not claim ADA for a student who participates in I.S. for fewer than five consecutive school days. <i>EC 46300(e)(1)</i> This does not apply to charter schools. Note: Students may be enrolled for fewer than 5 days but no apportionment credit may be claimed.			
25	The LEA does not claim ADA for a student's independent study prior to the date of the last required signature on the student's I.S. Written Agreement. <i>EC 46300.7 and 51747(c)(8), 5 CCR 11702(a)</i>			
26	The LEA only claims ADA for a student when the time value of the student's work products for each assignment has been personally judged by a certificated teacher. <i>EC 51747.5(b)</i>			

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27	The LEA does not allow Special Needs/Special Ed students as defined in <i>EC 56026</i> to be in I.S. without an IEP (Individualized Education Program) that specifically provides for I.S. <i>EC 51745(c)</i>			
28	The LEA does not allow the use of I.S. for home/hospital instruction (temporarily disabled student) pursuant to <i>EC 48206.3. EC 51745(d)</i>			
29	The LEA claims K-12 ADA for an I.S. student 19 or 20 years of age only if the student has been continuously enrolled since his/her eighteenth birthday. <i>EC 46300.1</i>			
30	No more than 10% of the ADA of students participating in a continuation high school or opportunity class, program, or school can be generated through I.S., excluding pregnant and/or parenting students. <i>EC 51745(b)</i>			
31	The LEA does not claim class size reduction funding for any student enrolled in I.S. <i>EC 52123(b)</i>			
32	The LEA does not require fees for participation in any school or course. <i>5 CCR 350; CDE Fiscal Management Advisory Web page</i>			

#	Official records for audits are maintained and include:	Yes	No
33a	A copy of the adopted Board Policy. <i>5 CCR 11703(b)(1)</i>		
33b	A copy of Administrative Rules and Regulations for I.S., if they exist. <i>5 CCR 11703(b)(1)</i>		
33c	A file for each student containing:		
	<ol style="list-style-type: none"> 1. All I.S. Written Agreements, including documents incorporated by reference (e.g., subsidiary agreements, course syllabi, assignment sheets, work records, grade level objectives, etc. as applicable). <i>5 CCR 11703(b)(3)</i> 2. Representative work samples. <i>5 CCR 11703(b)(3)</i> Pupil work products to be personally judged by a certificated teacher. <i>EC 51747.5(b)(c)</i> 		
33d	A list of students who have participated in I.S. which shows:		
	<ol style="list-style-type: none"> 1. Grade level. . <i>EC 51748, 5 CCR 11703(b)(2)</i> 2. School of enrollment. <i>EC 51748, 5 CCR 11703(b)(2)</i> 		

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	3. Units/credits attempted by each student per each I.S. Agreement. 5 CCR 11703(b)(2)		
	4. Units/credits awarded to each student per each I.S. Agreement. 5 CCR 11703(b)(2)		
	5. Program placement. EC 51748		
33e	A record of all I.S. students' attendance which is separate from classroom instruction attendance. 5 CCR 11703(b)(4)		
33f	The state school register or a form approved by the CDE is used for elementary grade attendance; high school attendance is kept on forms approved by the CDE. Approval letters are on file as appropriate. EC 44809, 5 CCR 401(a) and (b)		
33g	A written record of the findings of an evaluation regarding a non-producing/non-attending student is maintained for three years from the date of evaluation. EC 51747(b)		
34	All supervising teachers maintain student assignment/work records for all students for the fiscal year (e.g., current students, non-active students, students who graduated, students who left the school, etc.) 5 CCR 11700(b) and (j)		
35	Records show the date the assignment was given and the date the assignment was due according to Board Policy. EC 51747(a) and (c)(4)		
36	All auditable materials are maintained for I.S. students for three years excluding the current fiscal year, except in the case of unresolved audit exceptions. 5 CCR 11700(l) and 11703(b), and 16023-16027		
37	The school/program uses Board approved curriculum and instruction. EC 51745(a)(3), 5 CCR 11702(b)		
38	There is a sufficient supply of approved texts, instructional materials, and aids available for students and teachers. EC 51746 and 60119, 5 CCR 11701.5 and 19828.3(b)(5) (annual audit for this requirement; charter schools may opt out of the Williams Act requirement)		
39	A list of I.S. teachers that includes their teaching assignments is maintained so that auditors can determine the teacher-to-ADA ratio. EC 51745.6		