

# **EXHIBIT A**

**October 11, 2017**

# CSBA Sample Board Policy

Students

BP 5121(a)

## GRADES/EVALUATION OF STUDENT ACHIEVEMENT

Note: The following **optional** policy may be revised to reflect district practice.

The Governing Board believes that grades serve a valuable instructional purpose by helping students and parents/guardians understand performance expectations and identifying the student's areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive course grades that represent an accurate evaluation of the student's **achievement academic performance**.

*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*

The Superintendent or designee shall establish a uniform grading system **based on standards that apply that shall be applied** to all students in that course and grade level. **Principals and teachers shall ensure that student grades conform to this system.** Teachers shall inform students and parents/guardians how **student achievement academic performance** will be evaluated in the classroom.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

Note: The following **optional** paragraph may be revised to reflect district practice. CSBA's governance brief **Research-Supported Strategies to Improve the Accuracy and Fairness of Grades** reviews research on the fairness, accuracy, and consistency of common grading practices. Based on research, the brief recommends that nonacademic factors (e.g., attendance, effort, behavior, work habits) not be incorporated into the academic grade, which is intended to be an indicator of a student's mastery of academic content.

A teacher shall base a student's grades **solely** on **impartial, consistent observation** of the quality of the student's **academic** work and his/her mastery of course content **and based on** district standards. Students shall have the opportunity to demonstrate this mastery through a variety of methods, **such as classroom participation, homework, including, but not limited to, tests, projects, and portfolios, and/or class discussion as appropriate. Other elements that are not a direct measure of knowledge and understanding of course content, such as attendance, effort, student conduct, and work habits, shall not be factored into the academic grade but may be reported separately.**

*(cf. 6011 - Academic Standards)*  
*(cf. 6162.5 - Student Assessment)*

BP 5121(b)

**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)**Effect of Absences on Grades**

~~If a student misses class without an excuse and does not subsequently turn in homework, take a test, or fulfill another class requirement which he/she missed, the teacher may lower the student's grade for nonperformance.~~

**Whenever a student misses an assignment or assessment due to either an excused or unexcused absence, he/she shall be given full credit for subsequent satisfactory completion of the assignment or assessment.**

*(cf. 6154 - Homework/Makeup Work)*

Note: Pursuant to Education Code 49067, the Governing Board may authorize teachers to assign failing grades to students with excessive unexcused absences, the number to be set by the Board. Districts using the following **optional** paragraph should fill in the blank to specify the number of unexcused absences ~~for which students may receive a failing grade~~ **that the Board determines to be "excessive."** **Alternatively, districts may revise the following paragraph to limit the degree to which a teacher may reduce a grade for attendance reasons.**

**However, CSBA's governance brief Research-Supported Strategies to Improve the Accuracy and Fairness of Grades recommends that student absence be dealt with separately from grading and that absence should not be considered in determining a student's level of understanding of course content. See BP/AR 5113.1 - Chronic Absence and Truancy for further information about strategies to address excessive excused and/or unexcused absences.**

~~The Board believes that \_\_\_\_\_ (*fill in number*) unexcused absences per grading period constitute excessive unexcused absences. Students with excessive unexcused absences may receive a failing grade and not receive credit for the class(es). **A teacher may assign a failing grade to a student who has \_\_\_\_\_ (*fill in number*) or more unexcused absences during the grading period.**~~

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

Note: The following **optional** paragraph is for use by districts that maintain elementary schools and should be revised to reflect district practice.

Students in grades K-3 shall receive progress reports **at the end of each grading period** rather than letter grades.

**Note: The following optional paragraph is for use by districts that choose to provide reports of academic performance on specific academic standards, and should be deleted by other districts.**

BP 5121(c)

**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)

**At all grade levels, report cards may include reports of student progress on specific academic standards applicable to the course and grade level.**

When reporting student performance to parents/guardians, teachers may add narrative descriptions, observational notes, and/or samples of classroom work in order to better describe student progress in specific skills and subcategories of achievement.

Note: The following **optional** paragraph reflects correspondence issued by the U.S. Department of Education's Office for Civil Rights, Report Cards and Transcripts for Students with Disabilities, which clarifies that, because report cards are intended for parents/guardians and not for persons outside the district, they may contain information about a student's disability without violating the Family Educational Rights and Privacy Act (20 USC 1232g; 34 CFR 99.1-99.67). However, transcripts may not provide information about a student's disability because there is an expectation that these documents could be shared with persons other than the student and his/her parents/guardians. See BP/AR 5125 - Student Records for further information regarding the confidentiality of student records.

A report card for a student with a disability may contain information about his/her disability, including whether that student received special education or related services, provided that the report card informs parents/guardians about their child's progress or level of achievement in specific classes, course content, or curriculum. However, transcripts that may be used to inform postsecondary institutions or prospective employers of the student's academic achievements shall not contain information disclosing the student's disability.

*(cf. 5125 - Student Records)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6164.6 - Identification and Education Under Section 504)*

Note: Education Code 49066 provides that the grade assigned by a teacher is final, absent any clerical or mechanical mistake, fraud, bad faith, or incompetency. Pursuant to Education Code 49066, the Board and Superintendent cannot order a student's grade changed unless the teacher, to the extent practicable, is given an opportunity to state the reasons that the grade was given and to be included in all discussions regarding the changing of the grade; see AR 5125.3 - Challenging Student Records.

**The teacher of each course shall determine the student's grade. A grade assigned by the teacher shall not be changed by the Board or the Superintendent except as provided by law, Board policy, or administrative regulation. (Education Code 49066)**

*(cf. 5125.3 - Challenging Student Records)*

**Grade Point Average**

Note: The following **optional section paragraph** is for use by districts that maintain secondary schools and may be revised to reflect district practice. Also see the accompanying administrative regulation.

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**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)

~~The Superintendent or designee shall determine the methodology to be used in calculating students' grade point average (GPA), including the courses to be included within the GPA and whether extra grade weighting shall be applied to Advanced Placement, International Baccalaureate, honors, and/or concurrent postsecondary courses.~~

***(cf. 6141.4 - International Baccalaureate Program)***

*(cf. 6141.5 - Advanced Placement)*

*(cf. 6172 - Gifted and Talented Student Program)*

*(cf. 6172.1 - Concurrent Enrollment in College Classes)*

*Legal Reference: (see next page)*

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**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)*Legal Reference:*EDUCATION CODE

48070 Promotion and retention

48205 Excused absences

48800-48802 Enrollment of gifted students in community college

48904-48904.3 Withholding grades, diplomas, or transcripts

49066 Grades; finalization; physical education class

49067 Mandated regulations regarding student's achievement

49069.5 Students in foster care, grades and credits

51242 Exemption from physical education based on participation in interscholastic athletics

69432.9 Cal Grant program; notification of grade point average

76000-76002 Enrollment in community college

CODE OF REGULATIONS, TITLE 5

10060 Criteria for reporting physical education achievement, high schools

30008 Definition of high school grade point average for student aid eligibility

UNITED STATES CODE, TITLE 20

1232g Family Education Rights and Privacy Act (FERPA)

~~6101-6251 School to Work Opportunities Act of 1994~~CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

COURT DECISIONSOwasso Independent School District v. Falvo, (2002) 534 U.S. 426Las Virgenes Educators Association v. Las Virgenes Unified School District, (2001) 86 Cal.App.4th 1Swany v. San Ramon Valley Unified School District, (1989) 720 F.Supp. 764Johnson v. Santa Monica-Malibu Unified School District Board of Education, (1986) 179 Cal.App.3d 593*Management Resources:*CSBA PUBLICATIONSResearch-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief, July 2016CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSAiming High: High Schools for the 21st Century, 2002Taking Center Stage: A Commitment to Standards-Based Education for California's Middle Grades Students, 2001Elementary Makes the Grade!, 2000U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS CORRESPONDENCEReport Cards and Transcripts for Students with Disabilities, October 17, 2008WEB SITESCSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>California Student Aid Commission: <http://www.csac.ca.gov>U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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# CSBA Sample Administrative Regulation

Students

AR 5121(a)

## GRADES/EVALUATION OF STUDENT ACHIEVEMENT

Note: Education Code 49067 **mandates** the Governing Board to approve regulations requiring the evaluation of each student's academic performance for each grading period. The following administrative regulation should be revised to reflect district practice and the grade levels offered by the district.

**The Superintendent or designee shall inform teachers of the district's policy regarding grading, including expectations that grades shall be based on factors that directly measure students' knowledge and skills in the content area and shall not include nonacademic factors.**

**Written** Report cards displaying students' grades in each subject or course shall be distributed to parents/guardians at the end of each grading period. Parents/guardians shall be offered an opportunity to meet with their child's teacher(s) to discuss the grades and strategies to improve their child's performance.

*(cf. 6020 - Parent Involvement)*

Note: Education Code 49067 **mandates** that the Board approve regulations requiring either a conference with the parent/guardian or a written report sent to the parent/guardian whenever a student is in danger of failing a course. Pursuant to Education Code 49067, the refusal of a parent/guardian to attend the conference or to respond to the written report shall not preclude failing the student at the end of the grading period.

Whenever it becomes evident to a teacher that a student is in danger of failing a course, the teacher shall arrange a conference with the student's parent/guardian or send the parent/guardian a written report. (Education Code 49067)

*(cf. 5123 - Promotion/Acceleration/Retention)*

Note: The following **optional** paragraph is for use by districts that maintain high schools.

~~For each student in grades 9-12, the Superintendent or designee shall maintain a transcript recording the courses taken, the term that each course was taken, credits earned, final grades, and date of graduation.~~

*(cf. 5125 - Student Records)*

*(cf. 6146.1 - High School Graduation Requirements)*

### Grades for **Achievement Academic Performance**

Note: The following **optional** section may be revised to reflect district practice.

AR 5121(b)

**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)

For grades ~~K-3~~, students' level of progress **for each grading period** shall be reported as follows:

<del>O</del>	<del>Outstanding</del>
<del>S</del>	<del>Satisfactory</del>
<del>N</del>	<del>Needs Improvement</del>

Note: The following list may be revised to include plus and minus signs if used by the district.

For grades ~~4-6~~ **TK-6**, grades for ~~achievement~~ **academic performance** shall be reported for each grading period as follows:

4	Excels at the Grade Level Standard
3	Meets the Grade Level Standard
2	Approaching the Grade Level Standard
1	Below the Grade Level Standard
N/A	Not Assessed

An Incomplete shall be given only when a student's work is not finished **by the end of the grading period** because of illness or other excused absence.

Note: The following **optional** paragraph is for use by districts that maintain high schools and choose to assign extra grade weighting to Advanced Placement, International Baccalaureate, honors, or concurrent postsecondary courses.

Districts should be aware that, in determining college admissions eligibility, the extra grade weighting will be factored into university admissions only if the courses have been certified as honors courses by the University of California and are in the following "a-g" subjects: history-social science, English, advanced mathematics, laboratory science, language other than English, and visual and performing arts.

~~Because of the more rigorous nature of Advanced Placement, International Baccalaureate, honors, and concurrent postsecondary courses, students receiving a grade of A, B, or C in those courses shall receive extra grade weighting as follows:~~

<del>A</del>	<del>(90-100%)</del>	<del>Outstanding Achievement</del>	<del>5.0 grade points</del>
<del>B</del>	<del>(80-89%)</del>	<del>Above Average Achievement</del>	<del>4.0 grade points</del>
<del>C</del>	<del>(70-79%)</del>	<del>Average Achievement</del>	<del>3.0 grade points</del>

*(cf. 6141.4 - International Baccalaureate Program)*

*(cf. 6141.5 - Advanced Placement)*

*(cf. 6172 - Gifted and Talented Student Program)*

*(cf. 6172.1 - Concurrent Enrollment in College Classes)*



AR 5121(c)

**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)**Grades for Physical Education**

No grade of a student participating in a physical education class may be adversely affected due to the fact that the student, because of circumstances beyond his/her control, does not wear standardized physical education apparel. (Education Code 49066)

(cf. 6142.7 - Physical Education and Activity)

Note: The following **optional** paragraph is for use by districts that maintain high schools and may be revised to reflect additional grade levels at the district's discretion. 5 CCR 10060 lists criteria by which districts must appraise the quality of high school physical education programs, including criteria for reporting student achievement in physical education.

~~Student performance in high school physical education courses shall be based upon evaluation of the student's individual progress, attainment of goals in each instructional area, tests designed to determine skill and knowledge, and physical performance tests. (5 CCR 10060)~~

Note: The following **optional** paragraph may be used by districts that allow high school students to fulfill physical education credits through interscholastic athletics carried on wholly or partially after regular school hours pursuant to Education Code 51242; see BP 6142.7 - Physical Education and Activity.

~~High school students using interscholastic athletic participation to fulfill physical education requirements, as authorized by Education Code 51242, may be graded on this participation provided a teacher credentialed to teach physical education supervises this participation and assigns the grade.~~

(cf. 6145.2 - Athletic Competition)

**Grades for College Courses**

Note: The following **optional** section is for use by districts maintaining grades 9-12 that choose to grant district credit for completion of postsecondary courses pursuant to Education Code 48800-48802 and 76000-76002; see BP/AR 6172.1 - Concurrent Enrollment in College Classes.

~~When the district has approved a student to receive district credit for coursework completed at a community college or four year college, he/she shall receive the same letter grade as is granted by the college.~~

**Grades for Citizenship and Work Habits, Study Skills, and Effort**

Note: In Las Virgenes Educators Association v. Las Virgenes Unified School District, the court determined that a citizenship mark is a "grade" within the meaning of Education Code 49066 and upheld a teacher's right to make the final decision regarding a citizenship mark.

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**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)

**Any grades assigned for** ~~Grades for~~ citizenship **or work habits, such as effort or** study skills, **and effort** shall be reported as follows:

- O Outstanding
- S Satisfactory
- N Needs Improvement

**Pass/Fail Grading**

Note: The district may choose to expand the following **optional** section to identify specific courses or programs for which students may elect a Pass/Fail grade rather than an A-F grade (e.g., alternative education program, non-college-preparatory summer school courses, etc.).

~~The Superintendent or designee may identify courses or programs for which students may, with parent/guardian permission, elect to earn a Pass or Fail grade instead of a letter grade.~~

~~Students who receive a Pass grade shall acquire the appropriate semester units of credit for the course. The grade shall not be counted in determining class rank, honors list, or membership in the California Scholarship Federation. Students who receive a Fail grade shall not receive credit for taking the course.~~

**Peer Grading**

Note: In Owasso Independent School District v. Falvo, the U.S. Supreme Court held that students' grades on assignments and tests are not "education records" until the teacher records them, and therefore the practice of peer grading does not violate the Family Educational Rights and Privacy Act of 1974 (FERPA) (20 USC 1232g); see BP/AR 5125 - Student Records. Furthermore, for the same reason, the Supreme Court did not prohibit the practice of having students report the grades aloud so that the teacher may record them. The following section is **optional**.

At their discretion, teachers may use peer grading of student tests, papers, and assignments as appropriate to reinforce lessons.

**Repeating Classes**

Note: The following **optional** section is for use by districts that maintain high schools. Districts may adopt a different approach than the one described below, such as the use of averaging.

~~With the approval of the principal or designee, a student may repeat a course in order to raise his/her grade. Both grades received shall be entered on the student's transcript, but the student shall receive credit only once for taking the course. The highest grade received shall be used in determining the student's overall grade point average (GPA).~~

AR 5121(e)

**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)**Withdrawal from Classes**

Note: The following **optional** section is for use by districts maintaining high schools and should be revised to reflect district practice.

~~A student who drops a course during the first six weeks of the grading period may do so without any entry on his/her permanent record card. A student who drops a course after the first six weeks of the grading period shall receive an F grade on his/her permanent record, unless otherwise decided by the principal or designee because of extenuating circumstances.~~

**Effect of Absences on Grades**

Note: ~~Education Code 49067 mandates districts that authorize teachers to assign failing grades to students who have excessive unexcused absences (see the accompanying Board policy)~~ **The following section is for use by districts that choose to authorize teachers to assign failing grades to students who have excessive unexcused absences pursuant to Education Code 49067; see the accompanying Board policy. Education Code 49067 mandates such districts to** establish regulations which include, but are not limited to, providing (1) a reasonable opportunity for students or parents/guardians to explain the absences and (2) a method for identifying in a student's record the failing grades assigned on the basis of unexcused absences.

~~Teachers who choose to withhold class credit because of excessive unexcused absences shall so inform students and parents/guardians of such a possibility at the beginning of the school year or semester. When a student reaches the number of unexcused absences defined as excessive in Board policy, the student and parent/guardian shall again be notified of the district's policy regarding excessive unexcused absences.~~

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

~~The student and parent/guardian shall have a reasonable opportunity to explain the absences. (Education Code 49067)~~

~~If a student receives a failing grade because of excessive unexcused absences, the student's record shall specify that the grade was assigned because of excessive unexcused absences. (Education Code 49067)~~

Note: Pursuant to Education Code 49069.5, grades for a student in foster care shall not be lowered if the student is absent from school due to (1) a decision by a court or placement agency to change the student's placement, in which case the student's grades and credits shall be calculated as of the date the student left school, or (2) a verified court appearance or related court-ordered activity. See BP 6173.1 - Education for Foster Youth.

Grades for a student in foster care shall not be lowered if the student is absent for any reason specified in Education Code 49069.5.

AR 5121(f)

**GRADES/EVALUATION OF STUDENT ACHIEVEMENT** (continued)*(cf. 6173.1 - Education for Foster Youth)***Grade Point Average**

Note: The following **optional** section should be revised to reflect the district's methodology for calculating GPA. Districts may calculate multiple GPAs for a single student (e.g., academic GPA, total GPA) for different purposes (e.g., eligibility for extracurricular activities, athletic programs, honors at graduation, or other district programs that use GPA as a criterion). Districts should be aware that, in determining college admissions eligibility, the California State University and the University of California consider students' GPA in the "a-g" subjects required for college entry and is based on grades recorded in their high school transcripts.

~~The Superintendent or designee shall calculate each student's GPA using the grade point assigned to each letter grade in accordance with the scale described in the section "Grades for Achievement Academic Performance" above. The grade points for all applicable coursework shall be totaled and divided by the number of courses completed. Pass/Fail grades shall not be included in the determination of a student's GPA.~~

*~~(cf. 5126 - Awards for Achievement)~~**~~(cf. 6145 - Extracurricular and Cocurricular Activities)~~*

~~**OPTION 1:** When plus and minus designations are added to letter grades, they shall not be considered in determining GPA.~~

~~**OPTION 2:** When plus and minus designations are added to letter grades, a plus shall be computed by adding 0.3 to the value assigned the letter grade and a minus shall be computed by subtracting 0.3 from the value assigned to the letter grade.~~

Note: As amended by AB 2160 (Ch. 679, Statutes of 2014), Education Code 69432.9 provides that all students in grade 12 will be considered Cal Grant applicants unless they opt out of the program. The GPA of all students in grade 12 who have not opted out of the program shall be submitted to the Student Aid Commission. See AR 5125 - Student Records for related requirements.

~~Each academic year, the Superintendent or designee shall provide to the Student Aid Commission the GPA of all district students in grade 12, except for students who have opted out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9)~~