

**BEFORE THE BOARD OF TRUSTEES  
MODESTO CITY SCHOOLS**

**RESOLUTION No. 19/20-20**

**TEMPORARY AMENDMENT TO BOARD  
POLICY/ADMINISTRATIVE REGULATION RELATED TO GRADES/EVALUATION  
OF STUDENT ACHIEVEMENT AND GRADUATION REQUIREMENTS  
AND DELEGATION OF AUTHORITY TO THE SUPERINTENDENT  
IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY  
DURING THE 2019-2020 SCHOOL YEAR**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and

**WHEREAS**, on March 13, 2020, President Donald Trump declared a national emergency arising from the coronavirus (COVID-19); and

**WHEREAS**, on March 15, 2020, Scott Kuykendall, the Stanislaus County Superintendent of Schools, issued a written directive advising all school districts to prepare for school closures resulting from the coronavirus (COVID-19) outbreak; and

**WHEREAS**, on March 31, 2020, California Superintendent of Public Instruction Tony Thurmond stated that schools in California should prepare to be closed through the end of the school year; and

**WHEREAS**, on or about March 18, 2020, the Board adopted Resolution 19/20-17 delegating authority to take necessary action to protect students and staff from the spread of the coronavirus (COVID-19); and

**WHEREAS**, effective March 19, 2020, all District school sites and the District offices were closed to maintain social distancing in an effort to minimize the spread of COVID-19; and

**WHEREAS**, on April 1, 2020, the California Department of Education issued guidance on student grading and graduation requirements. The guidance states, in part, that the local education agency should weigh its policies with the lens of equity and with the primary goal of first, doing no harm to students; and

**WHEREAS**, on April 13, the District commenced providing instruction to students via distance learning, which is defined instruction in which the student and teacher are in different locations. This may include interacting through the use of computer and communications technology, as well as delivering instruction and check-in time with their teacher. Distance learning may include video or audio instruction in which the primary mode of communication between the student and instructor is on-line interaction, instructional television, video, telecourses, or other instruction that relies on computer or communications technology. It may also include the use of printed materials incorporating assignments that are the subject of written or oral feedback; and

**WHEREAS**, Education Code section 35161 permits the Board to delegate to an officer or employee of the District any of the Board's powers and duties, and the Board desires to delegate to the District Superintendent certain powers and duties to address the coronavirus (COVID-19) pandemic; and

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**WHEREAS**, the closure of all district schools has been extended and guidance from the California Department of Education and the Governor of the State of California suggests that schools will remain closed through the end of the current academic school year; and

**WHEREAS**, the District's 2019-20 student instructional year consists of four quarters, with the third quarter ending on March 13, 2020; and

**WHEREAS**, Board Bylaw 9310 regarding Board Policies states, in pertinent part, the Board and/or Superintendent shall identify the need to revise an existing policy because of an incident that has arisen in the District and the Board has the authority to waive a second reading of a proposed revision; and

**WHEREAS**, Board Policy 5121.11 establishes the grading policy for Grades 7-12; and

**WHEREAS**, Board Policy and Administrative Regulation 6146.1 High School Graduation Requirements sets forth the District's graduation requirements that exceed the requirements set forth in Education Code section 51225.3;

**WHEREAS**, Board Policy and Administrative Regulation 6147 provides a process to consider alternatives to the District's graduation requirements;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the Board hereby declares that distance learning instruction be provided to students through the end of the school closure

**BE IT FURTHER RESOLVED AND ORDERED** that the Superintendent is delegated authority to take all appropriate action to respond to the coronavirus (Covid-19) pandemic, and provide modified instruction, standards for the grading and evaluation of student work including, but not limited to:

- A. The use of District technology and online platforms for teachers to deliver instruction;
- B. Board Policy 5121.11 is revised to state, "For the 2019-20 school year, the Superintendent or designee shall establish a uniform grading system for the third and fourth quarter that shall be applied to all students in a course and grade level arising from school closures associated with the COVID-19 pandemic.
- C. The Board supports a revised uniform grading policy for the third and fourth quarter of the 2019-20 school year in the comprehensive high school, alternative education high school and adult education programs, that contains the following elements:
  - i. Issuing a revised grading policy with a primary goal of first, doing no harm to students;
  - ii. Compliance with graduation requirements will be considered on an individual basis pursuant to Board Policy/Administrative Regulation 6147. The request to waive District graduation requirements may be initiated by a parent/guardian, counselor, or school administrator.
  - iii. For the 2019-20 school year, Board Policy/Administrative Regulation 6147 shall permit both graduation requirement course and credit waiver requests. Said requests for course and credit waivers shall apply to students enrolled in comprehensive, alternative education, and adult education.

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- iv. In semester length classes, a student's third quarter grade shall be the student's second semester grade. In quarter length classes, a student's third quarter grade shall be the student's fourth quarter grade.
  - v. Teachers are encouraged to provide opportunities for students to raise their third quarter grade by allowing previously assigned third quarter course work and assessments to be completed or improved. Teachers may also provide students opportunities to complete new, but similar third quarter course work and assessments to assess learning with the intent of improving, but not harming, a students' third quarter grade.
  - vi. Course credits shall be awarded based on a student's third quarter grade.
  - vii. Students who earned partial credit at the end of the third quarter, will be awarded full credit by the end of the fourth quarter.
  - viii. All students enrolled in Long-Term Independent Study as of March 13, 2020, that had demonstrated satisfactory progress in their course work as evidenced by their ongoing participation in said program, shall be awarded second semester course credit for the courses in which the student was enrolled.
- D. The Superintendent is authorized to modify matriculation and promotion standards and grade reporting for Grades K-8.
  - E. Distance learning grades to ensure that evaluation of student achievement during the school district closure is additive and designed to enhance student learning;
  - F. Recognition, based the California Department of Education guidance, that students will not be penalized for work that is incomplete during school closures;
  - G. Affirmation that student grades for the second semester shall not be less than those recorded at the end of the third quarter grading period and the Board establishes this standard "good faith" grading criteria under Education Code section 49066(a).

**BE IT FURTHER RESOLVED AND ORDERED** that the Board waives the second reading of the above-referenced Board Policies and Administrative Regulations, so as to make the revisions effective immediately upon approval of this Resolution; and

**BE IT FURTHER RESOLVED AND ORDERED** that the Superintendent shall have the authority to take any action in furtherance of the authority delegated herein, including but not limited to, notifying employees, students, and the community of the revised grading policy and to initiate the procedure to obtain any waiver from the State of California consistent with the intent of this resolution; and

**BE IT FURTHER RESOLVED AND ORDERED** that, should any portion of this Resolution be held invalid, the invalidity shall not affect other provisions or applications of the Resolution which

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can be given effect without the invalid provisions or application, and to this end the provisions of this Resolution are declared to be severable.

**PASSED AND ADOPTED** by the following vote of the Board of Trustees, County of Stanislaus, State of California on April 20, 2020.

AYES:

NOES:

ABSTENTION:

ABSENT:

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Cindy Marks, President  
Modesto City Schools  
Board of Trustees

ATTEST:

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Dr. Sara Noguchi  
Secretary to the Board