



YPI CHARTER SCHOOLS

October 25, 2021

TO: YPI Charter Schools (YPICS)
Board of Directors

FROM: Yvette King-Berg
Executive Director

SUBJECT: Recommendation to approve the revised Independent Study Policy for

BACKGROUND

On July 22, 2021, the Board of Directors approved the Independent Study Policy for the Fenton schools. The plan presented before the board was based on a review by our attorneys at Procopio after Assembly Bill (AB) 130, the Education Trailer Bill to the 2021-22 budget was signed on July 9, 2021.

[California Education Code \(EC\) Section 51747](#) requires that local educational agencies that claim apportionment for independent study must adopt and implement written specified policies relating to independent study. The required written policies must be developed as specified in the *California Education Code Section 51747 and California Code of Regulations, Title 5, Section 11701*.

The legislation authorizing independent study was enacted in 1976, and originally was designed to serve child actors, aspiring Olympic athletes, and other students whose schedules precluded regular classroom attendance. Over the years, independent study has evolved to serve a wide range of students.

Independent study ([California Education Code \[EC\] sections 51745–51749.3](#)) is provided as an alternative instructional strategy, not an alternative curriculum. Independent study students work independently, according to a written agreement and under the general supervision of a credentialed teacher or teachers.

Assembly Bill (AB) 130, the Education Trailer Bill to the 2021-22 budget, was signed on July 9, 2021. AB 130 presented significant changes to the operation of independent study programs. For the 2021-22 school year, charter schools may offer an independent study option for families who determine that in-person instruction would put the pupil's health at risk. In contrast, school

districts are required to offer independent study. On September 23, 2021, Governor Gavin Newsom signed Assembly Bill (AB) 167, which helped to alleviate concerns about how to collect ADA when pupils are unexpectedly quarantined.

ANALYSIS

Legal guidance from our attorneys at Procopio recommends we modify our Independent Study Policy in alignment with areas of clarification identified in AB 167. The following are highlights of AB 167 from our accounting firm, Christy White Associates. These guidelines are in alignment with our current implementation of Independent Study for the 2021-2022 school year.

- When quarantined, LEAs must use IS but is it more flexible for ‘short-term’ use. The state wants to make it easier for districts to provide continuous instruction during quarantine time. After a cumulative 14 days (aggregated throughout the year), all instruction rules of IS must be in place. But during the 14 days, pupils do not need the IS requirements of synchronous instruction, daily interaction, and tiered re-engagements.
- Master agreements are needed. But with all IS (for 2021-22 only), the agreements do not need to be signed in advance of the IS program but must be signed within 30 days of the IS participation or October 15, whichever date comes later. And, master agreements for quarantined pupils would not have the statement that there is a classroom alternative when quarantined.
- Pupils can zoom into the classroom.
- Pupils can be out as little as one (1) day under quarantine and earn ADA (instead of 3 minimum days on regular IS for school districts).
- ADA time value is determined by work product or the teacher’s documentation of such (like in elementary school)
- LEA may not use emergency day waivers for quarantined pupils in 21-22 school year except for special-needs pupils.

RECOMMENDATION

It is recommended that the Board of Directors approve the revised Independent Study Policy for Fenton Avenue Charter School, Santa Monica Boulevard Community Charter School, Fenton Primary Center, Fenton STEM Academy and Fenton Charter Leadership Academy as presented.

