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Memo

To Board of Education
From Devin Dillon, PhD, Interim Superintendent
David Chambliss, Deputy Chief of Teaching & Learning

Board Meeting Date February 22, 2017

Subject 1st Reading of proposed revisions to Board Policy BP 5121

Action Requested **1st Reading of proposed revisions to Board Policy BP 5121.** This item is brought forward for information and discussion only at this time.

Background and Discussion Board Policy 5121 (Grades/Evaluation of Student Achievement) is being revised to reflect the most recent recommended CSBA updates and to incorporate principles to guide the District’s policies and procedures on grading and reporting practices.

To support 1st Reading, the attached redline of Board Policy 5121 has language

- **Highlighted** to reflect new language recommended by the CSBA;
- **Strikethrough** to identify existing policy language that should be eliminated to align with CSBA recommendations; and
- **Underlined** to identify new language recommended by Staff to guide revisions in District policies and procedures on grading and reporting practices.

Recommendation **This item is brought forward for information and discussion only at this time.**

Fiscal Impact N/A

Attachments

- Redline of Board Policy 5121

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

BP 5121

Students

Grades/Evaluation Of Student Achievement

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.

(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 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 will be evaluated in the classroom.

The Governing Board adopts the following principles to guide the staff in setting administrative regulations and procedures on grading and reporting practices:

- The first goal of grading and reporting is to communicate to a student and his/her parents/guardians the student's progress toward clearly stated learning targets and District curriculum standards.
- Individual student achievement of learning targets, derived from district curriculum standards for each grade level, should be the only basis for academic grades, providing an accurate reflection of what each student knows and can do.
- Other student "performances" (effort, behavior, attendance, attitude, etc.) should not be included in determining academic grades and should be reported separately.
- Grading and reporting should always be done in reference to specified achievement targets, comparing students' performance against a standard rather than against other students in the class (e.g., grading on a curve).
- Grades should be calculated to ensure that the grade each student receives is a fair reflection of what he/she knows and can do, emphasizing the most recent assessment information. Because learning develops over time, students should have multiple opportunities to demonstrate their progress toward the standards.

(insert citations)

~~Teachers shall evaluate a student's work in relation to standards, which apply to all students at his/her grade level. Teachers shall inform students and parents/guardians how student achievement will be evaluated in the classroom.~~

The teacher of each course shall determine the student's grade. A teacher shall base a student's grade on impartial, consistent observation of the quality of the student's work and his/her mastery of course content and objectives, according to the established uniform grading system based on the standards that apply to all students in that course and grade level.

Students shall have the opportunity to demonstrate ~~this~~ mastery through a variety of methods such as ~~classroom participation, homework, tests and~~ formative and summative assessments, student performances, projects and portfolios of work.

When reporting student grades 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.

The Board, the Superintendent or designee shall not change the grade assigned by a teacher except as provided by law, Board policy and administrative regulation.¹ (Education Code 49066)

(cf. 5124 - Communication with Parents/Guardians)

(cf. 5125.3 - Challenging Student Records)

(cf. 6011 - Academic Standards)

(cf. 6162.5 – Student Assessment)

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.²

(cf. 5125 – Student Records)

(cf. 6159 – Individualized Education Program)

(cf. 6164.6 – Identification and Education Under Section 504)

Unexcused Absences Effects 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~~ complete an assignment or assessment that he/she missed, the teacher may lower the student's grade ~~for nonperformance.~~ to reflect the lack of sufficient evidence for the student's expected progress toward curriculum standards.

(cf. 6154 - Homework/Makeup Work)

¹ Education Code 49066 provides that the grade assigned by a teacher is final, absent clerical or mechanical mistake, fraud, bad faith, or incompetency. Pursuant to Education Code 49066, the Governing 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 why the grade was given and to be included in all discussions regarding the changing of the grade. In *Las Virgenes Educators Association v. Las Virgenes Unified Schools 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.

² This language 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 parent/guardians.

Grade Point Average

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

(cf. 6141.5 – Advanced Placement)

(cf. 6172.1 – *Concurrent Enrollment in College Classes*)??

Grading & Reporting Work Group

To support the effective implementation and monitoring of this policy, the Superintendent or designee will regularly convene a work group of staff, parent and community stakeholders to review and update administrative regulations and procedures on grading and reporting practices, according to the best current understanding and application of effective practice and research.

Legal Reference:

EDUCATION CODE

48070 Promotion and retention 48205 Excused absences

48431.6 Required systematic review

49066 Grades; finalization; physical education class

49067 Mandated regulations regarding student's achievement

49069.5 Students in foster care, grades and credits CODE OF REGULATIONS, TITLE 5

10060 Criteria for reporting physical education achievement, high schools UNITED STATES CODE, TITLE 20

1232g Family Education Rights and Privacy Act (FERPA) 6101-6251 School-to-Work Opportunities Act of 1994 COURT DECISIONS

Owasso Independent School District v. Falvo (2002) 122 S.Ct. 934

Las Virgenes Educators Association v. Las Virgenes Unified School District (2nd Appellate District 2001) 86 Cal.App.4th 1

Swany v. San Ramon Valley Unified School District (N.D.Cal. 1989) 720 F.Supp. 764

Johnson v. Santa Monica-Malibu Unified School District Board of Education (App. 2 Dist. 1986) 224 Cal. Rptr. 885, 179 C.A. 3d 593

Management Resources: CDE PUBLICATIONS

Elementary Makes the Grade!, 2001 WEB SITES

CDE: <http://www.cde.ca.gov>

Advanced Placement Challenge Project: <http://www.apchallenge.net>

8/25/04

Revised: tbd