

AMENDED IN SENATE JUNE 24, 1998  
AMENDED IN ASSEMBLY APRIL 14, 1998  
AMENDED IN ASSEMBLY MARCH 26, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1736**

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**Introduced by Assembly Member Torlakson  
(Coauthor: Assembly Member Thomson)**

February 2, 1998

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An act to amend Section 51745 of, and to add and repeal Section 51745.1 to, the Education Code, relating to independent study.

LEGISLATIVE COUNSEL'S DIGEST

AB 1736, as amended, Torlakson. Independent study: restrictions.

Existing law authorizes the governing board of a school district or a county office of education to offer independent study to meet the educational needs of pupils. Existing law provides that not more than 10% of the pupils participating in an opportunity school or program or a continuation high school is eligible for apportionment credit for independent study.

This bill would prohibit a pupil who is pregnant or who is a parent ~~actively engaged in raising~~ *who is the primary caregiver* for one or more of his or her children from being counted within the 10% cap. The bill would require the State Department of Education to report to the Legislature on the

impact of this prohibition and its effects on the number of pregnant and parenting teens enrolled in opportunity schools or programs or continuation schools if the necessary data is available.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 51745 of the Education Code is  
2 amended to read:

3 51745. (a) Commencing with the 1990–91 school  
4 year, the governing board of a school district or a county  
5 office of education may offer independent study to meet  
6 the educational needs of pupils in accordance with the  
7 requirements of this article. Educational opportunities  
8 offered through independent study may include, but shall  
9 not be limited to, the following:

10 (1) Special assignments extending the content of  
11 regular courses of instruction.

12 (2) Individualized study in a particular area of interest  
13 or in a subject not currently available in the regular school  
14 curriculum.

15 (3) Individualized alternative education designed to  
16 teach the knowledge and skills of the core curriculum.  
17 Independent study shall not be provided as an alternative  
18 curriculum.

19 (4) Continuing and special study during travel.

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

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



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

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

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

13 SEC. 2. Section 51745.1 is added to the Education  
14 Code, to read:

15 51745.1. (a) By January 1, 2004, the State  
16 Department of Education shall report to the Legislature  
17 on the impact of the exemption of pregnant and  
18 parenting teens from the independent study limitations  
19 set forth in subdivision (b) of Section 51745 and its effects  
20 on the number of pregnant and parenting teens enrolled  
21 in opportunity schools or programs or continuation  
22 schools if the necessary data is available.

23 (b) This section shall remain in effect only until  
24 January 1, 2005, and as of that date is repealed, unless a  
25 later enacted statute, that is enacted before January 1,  
26 2005, deletes or extends that date.

