Karen B. Salmon, Ph.D.
State Superintendent of Schools

TO: Members of the State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: July 24, 2018

SUBJECT: COMAR 13A.03.02.08
          Grading and Reporting
          PERMISSION TO PUBLISH

PURPOSE:

To request permission to publish amendments to COMAR 13A.03.02.08 *Grading and Reporting*. This regulation came before the State Board on April 24, 2018 and was again discussed at the June 20, 2018 meeting. Based on comments from the State Board, this regulation is coming back to the State Board with additional revisions.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a state agency, such as the State Board, may propose an amendment to a regulation whenever the circumstances arise to do so. After the State Board votes to propose an amendment, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, the Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because suggested revision is not a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

BACKGROUND/HISTORICAL PERSPECTIVE:

COMAR 13A.03.02.08 *Grading and Reporting* requires each local school system to develop a written policy on grading and reporting and to file its policies annually with the State Superintendent of Schools. The most recent grading policy for each of the local school systems was collected and reviewed for specific areas including grade changes, numerical value of a failing grade, impact of

attendance on grades, and grade appeals by parent/guardian. The collection of the local grading policies was shared with the State Board on February 27, 2018.

An additional review of information on the websites for each local school system was conducted by the Attorney General's Office and shared with the State Board at the June 20, 2018 meeting. Following each of these reviews and comments from the April and June State Board meetings on the local grading policies, I am presenting recommendations for amended COMAR language to strengthen the grading and reporting policies in local school systems.

EXECUTIVE SUMMARY:

The proposed amendment requires school systems in Maryland to recognize and accept all credits a transfer student earns toward graduation in any other school system in Maryland. The amendment describes requirements that local school systems must incorporate into their grading and reporting policies. These requirements include: grading scales, calculation of final grades, explanation of weights for honors and other courses, how attendance factors into the grade, information on grade change procedures, and audit and appeal procedures. Local school systems will be required to file its policy on grading and reporting and submit a copy of the grade change validity audit to the State Superintendent of Schools. Upon submission, the MSDE will verify that the school system met the requirements of the regulation or direct the school system to develop a corrective action plan.

ACTION:

Request permission to publish amendments to COMAR 13A.03.02.08 *Grading and Reporting*.

Title 13A
State Board of Education
Subtitle 03 General Instructional Programs
Chapter 02 Graduation Requirements for Public High Schools in Maryland

.08 Grading and Reporting.

A. *Each school system in Maryland shall recognize and accept any and all credits a student earned toward graduation in any other school system in Maryland.*

B. Each local school system shall develop a written policy on grading and reporting that complies with the student record requirements as set forth in COMAR 13.A.08.02 *and that includes:*

    (1) Explanation of the grading scale at the elementary and secondary levels.
    (2) Explanation of the calculation of the final grade for a course which includes or may include marking period grades and exam grades.
    (3) Explanation of weights of honors, Advanced Placement, International Baccalaureate, and/or dual enrollment courses.
    (4) Explanation of how attendance factors into the student's grade.
    (5) Grade change procedures with explanations to include the following:
        (a) Timeline for final grade changes that cannot exceed 30 school days following the last day of the grading period;
        (b) Personnel at the school and central office level authorized to make final grade changes;
        (c) Documentation that authorized personnel are required to maintain to support the final grade changes. Documentation must include at minimum:
            (1) name of teacher requesting grade change;
            (2) reason for the grade change;
            (3) signature of person approving the grade change;
            (4) reason for the approval;
            (5) date of the approval; and
            (6) signature of the principal.
        (d) How and when the school system will audit the validity of the grade changes each year; and
        (e) Appeal procedures.

C. On October 1 of each school year, each local school system shall:

    (1) file its policy on grading and reporting with State Superintendent of Schools*; and*
    (2) *submit a copy of the grade change validity audit (see .08A(5)(d)) to the State Superintendent of Schools.*

D. Upon submission of C(1) and C(2), the Maryland State Department of Education will:

    (1) Verify that the school system has met the requirements of this regulation; or

    (2) Direct the school system to develop a corrective action plan to bring it into compliance with this regulation and monitor the schools system's progress in completing its corrective action.