

# RIVER DELTA UNIFIED SCHOOL DISTRICT

## Notice of a Special Meeting of the Board of Trustees

By Order of the President of the Board of Trustees, this is a Call for the Special Meeting of the Board of Trustees of the River Delta Unified School District to be held:

### **March 2, 2023 ♦ General Open Session 4:00pm** **River Delta Unified School District - District Office** **445 Montezuma Street, Rio Vista, CA**

A copy of the full agenda (with backup documents but without confidential closed session items) is available for public review at the District Office, 445 Montezuma St., Rio Vista, California, at least 24 hours prior to the announced meeting of the Board of Trustees or online at <http://riverdelta.org> under the heading: Board of Trustees

**ADDRESSING THE BOARD:** Anyone may address the Board regarding any subject that is within the Board's subject-matter jurisdiction [Government Code Section 54954.3 and Education Code Sections 35145.5 and 72121.5]. The Board of Trustees welcomes public participation, consistent with the Brown Act, on items that appear on the agenda and those items that are not appearing on the agenda. **If you wish to address the Board during the Public Comment section of the meeting or during the corresponding item section, you must complete and submit an electronic Public Comment Card or submit a paper Public Comment Card to the Executive Assistant or designee prior to the General Open Session of the meeting.** Individuals are not required to sign in, or otherwise disclose their name or other information as a condition to attend a meeting or address the Board. You will be called upon to speak during the Public Comment section or the specified agendized item you have selected. If you prefer not to provide your name, you will need to provide how you wish to be identified when called upon. If you are attending the School Board meeting via Zoom please make sure that the name on the Public Comment Card matches the name you enter when joining the Zoom Meeting. **However, understand the Board may not take action on any item which is not listed on this agenda** (except as authorized by Government Code Section 54954.2). (BB9323), The Board may ask clarifying questions related to the public comments made on items appearing on the agenda or the Board may refer such matter to the Superintendent or designee. (Education Code 35145.5, Government Code 54954.2). **Individual speakers shall be allowed three minutes to address the Board on any agendized or non-agendized item. The Board shall limit the total time for public presentation and input on all items to a maximum of 20 minutes.** With Board consent, the Board President may increase or decrease the time allowed for public comment, depending on the topic and the number of persons wishing to be heard and the overall length of the agenda. The Board President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. (BB 9323) Anyone may appear at the Board meeting to testify in support of, or in opposition to, any item on this agenda being presented to the Board for consideration. {If you wish to have an item placed on the agenda for discussion and/or action by the Board, you must notify the Board Secretary/Superintendent in writing no later than ten working days prior to a regularly scheduled Board meeting requesting permission. After the Superintendent's Cabinet has met, you will be notified of their decision.} **If you have a comment or complaint regarding a specific employee, please refrain from making a public comment and contact the employee's supervisor for resolution.**

**Listen in English: Meeting ID: 944 4979 3850      Passcode: 961029**

### **REGULAR MEETING AGENDA**

1. Call the Open Session to Order (@ 3:30 p.m.)
2. Roll Call
3. Review Closed Session Agenda (see attached agenda)
  - 3.1 Announce Closed Session Agenda
  - 3.2 Public Comment on Closed Session Agenda Items Only
4. Approve Closed Session Agenda and Adjourn to the **Closed Session** (@3:35 p.m.)  
Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Time: \_\_\_\_\_
5. Reconvene to Open Session (@ approx. 4:00 p.m.) Time: \_\_\_\_\_
  - 5.1 Retake Roll Call  
Member Stone \_\_\_\_; Member Jelly \_\_\_\_; Member Riley \_\_\_\_; Member Casillas \_\_\_\_;  
Member Apel \_\_\_\_; Member Mahoney \_\_\_\_; Member Lamera \_\_\_\_
  - 5.2 Pledge of Allegiance
6. Report of Action taken, if any, during the Closed Session (Government Code Section 54957.1) – Board President Lamera
7. Review and Approve the **Open Session** Agenda  
Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_

8. **Public Comment: Individual speakers who have submitted a Comment Card shall be allowed three minutes to address the Board on any agendized or non-agendized item. The Board shall limit the *total time* for public presentation and input on *all items* to a maximum of 20 minutes.** The Board will follow the process for Public Comments listed above.
9. Receive and Approve Monthly Personnel Reports  
As of March 2, 2023
10. Request to Approve the First Reading of the Updated or New Board Policies, Administrative Regulations and Exhibits Due to New Legislation, Mandated Language, Citation Revisions and/or alignment of District procedures regarding Transportation BP3250 Transportation Fee (Delete), AR3541 Transportation and BP/AR 6158 Independent Study - Tammy Busch, Asst. Superintendent of Business Services  
Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_
11. Request to Approve Resolution #842 Relative to the Reduction or Elimination of Particular Kinds of Classified Services or Final Notice of Layoff Because of Reduction of Particular Kinds of Services - Katherine Wright, Superintendent  
Motioned: \_\_\_\_\_ Second: \_\_\_\_\_  
Roll Call Vote:  
Member Stone \_\_\_; Member Jelly \_\_\_; Member Riley \_\_\_; Member Casillas \_\_\_; Member Apel \_\_\_; Member Mahoney \_\_\_; Member Lamera \_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_
12. Re-Adjourn to continue Closed Session, if needed
13. Report of Action taken, if any, during continued Closed Session (Government Code Section 54957.1) - Board President Lamera
14. Adjournment  
Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstentions: \_\_\_\_\_ Time: \_\_\_\_\_

**A copy of the full agenda (with backup documents but without confidential closed session items) is available for public review at the District Office, 445 Montezuma St., Rio Vista, California, at least 24 hours prior to the announced meeting of the Board of Trustees. The full agenda is also available online at <http://riverdelta.org>.**

**Americans with Disabilities Act Compliance:** Any and all requests for "...any disability-related modification or accommodation, including auxiliary aids or services..." needed to access our agendas or to participate in the public meetings, must be received in writing by the Superintendent's Office at 445 Montezuma Street, Rio Vista, CA 94571 at least annually before July 1 of each year -- or at least 5 calendar days prior to the individual meeting in question. All inquiries may be directed to the Superintendent's Office c/o Jennifer Gaston at (707) 374-1711.

**AFFIDAVIT OF NOTICING AND POSTING:**  
I, Jennifer Gaston, Executive Assistant to the Board of Trustees, declare that a copy of this Special Meeting Agenda/Notice was posted in the bulletin board in front of the District Office and that the Board of Trustees Members, District administrative offices and schools, the community libraries were provided notice or caused to be provided notice via fax, e-mail and/or hand delivery on Wednesday, March 1, 2023, by or before 3:30 p.m.  
**By:** Jennifer Gaston, Executive Assistant, to the Superintendent.

**ATTACHMENT**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**

Notice of a Special Meeting of the Board of Trustees

By Order of the President of the Board of Trustees, this is a Call for the Special Meeting of the Board of Trustees of the River Delta Unified School District to be held:

**March 2, 2023**

**River Delta Unified School District - District Office**  
**445 Montezuma Street, Rio Vista, CA**

**CLOSED SESSION**

As provided by Government Code Section 54957, the Board is requested to meet in closed session for consideration of **personnel appointment, employment, discipline, complaint, evaluation or dismissal** [Government Code Section 54957], **possible or pending litigation** [Government Code 54956.9(a)(b)(c)], **student discipline** [Education Code Sections 49070 (c) and 76232 (c)], **employee/employer negotiations** [Government Code Section 3549.1 and 54957.6], or **real property transactions** [Government Code Section 54956.8].

A Closed Session will be held beginning at 3:35 p.m. on March 2, 2023, at the River Delta Unified School District – District Office, Rio Vista, California (which is prior to the full Open Session). Any formal action taken by the Board will be reported in the Open Session of this special meeting of the Board of Trustees [Government Code Section 54957.1]. As needed, this Closed Session may be reconvened following the full Open Session. Any formal action taken by the Board will be reported in Open Session prior to adjournment.

**4. CLOSED SESSION**

4.1 **Student Discipline** [Education Code Sections 49070 (c) and 76232 (c)]. None

4.2 **Possible or Pending Litigation** [Government Code 54956.9(a)(b)(c)]  
Following Conference with Legal Counsel (Parker & Covert, LLC; Edwards, Stevens & Tucker LLP; Burke, Williams & Sorensen, LLP) – Pending or Anticipated Litigation/Potential Case(s) Update(s)  
4.2.1 Name(s) unspecified as disclosure would jeopardize the service of process and/or existing/possible settlement negotiations

4.3 **Personnel Evaluation, Searches, Appointment, Employment, Complaint, Discipline, Dismissal, Non-reelects and Releases** [Government Code Section 54957]

Following Conference with Legal Counsel (Edwards, Stevens & Tucker LLP)

Public Employee(s) Evaluation:

4.3.1 Superintendent

4.3.2 Certificated

4.3.3 Classified

4.3.4 Public Employee(s) Searches, Appointment, Employment conditions

4.3.5 Complaint, Discipline, Dismissal, Non-reelects, & Releases

4.3.6 Employee/Employer Negotiations [Government Code Section 3549.1 and 54957.6]  
Following negotiation meetings any/all units.

4.3.6.1 RDUTA

4.3.6.2 CSEA

**5. Adjourn to Open Session (@4:00 p.m.)** Any formal action taken by the Board in the above items will be reported in Open Session of this regular meeting of the Board of Trustees [Government Code Section 54957.1]. The meeting may be reconvened as needed (i.e. following the end of Open Session).

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Time: \_\_\_\_\_

jg

**BOARD OF TRUSTEES  
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street  
Rio Vista, California 9457-1561

**BOARD AGENDA BRIEFING**

Meeting Date: March 2, 2023

Attachments:     X    

From: Codi Agan, Director of Personnel

Item Number:   9  

Type of item: (Action, Consent Action or Information Only):           Action          

**SUBJECT:**

Request to Approve the Monthly Personnel Transaction Report

**BACKGROUND:**

**STATUS:**

**PRESENTER:**

Katherine Wright, Superintendent

**OTHER PEOPLE WHO MIGHT BE PRESENT:**

Staff

**COST AND FUNDING SOURCES:**

**RECOMMENDATION:**

That the Board approves the Monthly Personnel Transaction Report as submitted

Time allocated: 2 minutes

RIVER DELTA UNIFIED SCHOOL DISTRICT  
PERSONNEL TRANSACTION AND REPORT  
DATE: March 2, 2023

<b>ACTION - CERTIFICATED</b>	<b>NAME</b>	<b>POSITION</b>	<b>FTE</b>	<b>SITE/DEPT</b>	<b>EFFECTIVE DATE</b>	<b>VICE</b>
<b>New Hire - Administrative</b>	Jennie Gornto	Principal	1.00	D.H. White Elementary	7/1/2023	
<b>New Hire</b>	Alfonso Valles	RSP Teacher	1.00	Clarksburg / Delta High	3/1/2023	Glenn Dionne
	Brenda Casillas	Elementary Teacher	1.00	Walnut Grove Elementary	3/1/2023	Eleanor Barnett
	Maria Rivera-Garcia	Elementary Teacher	1.00	Walnut Grove Elementary	3/1/2023	Lisa Posnick
	Leonardo Preciado-Chavez	Elementary Teacher	1.00	Bates Elementray	3/1/2023	Amy Cage
<b>Resignation</b>	Faith Dunham	Elementary Teacher	1.00	Walnut Grove Elementary	6/2/2023	
<b>ACTION - CLASSIFIED</b>	<b>NAME</b>	<b>POSITION</b>	<b>FTE</b>	<b>SITE/DEPT</b>	<b>EFFECTIVE DATE</b>	<b>VICE</b>
<b>Released</b>	Shelby Geisler	Instructional Assistant I	0.88	Clarksburg / Delta High	2/28/2023	
<b>Resignation</b>	Caitlyn De La Torre	Instructional Assistant I	0.13	Walnut Grove Elementary	2/21/2023	

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street  
Rio Vista, California 9457-1561

**BOARD AGENDA BRIEFING**

Meeting Date: March 2, 2023

Attachments: X

From: Tammy Busch, Asst. Supt. of Business

Item Number: 10

Type of item: (Action, Consent Action or Information Only): Action Item

**SUBJECT:**

Request to Approve the First Reading of the Updated or New Board Policies, Administrative Regulations and Exhibits Due to New Legislation, Mandated Language, Citation Revisions and/or alignment of District procedures regarding Transportation BP3250 Transportation Fee (Delete), AR3541 Transportation, Board Policy 6158 - Independent Study, and Administrative Regulation 6158 – Independent Study.

**BACKGROUND:**

Changes in legislation and amendments to laws lead to necessary/mandated changes in District Board Policies. Independent Study needs to add Education Code language for the J13 to be approved and Transportation Routes and Services needs to align to the new required Transportation Plan.

**STATUS:**

A second reading will be brought to the Board for final approval on March 14, 2023

**PRESENTER:**

Tammy Busch, Asst. Supt. of Business

**OTHER PEOPLE WHO MIGHT BE PRESENT: N/A**

**COST AND FUNDING SOURCES: NOT APPLICABLE: N/A**

**RECOMMENDATION:**

That the Board approves the First Reading of the Board Policy 3541 – Transportation Routes and Services, Board Policy 6158 - Independent Study, and Administrative Regulation 6158 – Independent Study.

Time allocated: 3 minutes

**Policy 3250: Transportation Fees**

**Status:** DRAFT

**Original Adopted Date:** 10/08/2019 | **Last Revised Date:** Pending

~~Whenever the cost of providing student transportation exceeds funding provided by the state, the Governing Board may charge fees for home-to-school student transportation and other transportation services as expressly authorized by law.~~

~~The Superintendent or designee shall annually submit proposed transportation fee schedules for Board approval.~~

~~The transportation fee shall be waived for any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. (Education Code 39807.5)~~

~~In addition, no charge shall be made for any transportation of a student with a disability. (Education Code 39807.5)~~

~~Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats, or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted, or announced in any manner or used for any purpose other than the transportation program.~~

~~The Board shall certify to the County Superintendent of Schools that the district has levied fees in accordance with law and that, in the event that excess fees have been charged, the fees have been reduced and excess fee revenue eliminated. (Education Code 39809.5)~~

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 350	Fees not permitted
Ed. Code 10900-10914.5	<a href="#">Community recreation programs</a>
Ed. Code 10913	<a href="#">Fees for uses of school buses for community recreation purposes</a>
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 39800-39860	Transportation
Ed. Code 39801.5	Transportation for adults
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39809.5	Excess fees; adjustments
Ed. Code 39837	Transportation to summer employment program

Ed. Code 41850	Transportation to regional occupational center or program
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49557-49558	Applications for free and reduced-price meals
Ed. Code 56026	Individual with exceptional needs

### Management Resources

California Department of Education  
Publication

Court Decision

Court Decision

Website

Website

Website

### Description

Pupil Fees, Deposits, and Other Charges, Fiscal Management  
Advisory 20-01, July 23, 2020

Hartzell v. Connell, 35 Cal.3d 899 (1984)

Arcadia Unified School District v. California Department of  
Education, (1992) 2 Cal. 4th 251

[CSBA District and County Office of Education Legal Services](#)

[California Department of Education](#)

[CSBA](#)

### Cross References

#### Code

3260

3260

3540

3540

3541

3541.2

3553

3553

4119.23

4219.23

4319.23

5125

5125

6159

6159

6173

6173

#### Description

[Fees And Charges](#)

[Fees And Charges](#)

[Transportation](#)

[Transportation](#)

[Transportation Routes And Services](#)

[Transportation For Students With Disabilities](#)

[Free And Reduced Price Meals](#)

[Free And Reduced Price Meals](#)

[Unauthorized Release Of Confidential/Privileged Information](#)

[Unauthorized Release Of Confidential/Privileged Information](#)

[Unauthorized Release Of Confidential/Privileged Information](#)

[Student Records](#)

[Student Records](#)

[Individualized Education Program](#)

[Individualized Education Program](#)

[Education For Homeless Children](#)

[Education For Homeless Children](#)



6173-E PDF(1)

[Education For Homeless Children](#)

6173-E PDF(2)

[Education For Homeless Children](#)

6178.2

[Regional Occupational Center/Program](#)

6181

[Alternative Schools/Programs Of Choice](#)

6181

[Alternative Schools/Programs Of Choice](#)

**Policy 3250: Transportation Fees**

**Status:** DRAFT

**Original Adopted Date:** 10/08/2019 | **Last Revised Date:** Pending

~~Whenever the cost of providing student transportation exceeds funding provided by the state, the Governing Board may charge fees for home-to-school student transportation and other transportation services as expressly authorized by law.~~

~~The Superintendent or designee shall annually submit proposed transportation fee schedules for Board approval.~~

~~The transportation fee shall be waived for any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. (Education Code 39807.5)~~

~~In addition, no charge shall be made for any transportation of a student with a disability. (Education Code 39807.5)~~

~~Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats, or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted, or announced in any manner or used for any purpose other than the transportation program.~~

~~The Board shall certify to the County Superintendent of Schools that the district has levied fees in accordance with law and that, in the event that excess fees have been charged, the fees have been reduced and excess fee revenue eliminated. (Education Code 39809.5)~~

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Ed. Code 39809.5	Excess fees; adjustments
Ed. Code 39837	Transportation to summer employment program

Ed. Code 41850	Transportation to regional occupational center or program
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49557-49558	Applications for free and reduced-price meals
Ed. Code 56026	Individual with exceptional needs

### Management Resources

California Department of Education  
Publication

Court Decision

Court Decision

Website

Website

Website

### Description

Pupil Fees, Deposits, and Other Charges, Fiscal Management  
Advisory 20-01, July 23, 2020

Hartzell v. Connell, 35 Cal.3d 899 (1984)

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[CSBA District and County Office of Education Legal Services](#)

[California Department of Education](#)

[CSBA](#)

### Cross References

#### Code

3260

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3541.2

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6173

6173

#### Description

[Fees And Charges](#)

[Fees And Charges](#)

[Transportation](#)

[Transportation](#)

[Transportation Routes And Services](#)

[Transportation For Students With Disabilities](#)

[Free And Reduced Price Meals](#)

[Free And Reduced Price Meals](#)

[Unauthorized Release Of Confidential/Privileged Information](#)

[Unauthorized Release Of Confidential/Privileged Information](#)

[Unauthorized Release Of Confidential/Privileged Information](#)

[Student Records](#)

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[Individualized Education Program](#)

[Individualized Education Program](#)

[Education For Homeless Children](#)

[Education For Homeless Children](#)

6173-E PDF(1)

[Education For Homeless Children](#)

6173-E PDF(2)

[Education For Homeless Children](#)

6178.2

[Regional Occupational Center/Program](#)

6181

[Alternative Schools/Programs Of Choice](#)

6181

[Alternative Schools/Programs Of Choice](#)

## **Regulation 3541: Transportation Routes And Services**

The Superintendent or designee shall design transportation routes and stops within district boundaries that promote student safety, maximum efficiency in the use of buses, and decreased traffic in and around the schools.

~~(cf. 3510 – Green School Operations)~~

~~(cf. 3514 – Environmental Safety)~~

~~(cf. 3540 – Transportation)~~

Students shall be eligible for transportation service to and from school if the distance between their school-established bus stop and the school is beyond the minimum listed below:

1. For elementary school students:

Grades TK-6: three-fourths mile

Grades 4-8: one mile

2. For students attending a **two or three-year junior high school, and are low income:**

Grades 7-9: one mile

3. For students attending a **three or four-year high school, and are low income:**

Grades 9-12: ~~two~~ **one** miles

**4. For students attending grade levels 7-12, that do not meet other transportation priorities the minimum distance is two miles.**

The Superintendent or designee may authorize transportation below these limits when safety problems or hazards exist.

~~(cf. 5142.2 – Safe Routes to School)~~

The Superintendent or designee shall communicate in writing to parents/guardians regarding bus routes, schedules, and stops. He/she may also arrange for local media to publish such information.

~~(cf. 1112 – Media Relations)~~

With the Board of Trustees' authorization, transportation services may be provided or arranged by the district for:

1. Students traveling to and from school during the regular school day (Education Code 39800)

2. Field trips and excursions (Education Code 35330)

(cf. 3541.1 - Transportation for School-Related Trips)

3. School activities, expositions or fairs, or other activities determined to be for the benefit of students (Education Code 39860)
4. District employees, parents/guardians, and adult volunteers traveling to and from educational activities authorized by the district (Education Code 39837.5)

Students who attend school outside of their school attendance area or district boundaries may be eligible for transportation services in accordance with district policy.

~~(cf. 5116.1 - Intradistrict Open Enrollment)~~  
~~(cf. 5117 - Interdistrict Attendance)~~

The district shall provide home-to-school transportation and additional transportation services as needed for students with disabilities as specified in their individualized education program or Section 504 plan. (Education Code 41850; 20 USC 1400-1482; 34 CFR 104.4, 300.17, 300.34)

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~  
~~(cf. 6159 - Individualized Education Program)~~  
~~(cf. 6164.6 - Identification and Education Under Section 504)~~

The Superintendent or designee shall provide transportation to homeless students in accordance with law, Board policy, and administrative regulation. When the student resides outside of district boundaries, the Superintendent or designee shall consult with the superintendent of the district of residence to apportion the responsibility and costs of transportation. (42 USC 11432)  
~~(cf. 6173 - Education for Homeless Children)~~

The Superintendent or designee shall collaborate with the local child welfare agency to determine the provision, arrangement, and funding of transportation to enable foster youth to attend their school of origin when it is in the student's best interest to do so. (20 USC 6312)  
~~(cf. 6173.1 - Education for Foster Youth)~~

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<b>State</b>	<b>Description</b>
5 CCR 15240-15244	<u><a href="#">Allowances for student transportation; definitions</a></u>
Ed. Code 10900.5	<u><a href="#">Use of school buses for community recreation</a></u>

State	Description
Ed. Code 35330	<u>Field trips and excursions; student fees</u>
Ed. Code 35350	<u>Authority to transport pupils</u>
Ed. Code 39800	<u>Powers of governing board to provide transportation to and from school</u>
Ed. Code 39800-39809.5	<u>Transportation; general provisions</u>
Ed. Code 39801.5	<u>Transportation for adults</u>
Ed. Code 39808	<u>Transportation for private school students</u>
Ed. Code 39830-39843	<u>School buses</u>
Ed. Code 39835	<u>Use of school buses for community recreation</u>
Ed. Code 39837	<u>Transportation to summer employment program</u>
Ed. Code 39837.5	<u>Transportation of employees, parents/guardians, and adult volunteers to school activities</u>
Ed. Code 39860	<u>Transportation to school activities</u>
Ed. Code 41850-41854	<u>Allowances for transportation</u>
Ed. Code 41860-41863	<u>Supplementary allowances for transportation</u>

	<b>State</b>	<b>Description</b>
Ed. Code 48853.5		<a href="#"><u>Education of foster youth; immediate enrollment</u></a>

	<b>Federal</b>	<b>Description</b>
20 USC 1400-1482		<a href="#"><u>Individuals with Disabilities Education Act</u></a>
20 USC 6312		<a href="#"><u>Local educational agency plan</u></a>
34 CFR 104.4		<a href="#"><u>Equal opportunity under the Rehabilitation Act of 1973, Section 504</u></a>
34 CFR 300.17		<a href="#"><u>Free appropriate public education</u></a>
34 CFR 300.34		<a href="#"><u>Related services</u></a>
42 USC 11432		<a href="#"><u>McKinney-Vento Homeless Assistance Act</u></a>

**Management Resources**

	<b>Description</b>
CSBA Publication	<a href="#"><u>Special Education Pupil Transportation: Considerations in the Era of LCFF, Governance Brief, April 2014</u></a>
Website	<a href="#"><u>CSBA District and County Office of Education Legal Services</u></a>
Website	<a href="#"><u>California Department of Education, Office of School Transportation</u></a>
Website	<a href="#"><u>Pupil Transportation Safety Institute</u></a>

**Cross References**



Code	Description
1112	<u>Media Relations</u>
3250	<u>Transportation Fees</u>
3250	<u>Transportation Fees</u>
3510	<u>Green School Operations</u>
3514	<u>Environmental Safety</u>
3514	<u>Environmental Safety</u>
3540	<u>Transportation</u>
3540	<u>Transportation</u>
3541.1	<u>Transportation For School-Related Trips</u>
3541.1-E PDF(1)	<u>Transportation For School-Related Trips</u>
3541.2	<u>Transportation For Students With Disabilities</u>
3542	<u>School Bus Drivers</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4231	<u>Staff Development</u>
4231	<u>Staff Development</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
5116.1	<u>Intradistrict Open Enrollment</u>

Code	Description
5116.1	<u>Intradistrict Open Enrollment</u>
5116.1-E PDF(1)	<u>Intradistrict Open Enrollment - Intradistrict Enrollment</u>
5117	<u>Interdistrict Attendance</u>
5117	<u>Interdistrict Attendance</u>
5117-E PDF(1)	<u>Interdistrict Attendance</u>
5142.2	<u>Safe Routes To School Program</u>
5142.2	<u>Safe Routes To School Program</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6154	<u>Homework/Makeup Work</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6164.6	<u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E PDF(1)	<u>Education For Homeless Children</u>

<b>Code</b>	<b>Description</b>
6173-E PDF(2)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6178.2	<u>Regional Occupational Center/Program</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>

**Policy 6158: Status: ADOPTED**  
**Independent**  
**Study**

**Original Adopted Date:** 05/12/2015 | **Last Revised Date:** 12/13/2022 | **Last Reviewed Date:** 12/13/2022 | **Last** see  
**Reviewed Date:** 12/13/2022 **more**

The Governing Board authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered for short- or long-term placements, on a full-time or part-time basis, and/or in conjunction with part- or full-time classroom study.

The Board shall hold a public hearing when considering 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 students or adult education students. (Education Code 51747; 5 CCR 11701)

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

Student participation in independent study shall be voluntary and no student shall be required to participate. (Education Code 51747, 51749.5, 51749.6)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

The minimum period of time for any independent study option shall be three consecutive school days. (Education Code 46300 )

Except for students participating in independent study due to an emergency as described in Education Code 41422 and 46392:

1. Independent study is offered to any student impacted by any of the conditions listed in ED section 46392 within ten (10) days of the first day of a school closure or material decrease in attendance. Students who are individuals with exceptional needs

shall receive the services identified in their individualized education programs pursuant to paragraph (9) of subdivision (a) of EC Section 56345 and may participate in an independent study program.

2. Require reopening for in-person instruction as soon as possible unless prohibited under the direction of the local or state health officer.
3. Notwithstanding subdivision © of EC Section 51745 or subparagraph (F) of paragraph (9) of subdivisions (g) of Section 51747, include information regarding establishing independent study master agreements in a reasonable amount of time.

## **General Independent Study Requirements**

The Superintendent or designee may offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for participation and is likely to succeed as well as or better than the student would in the regular classroom setting.

The minimum instructional minutes shall be the same for all students at each school including students participating in independent study, except as otherwise permitted by law. (Education Code 46100)

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of programs. When necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due. However, in no event shall the due date of an assignment be extended beyond the termination date specified in the student's written agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060
2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments

3. Learning of required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California (UC) or the California State University (CSU) as creditable under the A-G admissions criteria. (Education Code 51747)

The Superintendent or designee shall ensure that all students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in an independent study program for 15 school days or more who are: (Education Code 51747)

1. Not generating attendance for more than ten percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar
2. Not participating in synchronous instructional offerings pursuant to Education Code 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span
3. In violation of their written agreement

Tiered reengagement strategies procedures used in district independent study programs

shall include local programs intended to address chronic absenteeism, as applicable, including but not limited to the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the recording of a nonattendance day or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

The Superintendent or designee shall, for students who participate in an independent study program for 15 school days or more, develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days. (Education Code 51747)

When any student enrolled in classroom-based instruction is participating in independent study due to necessary medical treatment or inpatient treatment for mental health or substance abuse under the care of appropriately licensed professionals, the student shall be exempt from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements specified above. In such cases, evidence from appropriately licensed professionals, of the student's need to participate in independent study, shall be submitted to the Superintendent or designee. (Education Code 51747)

The Superintendent or designee shall ensure that a written agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

Upon the request of the parent/guardian of a student, and before signing a written agreement as described below in the section "Master Agreement," the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and, if requested by the parent/guardian an advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

### **Master Agreement**

A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747)

For student participation for 15 school days or more, a signed written agreement shall be obtained before the student begins independent study. For student participation of less than 15 school days, a signed written agreement shall be obtained within ten school days of the first day of the student's enrollment. (Education Code 46300, 51747)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but is not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The manner, time, frequency, and place for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic 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 that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, 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, with a maximum of one school year
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 detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an



individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports

8. A statement that independent study is an optional educational alternative in which no student may be required to participate
9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction
10. Before the commencement of independent study projected to last for 15 school days or more, or within ten school days of the first day of enrollment for independent study for less than 15 school days, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under 18 years of age, the certificated employee responsible for the general supervision of independent study, and for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

### **Course-Based Independent Study**

The district's course-based independent study program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student, pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction
3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all

relevant local and state content standards. For high schools, this shall include access to all courses offered by the district for graduation and approved by UC or CSU as creditable under the A-G admissions criteria. The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities throughout the school year, for all students in transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for all students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for all students in grades 9-12 to receive at least weekly synchronous instruction.

4. Students enrolled in independent study courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3
5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program as indicated by the student's performance on applicable student-level measures of student achievement and engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.

If satisfactory educational progress in one or more independent study courses is not being made, the teacher providing instruction shall notify the student and, if the student is under 18 years of age, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be treated as a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall

include, but are not necessarily limited to, the verification of current contact information for each enrolled student, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.

6. Examinations shall be administered by a proctor
7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.
8. A student shall not be required to enroll in courses included in the course-based independent study program
9. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6
10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208
11. Courses required for high school graduation or for admission to UC or CSU shall not be offered exclusively through independent study
12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011
13. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course
14. A student with disabilities, as defined in Education Code 56026, may participate in course-based independent study if the student's individualized education program specifically provides for that participation
15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study

16. The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days

### **Learning Agreement for Course-Based Independent Study**

Before enrolling a student in a course within a course-based independent study program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to Item #3 of the Course-Based Independent Study section above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports
7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through course-based independent study only if the student is offered the alternative

of classroom instruction.

8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress
9. The objectives and methods of study for the student's work, and the methods used to evaluate that work
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.
12. Before the commencement of an independent study course projected to last for 15 school days or more, or within ten school days of the first day of enrollment for an independent study course projected to last less than 15 school days, the learning agreement shall be signed and dated by the student, and by the student's parent/guardian or caregiver if the student is less than 18 years of age, the certificated employee responsible for the general supervision of the independent study course, and as applicable for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.

Learning agreements may be signed using an electronic signature that complies with state and federal standards, as determined by CDE. (Education Code 51749.6)

A signed learning agreement from a parent/guardian of a student who is less than 18 years of age shall constitute the parent/guardian's permission for the student to receive instruction through course-based independent study. (Education Code 51749.6)

Upon the request of a student's parent/guardian, and before signing a learning agreement as described above, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference, or other meeting during which the student, parent/guardian, and, if requested by the parent/guardian, an advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51749.6)

## **Student-Parent-Educator Conferences**

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or, if requested by a parent/guardian, prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

## **Records**

The Superintendent or designee shall ensure that records are maintained for audit purposes.

These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's signed or initialed and dated notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee shall also maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

Signed written and supplemental agreements, assignment records, work samples, and attendance records may be maintained as an electronic file in accordance with Education Code 51747 and 51749.6, as applicable.

### **Program Evaluation**

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

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#### **Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 11700-11705	Independent study
Ed. Code 17289	Exemption for facilities
Ed. Code 41020	Requirement for annual audit
Ed. Code 41422	Emergency conditions and apportionments
Ed. Code 42238	Revenue limits

State	Description
Ed. Code 42238.05	Local control funding formula; average daily attendance
Ed. Code 44865	Qualifications for independent study teachers
Ed. Code 46100	Length of school day
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 46600	Interdistrict attendance computation
Ed. Code 47612-47612.1	Charter School Operation
Ed. Code 47612.5	Charter schools operations; general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances



State	Description
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51744-51749.6	Independent study
Ed. Code 52060	Local control and accountability plan
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers

**Federal**

Federal	Description
20 USC 6301	Highly qualified teachers
20 USC 6311	State plan

**Management Resources**

Management Resources	Description
California Department of Education Publication	Legal Requirements for Independent Study
California Department of Education Publication	Conducting Individualized Determinations of Need
California Department of Education Publication	2021-22 AA & IT Independent Study FAQs
California Department of Education Publication	California Digital Learning

Management Resources	Description
California Department of Education Publication	Integration and Standards Guidance, May 2021 Elements of Exemplary Independent Study
Court Decision	Modesto City Schools v. Education Audits Appeal Panel (2004) 123 Cal.App.4th 1365
Education Audit Appeals Panel Publication	Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">California Consortium for Independent Study</a>
Website	<a href="#">California Department of Education, Independent Study</a>
Website	<a href="#">Education Audit Appeals Panel</a>

**Cross References**

Code	Description
0410	<a href="#">Nondiscrimination In District Programs And Activities</a>
0420.4	<a href="#">Charter School Authorization</a>
0420.4	<a href="#">Charter School Authorization</a>
0470	<a href="#">COVID-19 Mitigation Plan</a>

Code	Description
0500	<u>Accountability</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3516.5	<u>Emergency Schedules</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112.2	<u>Certification</u>
4112.2	<u>Certification</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
5111.1	<u>District Residency</u>
5111.1	<u>District Residency</u>
5112.3	<u>Student Leave Of Absence</u>
5112.3	<u>Student Leave Of Absence</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5126	<u>Awards For Achievement</u>
5126	<u>Awards For Achievement</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.31	<u>Immunizations</u>
5141.31	<u>Immunizations</u>

Code	Description
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5147	<u>Dropout Prevention</u>
6000	<u>Concepts And Roles</u>
6011	<u>Academic Standards</u>
6111	<u>School Calendar</u>
6112	<u>School Day</u>
6112	<u>School Day</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6146.1	<u>High School Graduation Requirements</u>
6146.1-E PDF(1)	<u>High School Graduation Requirements</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6152	<u>Class Assignment</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6162.5	<u>Student Assessment</u>
6162.51	<u>State Academic Achievement Tests</u>

Code	Description
6162.51	<u>State Academic Achievement Tests</u>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u>
6172	<u>Gifted And Talented Student Program</u>
6172	<u>Gifted And Talented Student Program</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6183	<u>Home And Hospital Instruction</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
6185	<u>Community Day School</u>
6185	<u>Community Day School</u>
6185-E PDF(1)	<u>Community Day School</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>

**Regulation Status: ADOPTED**  
**6158:**  
**Independent**  
**Study**

**Original Adopted Date:** 11/08/2016 | **Last Revised Date:** 12/13/2022 | **Last Reviewed Date:** 12/13/2022 see more

**Definitions**

*Live interaction* means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in-person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

*Student-parent-educator conference* means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

*Synchronous instruction* means classroom-style instruction or designated small group or one-on-one instruction delivered in-person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by a teacher or teachers of record for that student pursuant to Education Code 51747.5 or the certificated employee providing instruction for course-based independent study. (Education Code 51745.5)

**Educational Opportunities**

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

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. Continuing and special study during travel
4. Volunteer community service activities and leadership opportunities that support and strengthen student achievement
5. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction or for a student who is

unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

### **Equivalency**

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

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. Providing access to Internet connectivity and district-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

### **Eligibility for Independent Study**

To participate in independent study, a student shall be enrolled in a district school. (Education Code 51748)

The Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments,

and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county. 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 48204. (Education Code 46300.2, 51747.3)

A student with disabilities, as defined in Education Code 56026, may participate in independent study if the student's individualized education program (IEP) specifically provides for such participation. If a parent/guardian of a student with disabilities requests independent study because the student's health would be put at risk by in-person instruction, the student's IEP team shall make an individualized determination as to whether the student can receive a free appropriate public education (FAPE) in an independent study placement. A student's inability to work independently, need for adult support, or need for special education or related services shall not preclude the IEP team from determining that the student can receive FAPE in an independent study placement. (Education Code 51745)

In addition, any student with disabilities who receives services from a nonpublic, nonsectarian school through a virtual program may be permitted to participate in independent study if the student's IEP team determines that FAPE can be provided to the student by means of the virtual program and other conditions of law are satisfied.

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through independent study. (Education Code 51745)

Except for students participating in independent study due to an emergency as described in Education Code 41422 and 46392:

1. Independent study is offered to any student impacted by any of the conditions listed in ED section 46392 within ten (10) days of the first day of a school closure or material decrease in attendance. Students who are individuals with exceptional needs shall receive the services identified in their individualized education programs pursuant to paragraph (9) of subdivision (a) of EC Section 56345 and may participate in an independent study program.
2. Require reopening for in-person instruction as soon as possible unless prohibited under the direction of the local or state health officer.
3. Notwithstanding subdivision © of EC Section 51745 or subparagraph (F) of paragraph (9) of subdivisions (g) of Section 51747, include information regarding establishing independent study master agreements in a reasonable amount of time.



Pregnant and parenting students who are the primary caregiver for their child(ren), no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program shall be enrolled in independent study. (Education Code 51745)

### **Monitoring Student Progress**

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study 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 failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether independent study is in the student's best interest. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program. (Education Code 51747, 51749.5; 5 CCR 11701)

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation, and if the student transfers to another public school in California, the record shall be forwarded to that school. (Education Code 51747, 51749.5)

### **Responsibilities of Independent Study Administrator**

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study

3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

### **Assignment and Responsibilities of Independent Study Teachers**

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with Item #4 in the section on "Records" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success

6. Regularly meeting with the student to discuss the student's progress
7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement
9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 11700-11705	<u>Independent study</u>
Ed. Code 17289	<u>Exemption for facilities</u>
Ed. Code 41020	<u>Requirement for annual audit</u>
Ed. Code 41422	<u>Emergency conditions and apportionments</u>
Ed. Code 42238	<u>Revenue limits</u>
Ed. Code 42238.05	<u>Local control funding formula; average daily attendance</u>
Ed. Code 44865	<u>Qualifications for independent study teachers</u>
Ed. Code 46100	<u>Length of school day</u>
Ed. Code 46200-46208	<u>Incentives for longer instructional day and year</u>

State	Description
Ed. Code 46300-46307.1	<u>Methods of computing average daily attendance</u>
Ed. Code 46390-46393	<u>Emergency average daily attendance</u>
Ed. Code 46600	<u>Interdistrict attendance computation</u>
Ed. Code 47612-47612.1	<u>Charter School Operation</u>
Ed. Code 47612.5	<u>Charter schools operations; general requirements</u>
Ed. Code 48204	<u>Residency requirements for school attendance</u>
Ed. Code 48206.3	<u>Home or hospital instruction; students with temporary disabilities</u>
Ed. Code 48220	<u>Classes of children exempted</u>
Ed. Code 48340	<u>Improvement of pupil attendance</u>
Ed. Code 48915	<u>Expulsion; particular circumstances</u>
Ed. Code 48916.1	<u>Educational program requirements for expelled students</u>
Ed. Code 48917	<u>Suspension of expulsion order</u>
Ed. Code 49011	<u>Student fees</u>
Ed. Code 51225.3	<u>High school graduation requirements</u>
Ed. Code 51744-51749.6	<u>Independent study</u>

State	Description
Ed. Code 52060	<a href="#">Local control and accountability plan</a>
Ed. Code 52523	<a href="#">Adult education as supplement to high school curriculum; criteria</a>
Ed. Code 56026	<a href="#">Individual with exceptional needs</a>
Ed. Code 58500-58512	<a href="#">Alternative schools and programs of choice</a>
Fam. Code 6550-6552	<a href="#">Caregivers</a>

Federal	Description
20 USC 6301	<a href="#">Highly qualified teachers</a>
20 USC 6311	<a href="#">State plan</a>

Management Resources	Description
California Department of Education Publication	<a href="#">Legal Requirements for Independent Study</a>
California Department of Education Publication	<a href="#">Conducting Individualized Determinations of Need</a>
California Department of Education Publication	<a href="#">2021-22 AA &amp; IT Independent Study FAQs</a>
California Department of Education Publication	<a href="#">California Digital Learning Integration and Standards Guidance, May 2021</a>
California Department of Education Publication	<a href="#">Elements of Exemplary Independent Study</a>
Court Decision	<a href="#">Modesto City Schools v. Education Audits Appeal Panel</a>

**Management Resources**

**Description**

	<a href="#"><u>(2004) 123</u></a>
	<a href="#"><u>Cal.App.4th 1365</u></a>
Education Audit Appeals Panel Publication	<a href="#"><u>Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting</u></a>
Website	<a href="#"><u>CSBA District and County Office of Education Legal Services</u></a>
Website	<a href="#"><u>California Consortium for Independent Study</u></a>
Website	<a href="#"><u>California Department of Education, Independent Study</u></a>
Website	<a href="#"><u>Education Audit Appeals Panel</u></a>

**Cross References**

<b>Code</b>	<b>Description</b>
0410	<a href="#"><u>Nondiscrimination In District Programs And Activities</u></a>
0420.4	<a href="#"><u>Charter School Authorization</u></a>
0420.4	<a href="#"><u>Charter School Authorization</u></a>
0470	<a href="#"><u>COVID-19 Mitigation Plan</u></a>
0500	<a href="#"><u>Accountability</u></a>
3260	<a href="#"><u>Fees And Charges</u></a>
3260	<a href="#"><u>Fees And Charges</u></a>
3516.5	<a href="#"><u>Emergency Schedules</u></a>
3580	<a href="#"><u>District Records</u></a>
3580	<a href="#"><u>District Records</u></a>
4112.2	<a href="#"><u>Certification</u></a>
4112.2	<a href="#"><u>Certification</u></a>

Code	Description
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
5111.1	<u>District Residency</u>
5111.1	<u>District Residency</u>
5112.3	<u>Student Leave Of Absence</u>
5112.3	<u>Student Leave Of Absence</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5126	<u>Awards For Achievement</u>
5126	<u>Awards For Achievement</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.31	<u>Immunizations</u>
5141.31	<u>Immunizations</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5147	<u>Dropout Prevention</u>
6000	<u>Concepts And Roles</u>

Code	Description
6011	<u>Academic Standards</u>
6111	<u>School Calendar</u>
6112	<u>School Day</u>
6112	<u>School Day</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6146.1	<u>High School Graduation Requirements</u>
6146.1-E PDF(1)	<u>High School Graduation Requirements</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6152	<u>Class Assignment</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6162.5	<u>Student Assessment</u>
6162.51	<u>State Academic Achievement Tests</u>
6162.51	<u>State Academic Achievement Tests</u>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u>
6172	<u>Gifted And Talented Student Program</u>
6172	<u>Gifted And Talented Student Program</u>
6181	<u>Alternative Schools/Programs Of Choice</u>



Code	Description
6181	<u>Alternative Schools/Programs Of Choice</u>
6183	<u>Home And Hospital Instruction</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
6185	<u>Community Day School</u>
6185	<u>Community Day School</u>
6185-E PDF(1)	<u>Community Day School</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>

**BOARD OF TRUSTEES  
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street  
Rio Vista, California 9457-1561

**BOARD AGENDA BRIEFING**

Meeting Date: March 2, 2023

Attachments:     X    

From: Codi Agan, Director of Personnel

Item Number:   11  

Type of item: (Action, Consent Action or Information Only):                   Action                  

**SUBJECT:**

Request to Approve Board Resolution #842 for Intention to Eliminate Classified Services for the 2023-2024 School Year

**BACKGROUND:**

Resolution #842 Elimination of 1.13 FTE of classified services for the 2023-2024 school year.

**STATUS:**

It is necessary to eliminate at the end of the 2022-2023 school year the employment of 1.13 FTE classified staff.

**PRESENTER:**

Katherine Wright, Superintendent

**OTHER PEOPLE WHO MIGHT BE PRESENT:**

Staff

**COST AND FUNDING SOURCES:**

**RECOMMENDATION:**

That the Board approves Resolution #842 Elimination of 1.13 FTE Classified Staff.

Time allocated: 2 minutes

**RIVER DELTA UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 842**

**RESOLUTION OF INTENTION TO DISMISS CLASSIFIED EMPLOYEES**

**WHEREAS**, Education Code sections 45101, 45114, 45117, 45298 and 45308 authorize the Board of Trustees of the River Delta Unified School District to layoff or reduce classified employees for lack of work and/or lack of funds for an upcoming school year; and

**WHEREAS**, Education Code section 45117 requires the Superintendent or Superintendent’s designee to provide written notice to a classified employee not later than March 15, 2023, and before the employee is given final notice from the Board of Trustees that the employee’s services will not be required for the ensuing year due to lack of work or lack of funds, that it has been recommended that the notice be given to the employee, stating the reasons that the employee’s services will not be required for the following school year, and informing the employee of the employee’s displacement rights, if any, and reemployment rights; and

**WHEREAS**, pursuant to Education Code section 45117(a)(2), where a classified employee has received a preliminary notice that their services will not be required for the following school year due to a lack of work or lack of funds, the notice and the reasons for the notice shall be confidential and shall not be divulged by any person, except as may be necessary in the performance of duties, until the employee has requested a hearing as provided in Education Code section 45117 (b) or has waived their right to a hearing; and

**WHEREAS**, the Superintendent has recommended to the Board of Trustees that, due to a lack of work and/or a lack of funds, certain services now being provided by the district must be reduced for the 2023/2024 school year, and the following positions should be laid-off for the 2023/2024 school year:

<b>Delivery Worker for Food Services</b>	<b>0.13 FTE</b>
<b>Afterschool Program Supervisor</b>	<b>1.00 FTE</b>
<b>TOTAL</b>	<b>1.13 FTE</b>

**BE IT RESOLVED** that the Board of Trustees acknowledges the Superintendent’s recommendation and the Superintendent is hereby authorized and directed to give preliminary notice of reduction of services to the affected employee(s) of this District pursuant to District rules and regulations and applicable provisions of the Education Code not later than March 15, 2023, of such reduction or discontinuance as set forth above, and of such employees’ displacement rights, if any, and reemployment rights.

**BE IT FURTHER RESOLVED** that the District Superintendent or designee is authorized and directed to take any other actions necessary to carry out this Resolution.

**PASSED AND ADOPTED** the 2<sup>nd</sup> day of March 2023, by the Board of Trustees of the River Delta Unified School District of Sacramento County, California, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**IN WITNESS WHEREOF**, I, Randall Jelly, Clerk of the Board of Trustees of the River Delta Unified School District of Sacramento County, California, certify that the foregoing is a full, true, and correct copy of Resolution No. 842 adopted by said Board at a Regular Meeting thereof held at a regular public place of meeting and the Resolution is on file in the office of said Board.

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Randall Jelly, Clerk  
Board of Trustees  
River Delta Unified School District

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Date