

Promotion Acceleration Retention

Basis for Identification of Students

Students shall be identified based on indicators of academic achievement in specified curriculum areas as established by Board Policy.

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6162.5 - Student Assessment)

Acceleration from Kindergarten to First Grade

A student enrolled in kindergarten may be admitted to the first grade at the discretion of the Superintendent or designee and with the consent of the parent/guardian, upon determination that the child is ready for first-grade work. (Education Code 48011)

Admission shall be subject to the following minimum criteria: (5 CCR 200)

1. The student is at least five years of age.
2. The student has attended a public school kindergarten for a period long enough time to enable school personnel to evaluate his/her ability.
3. The student is in the upper five percent of his/her age group in terms of general mental ability.
4. The student has mastered all skills on the Kindergarten Assessment of Individual Skills.
5. The parent/guardian of the student has filed a written statement with the school district approving the placement in first grade.
6. The parent/guardian of the student has filed a written statement with the school district approving the placement in first grade.

Kindergarten Students who Complete a Year of Instruction

As provided by California law, students who have completed one year of kindergarten shall be admitted to first grade unless the parent/guardian and the district agree that the student shall continue in kindergarten for not more than one additional school year. (Education Code 48011)

Fresno Unified Elementary Schools will adhere to this regulation through the following procedures:

1. The basis for continuation will include consideration of the student's level of mastery of the skills on the Kindergarten Assessment of Individual Skills.

2. Continuation of a kindergarten student for another year will occur only as the result of ongoing communication with the parent/guardian of the student.

3. Whenever a student continues in kindergarten for an additional year, the Superintendent of designee shall secure an agreement, signed by the parent/guardian, stating that the student shall continue in kindergarten for not more than one additional school year. (Education Code 46300)

4. An Individual Student Learning Plan (ISLP) will be maintained for any kindergarten student that has been retained. The plan will specifically identify; needs of the student, strategies for addressing the needs, a process for monitoring student progress, and the parents responsibilities in assisting the student.

5. The parent/guardian of a retained kindergarten student will be required to conference with the teacher and other appropriate school personnel, a minimum of three times per year to review the ISLP.

Retention at Other Grade Levels

The Superintendent or designee shall identify students who should be retained or who are at risk of being retained at the following grade levels: (Education Code 48070.5)

1. Between grades 2 and 3
2. Between grades 3 and 4
3. Between grades 4 and 5
4. Between grades 6 and 7
5. Between grades 7 and 8

In addition, students in first grade, fifth grade, and seventh grade who are not meeting district standards will also be considered under this section.

Students shall be identified on the basis of either statewide assessment results or grades and other indicators of academic achievement, as established by Board policy.

Retention criteria will be considered in three categories:

1. Students who are below grade level proficiency.
2. Students who are at risk of retention.
3. Students who will be retained (candidates for retention.)

Initial identification of students and notification of parents will take place after the first quarter or as soon as data for three of the four criteria used for identification is available. Initial identification of kindergarten students and notification of parents/guardians will take place no

later than the end of the third quarter. Final identification and notification will take place during, or prior to, the distribution of fourth quarter deficiency notices.

Students enrolled in a Structured English Immersion or Mainstream program will be identified based on their level of mastery of the standards in English, unless the students are receiving language arts instruction in Spanish. Students enrolled in Bilingual or other alternative programs will be identified based on their level of mastery of the standards in the student's language of greatest strength or the language of instruction, whichever is higher.

If English Learners have been enrolled for a least one academic year in an appropriate instructional program, in accordance with the district's Master Plan for Limited English Proficient Students, and have not made expected progress in the development of English skills and other content area skills, they may be considered for retention. They should be provided with supplemental instruction as a key intervention to ensure that they will eventually gain grade-level proficiency and beyond.

Students with disabilities instructed in diploma bound programs are expected to meet the same criteria as all students and are candidates for retention unless otherwise indicated in the student's Individualized Education Program (IEP). In the case of students, whose disability prevents them from achieving a minimum level of proficiency on district-designated test in reading, English language arts, and mathematics, and writing sample, these criteria will not be applicable. Special Day students receiving services, that are specifically designed to assist the student, shall be expected to make progress in the core curriculum by meeting measurable annual IEP goals, with stated measurement methods for each benchmark objective. Students who are enrolled in programs that are not diploma bound will meet general promotion standards including good attendance, acceptable levels of engagement and appropriate progress in their goals and objectives and be exempt from retention criteria established by this regulation. These special education students shall be expected to make progress in the core curriculum by meeting measurable annual IEP goals, with stated measurement methods for each benchmark objective. Any special education student who is recommended for retention must have an IEP meeting prior to the final decision to retain. In the case of students, who are in the referral or assessment process, the teacher in consultation with the site administrator and student study team should make the promotion/retention decision.

Students between grades 2 and 3 and grades 3 and 4 shall be identified:

1. On grade level.
2. Below grade level proficiency.
3. At risk of retention.
4. Those who will be retained, primarily on the basis of their level of proficiency in reading.

Proficiency in reading, English language arts and mathematics shall be the basis for identifying students between grades 4 and 5, between intermediate and middle school grades, and between middle school grades and high school grades. (Education Code [48070.5](#))

Retention Guide for Identification of Students

1st grade to 2nd grade

Students are below grade level proficiency when meeting one of the four criteria below:

1. A sum of marks below 5 from the Reading portion of the most recent report card. This is considered the minimum level of proficiency.
2. A score below minimum level on the district-designated test in reading.
3. A score below minimum on district approved classroom assessments.
4. Less than 90 percent attendance.

Students are at risk of retention when meeting two of the four criteria below:

1. A sum of marks below 5 from the Reading portion of the most recent report card. This is considered the minimum level of proficiency.
2. A score below minimum level on the district-designated test in reading.
3. A score below minimum on district approved classroom assessments.
4. Less than 90 percent attendance.

Students are candidates for retention when meeting three of the four criteria below:

1. A sum of marks below 5 from the Reading portion of the most recent report card. This is considered the minimum level of proficiency.
2. A score below minimum level on the district-designated test in reading
3. A score below minimum on district approval classroom assessments.
3. Less than 90 percent attendance.

2nd grade to 3rd grade

Students are below grade level proficiency when meeting one of the four criteria below:

1. A "D" or "F" on the most recent student report card in Reading or "N" in effort during the first semester.
2. A score below minimum level on the district-designated test in reading.
3. A score below minimum on district approved classroom assessments.
4. Less than 90 percent attendance.

Students are at risk of retention when meeting two of the four criteria below.

1. A "D" or "F" on the most recent student report card in Reading or "N" in effort during the first semester.
2. A score below minimum level on the district-designated test in reading.
3. A score below minimum on district approved classroom assessments.
4. Less than 90 percent attendance.

Students are candidates for retention when meeting three of the four criteria below:

1. A "D" or "F" on the most recent student report card in Reading or "N" in effort during the first semester..
2. A score below minimum level on the district-designated test in reading.
3. A score below minimum on district approved classroom assessments.
4. Less than 90 percent attendance.

3rd grade to 4th grade

Students are below grade level proficiency when meeting one of the four criteria below:

1. A "D" or "F" on the most recent student report card in Reading.
2. A score below minimum level on the district-designated test in reading.
3. A score below minimum on district approved classroom assessments.
4. Less than 90 percent attendance.

Students are at risk of retention when meeting two of the four criteria below:

1. A "D" or "F" on the most recent student report card in Reading.
2. A score below minimum level on the district-designated test in reading.
3. A score below minimum on district approved classroom assessments.
4. Less than 90 percent attendance.

Students are candidate for retention when meeting three of the four criteria below:

1. A "D" or "F" on the most recent student report card in Reading.

2. A score below minimum level on the district-designated test in reading.
3. A score below minimum on district approved classroom assessments.
4. Less than 90 percent attendance.

4th to 5th, 5th to 6th and 6th to 7th

Students are below grade level proficiency meeting one of the five criteria below.

1. A "D" or "F" on the most recent student report card in both Reading and Math.
2. A score below minimum level on the district-designated test in reading, English language arts, and mathematics.
3. A score below minimum on district approved classroom assessments.
4. A rubric score below 3 on a writing sample
5. Less than 90 percent attendance.

Students are at risk of retention when meeting two of the five criteria below:

1. A "D" or "F" on the most recent student report card in both Reading and Math.
2. A score below minimum level on the district-designated test in reading, English language arts, and mathematics.
3. A score below minimum on district approved classroom assessments.
4. A rubric score below 3 on a writing sample
5. Less than 90 percent attendance.

Students are candidates for retention when meeting three of the five criteria below:

1. A "D" or "F" on the most recent student report card in both Reading and Math.
2. A score below minimum level on the district-designated test in reading, English language arts, and mathematics.
3. A score below minimum on district approved classroom assessments.
4. A rubric score below 3 on a writing sample
5. Less than 90 percent attendance.

7th to 8th and 8th to 9th

Students are below grade level proficiency meeting two of the five criteria below.

1. A score below minimum level on the district-designated test in reading, English language arts, and mathematics.
2. A rubric score below minimum proficiency on the district writing sample.
3. Two or more failing grades on the report card.
4. Less than 90 percent attendance.
5. A GPA of 2.0 or below.

Students are at risk of retention when meeting three of the five criteria below.

1. A score below minimum level on the district-designated test in reading, English language arts, and mathematics.
2. A rubric score below minimum proficiency on the district writing sample.
3. Two or more failing grades on the report card.
4. Less than 90 percent attendance.
5. A GPA of 2.0 or below.

Students are candidates for retention when meeting four of the five criteria below.

1. A score below minimum level on the district-designated test in reading, English language arts, and mathematics.
2. A rubric score below minimum proficiency on the district writing sample.
3. Two or more failing grades on the report card in reading, English language arts, and mathematics.
4. Less than 90 percent attendance.
5. A GPA of 1.0 or below.

Seventh grade students who are identified will be offered intervention and will not be retained.

Where necessary, a four-step process may be followed to establish other retention criteria. The teacher shall provide evidence showing why the student should be identified as a candidate for retention. The parent/guardian shall examine the evidence and provide input. A student study team shall compare the evidence to other indicators of achievement, and the principal shall also review the evidence. If consensus is reached that the evidence should be the criteria for identifying the student, the student may be determined to be a candidate for retention.

Whenever retention at other grade levels is considered the following will be adhered to:

1. Retention of a student will occur only as the result of ongoing communication with the parent/guardian of the student.
2. Whenever a student is retained, the Superintendent or designee shall secure an agreement, signed by the parent/guardian, stating that the student shall continue in the grade for not more than one additional year.
3. An Individual Student Learning Plan (ISLP) will be maintained for any student that has been retained in kindergarten through sixth grade. An Individual Learning Plan (ILP) will be maintained for any student that has been retained in eighth grade. The plan will specifically identify; needs of the student, strategies for addressing the needs, a process for monitoring student progress, and the parents responsibilities in assisting the student.
4. The parent/guardian of a retained student will be required to conference with the teacher and other appropriate school personnel, a minimum of three times per year to review the ISLP/ILP.
5. No student should be retained more than once during the primary grades and once during the intermediate grades, and/or once during the middle school grades.

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

Process for Retention of Students

A site Student Assessment Team that includes the principal, teacher, and other appropriate staff will review all student data carefully before making a recommendation to retain. If a student is identified as performing below the minimum standard for promotion, the student shall be retained in his/her current grade level unless the student's regular classroom teacher determines in writing, that retention is not the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is not appropriate for the student and shall include recommendations for intervention other than retention that, in the opinion of the teacher, are necessary to assist the student in attaining acceptable levels of academic achievement. (Education Code 48070.5)

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or interim session remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or promote the student shall be reevaluated at that time.

The teacher's evaluation shall be provided to and discussed with the student's parents/guardians, and the principal before any final determination of retention or promotion. (Education Code 48070.5)

If the student does not have a single regular classroom teacher, the principal or designee shall specify the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

When a student is identified as being at risk of retention, the Superintendent or designee shall so notify the student's parents/ guardians as early in the school year as practicable. The student's parent/guardian shall be provided an opportunity to consult with the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

The Superintendent or designee shall also provide a copy of the district's promotion/retention policy and administrative regulations to those parents/guardians who have been notified that his/her child is at risk of retention.

The teacher's decision to promote or retain a student may be appealed consistent with Governing Board policy, administrative regulation and law.

The burden shall be on the appealing part to show why the teacher's decision should be overruled. (Education Code 48070.5)

During the appeal process the student will remain in the retained grade level.

To appeal a teacher's decision, the appealing party shall submit a written request to the Superintendent or designee specifying the reasons why the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion. The teacher shall be provided an opportunity to state orally and/or in writing, the criteria on which his/her decision was based.

Within 30 school days of receiving the request, the Superintendent or designee shall determine whether or not to overrule the teacher's decision. Prior to making this determination, the Superintendent or designee may meet with the appealing party and the teacher. If the Superintendent or designee determines that the appealing party has overwhelmingly proven that the teacher's decision should be overruled, he/she shall overrule the teacher's decision.

The decision of the Superintendent or designee shall be final.

(cf. 9321 - Closed Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

If the decision of the Superintendent or designee is unfavorable to the appealing party, he/she shall have the right to submit a written statement of objections which shall become part of the student's record.

(cf. 1312 - Complaints Against the School)

(cf. 5125 - Student Records)

(cf. 5125.3 - Challenging Student Records)

With the parent/guardian's consent, the Superintendent or designee may require a student in grades 2 through 9 who has been retained at grade level to participate in a program of direct, systematic and intensive supplemental instruction that meets the requirements of Education Code 37252.5. Such programs shall be offered during the summer, after school, on Saturdays, and/or

during intersessions. Services shall not be provided during the regular instructional day if it would result in the student being removed from classroom instruction in the core curriculum. (Education Code 37252.5)

(cf. 61717 - Summer School)

In addition, the Superintendent or designee may provide supplemental instruction to students in grades 2 through 6 with low scores in mathematics, reading or written expression, in the following priority order: (Education Code 37252.5)

1. Students who have been recommended for retention or who have been identified as being at risk of retention pursuant to Education Code 48070.5 or district policy.
2. Students who have been identified as having a deficiency in mathematics, reading or written expression based on the results of the tests administered under the Standardized Testing and Reporting program.

The Superintendent or designee shall seek the active involvement of parents/guardians and classroom teachers in the development of these supplemental instructional programs. (Education Code 37252.5)

Regulation FRESNO UNIFIED SCHOOL DISTRICT

approved: December 15, 1999 Fresno California

revised: February 9, 2000

revised: June 14, 2000

revised: October 15, 2001