

EAST BAY INNOVATIONS ACADEMY  
BOARD OF DIRECTORS ESOLUTION  
CONTINUED INTERIM OPTION TO AWARD ALTERNATIVE DIPLOMAS IN LIGHT  
OF THE COVID-19 CRISIS AND DISTANCE LEARNING

WHEREAS, on March 12, 2020 East Bay Innovation Academy (“EBIA”) closed its physical school site in response to the COVID-19 pandemic and in accordance with Governor Newsom’s orders, the directives and guidance from the California Department of Education (“CDE”) and the California Department of Public Health (“CDPH”); and

WHEREAS, EBIA continued to offer educational opportunities through a distance and/or hybrid learning model for the remainder from March 12, 2020 through the 2020-2021 school year;

WHEREAS, on July 1, 2021, Governor Newsom signed AB104 into law, which required that all charter schools, school districts and county offices of education (local educational agencies or “LEAs”) to provide additional graduation support for students who (1) were in their third or fourth year of high school during the 2020-2021 school year and (2) are not on track to complete the graduation requirements of the LEA by their fourth year of high school;

WHEREAS, under AB104, LEAs must exempt all such pupils from any graduation requirements adopted by the governing body of the LEA that are in addition to the statewide coursework requirements and, separately, provide opportunities for such pupils to complete the statewide coursework requirements which may include, but is not limited to, a fifth (5<sup>th</sup>) year of instruction.

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;

WHEREAS, as a result of the overall impact of the COVID-19 crisis and distance learning, some EBIA twelfth graders (“seniors”) as of the 2021-2022 school year will be unable to meet the heightened graduation requirements outlined in EBIA’s charter, but will be able to meet either the University of California “A-G” requirements or the California State Minimum Requirements outlined in Education Code Section 51225.3; and

WHEREAS, EBIA seeks to ensure that, in light of the COVID-19 crisis, all students who were juniors during the 2020-2021 school year, who met or will meet the requirements for a high school diploma in Spring 2022 under the laws of California, 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, in accordance with AB 104, that the Board of Directors of EBIA (“Board”) hereby authorizes EBIA’s administration to award a regular high school diploma to any 2021-2022 senior who meets the California “A-G” requirements or California State Minimum Standards as set forth in Education Code Section 51225.3., as detailed in the Adjusted Graduation Plan, even if that senior does not meet the heightened EBIA charter requirements set forth in the charter.

BE IT FURTHER RESOLVED that EBIA shall provide students who were in their third year of high school during the 2020-2021 school year opportunities to complete the required statewide coursework including, but not limited to, a fifth year of instruction and/or credit recovery.

PASSED AND ADOPTED by the Board of Directors of EBIA at a meeting held on April 20, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Chair, Board of Directors