

EAST BAY INNOVATION ACADEMY
BOARD OF DIRECTORS
RESOLUTION NO. SY2022-1
MODIFIED GRADUATION REQUIREMENTS IN LIGHT OF THE COVID-19 CRISIS AND
DISTANCE LEARNING IN ACCORDANCE WITH AB 104

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, as of the date of this Resolution, California remains in State of Emergency due to the ongoing threat of COVID-19; and

WHEREAS, during the 2020-2021 school year, East Bay Innovation Academy (“EBIA”) operated in a full virtual distance learning model in accordance with directives and guidance from the California Department of Education (“CDE”) and the California Department of Public Health (“CDPH”); and

WHEREAS, EBIA’s graduation requirements as set forth in the EBIA charter exceed the California minimum graduation requirements established by Education Code Section 51225.3 and exceed the minimum University of California “A-G” requirements; and

WHEREAS, on July 1, 2021, Governor Newsom signed into law Assembly Bill 104, which added Education Code Section 51225, requiring EBIA to “[e]xempt a pupil who was enrolled in the pupil’s third or fourth year of high school during the 2020-21 school year and who is not on track to graduate in four years from all coursework and other requirements adopted by the governing body that are in addition to the statewide coursework requirements specified in [Education Code] Section 51225.3;” and

WHEREAS, Education Code Section 51225 further requires EBIA to “[p]rovide a pupil who was enrolled in the third or fourth year of high school during the 2020-21 school year and who is not on track to graduate in 2020-21 or 2021-22 school years, the opportunity to complete the statewide coursework required for graduation pursuant to [Education Code] Section 51225.3, which opportunity may include, but is not limited to, completion of the coursework through a fifth year of instruction, credit recovery, or other opportunity to complete the required coursework;” and

WHEREAS, EBIA seeks to comply with Education Code Section 51225 to ensure that, in light of the COVID-19 crisis, all students enrolled during the 2020-2021 school years, shall be able to obtain their high school diploma within the timeline of expected graduation had the COVID-19 crisis not occurred.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of EBIA (“Board”) hereby authorizes EBIA’s administration to comply with Education Code Section 51225 and award a regular high school diploma to any student who was a junior or senior during the 2020-2021 school year who has satisfactorily completed the required coursework as detailed in Section 51225.3.

BE IT RESOLVED that the Board hereby authorizes EBIA’s administration to comply with Education Code Section 51225 and allow any student who was a junior or senior during the 2020-2021 school year who is not on track to graduation in the 2020-21 or 2021-22 school years to remain at EBIA for a fifth year or complete credit recovery or other opportunity to complete the required course work for a California minimum diploma pursuant to Education Code Section 51225.3.

BE IT FURTHER RESOLVED that any student in any grade level enrolled at EBIA during the 2019-2020 and 2020-2021 school years who meets the California “A-G” requirements by their senior year, as detailed in the Adjusted Graduation Plan, even if that student does not meet the heightened EBIA charter requirements set forth in the charter, shall be eligible to receive an “A-G” diploma. This resolution does not apply to freshman (ninth grade) students enrolling at EBIA in the 2021-2022 school year and beyond unless otherwise resolved by this Board.

PASSED AND ADOPTED by the Board of Directors of EBIA at a meeting held on July 20, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: