

**CENTRAL UNION SCHOOL DISTRICT  
Administrative Regulation**

AR 5123 (a)

**Students**

**PROMOTION/ACCELERATION/RETENTION**

**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 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 physical development and social maturity of the student are consistent with his/her advanced mental ability.
5. The parent/guardian of the student has filed a written statement with the school district approving the placement in first grade.

**Continuation in Kindergarten**

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)*

Whenever a student continues in kindergarten for an additional year, the Superintendent or 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)*

**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 5 and 6 (*end of intermediate grades and beginning of middle school*)
5. Between grades 6 and 7 and 7 and 8
6. Between grades 8 and 9 (*end of middle school and beginning of high school*)

Students between grades 2 and 3 and grades 3 and 4 shall be identified primarily on the basis of their level of proficiency in reading. Proficiency in reading, language and mathematics shall be the basis for identifying students between grades 4 and 5, between grades 5 and 6, between grades 6 and 7, between grades 7 and 8, and between grades 8 and 9. (*Education Code 48070.5*)

(cf 6142.91 - Reading/Language Arts Instruction)

### Criteria

Students shall be identified on the basis of the following criteria:

<b>Between Grades 2 and 3; and Grades 3 and 4</b>
<ul style="list-style-type: none"> <li>• Reading standards-based benchmark assessments will be given three times throughout the year (<i>End of the 1<sup>st</sup> trimester, end of the 2<sup>nd</sup> trimester, and end of the 3<sup>rd</sup> trimester</i>). Any time a student scores below 50% on a trimester test, the student will be a candidate for retention.</li> <li>• A student must be reading on grade level or not more than a year below, or will be a candidate for retention.</li> <li>• A student must be present 90% of the school year (<i>162 days out of 180</i>), or will be a candidate for retention. (<i>Completed Independent Study does not count as days absent. Saturday school may be used to make up absences</i>).</li> </ul>
<b>Between Grades 4 and 5; and 5 and 6</b>
<ul style="list-style-type: none"> <li>• Standards-based benchmark assessments in reading, writing, and math will be given three times throughout the year (<i>End of the 1<sup>st</sup> trimester, end of the 2<sup>nd</sup> trimester, and end of the 3<sup>rd</sup> trimester</i>). The student must achieve a 50% combined average on the reading tests and also on the math tests and a "2" on the writing rubric, or will be a candidate for retention.</li> <li>• A student must maintain a cumulative 1.5 GPA in Reading, Language, Math, Science and Social Studies for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> trimesters, or will be a candidate for retention.</li> <li>• A student must be present 90% of the school year (162 days out of 180), or will be a candidate for retention. (<i>Completed Independent Study does not count as days absent. Saturday School may be used to make up absences.</i>)</li> </ul>
<b>Between Grades 6 and 7; 7 and 8; 8 and 9</b>
<ul style="list-style-type: none"> <li>• Standards-based benchmark assessments in reading, writing and math will be given three times throughout the year (<i>end of the 1<sup>st</sup> trimester, end of the 2<sup>nd</sup> trimester, end of the 3<sup>rd</sup> trimester</i>). The student must achieve a 50% combined average on the reading tests and also on the math tests and a "2" on the writing rubric, or will be a candidate for retention.</li> <li>• A student must maintain a cumulative 1.5 GPA in Reading, Language, Math, Science and Social Studies for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> trimesters, or will be a candidate for retention.</li> </ul>

- A student must be present 90% of the school year (*162 days out of 180*), or will be a candidate for retention. (*Completed Independent Study does not count as days absent. Saturday school may be used to make up absences*).

#### GRADUATION REQUIREMENTS

- Complete the prescribed course of study.
- Pass the District's promotion/retention criteria.
- Earned no more than a total of nine (9) discipline tickets.
- Complete checkout procedures, to include but not limited to, returning all school property, paying fees, and signing appropriate forms.

Promotion/retention decisions for students who move in during the school year will be determined when school records and/or schoolwork have been analyzed.

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

(cf. 6162.5 - Student Assessment)

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 interventions 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*) See *Exhibit a*.

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.

See *Exhibit b*.

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 and the teachers who are responsible for the student's reading, language and mathematics will make a decision together whether to promote or retain the student. (*Education Code 48070.5*)

If a student is identified as being at risk of retention, the principal shall notify the student's parents/guardians, in writing, as soon as possible. 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*) A written plan will be developed. See *Exhibits c and d*.

If a 2<sup>nd</sup> or 3<sup>rd</sup> grade student is identified as being a candidate for retention based on the criteria of reading a year below grade level, a reading assessment will be given before the final decision is made. The teacher will use one or more of the following assessments: Silvaroli, Lit Conn, Houghton Mifflin Leveled Reading Passages Assessment, QRI 2 Inventory, or another test approved by the principal. See *exhibit e* (cf. 5145.6 - Parental Notification)

The principal shall also provide a copy of the District's promotion/retention policy and administrative regulation to those parents/guardians who have been notified that their child is at risk of retention. All potential retentions will be reviewed by the site Student Study Team (*SST*), which will include the principal or assistant principal. Generally a student will be retained only one time during his/her elementary school years, but the child must show substantial effort toward achieving promotion requirements.

### **Appeal Process**

The teacher's decision to promote or retain a student may be appealed consistent with Board policy, administrative regulation and law. The burden shall be on the appealing party to show why the teacher's decision should be overruled. (*Education Code 48070.5*)

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 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 Superintendent or designee's determination may be appealed by submitting a written appeal to the Board within 15 school days. Within 30 days of receipt of a written appeal, the Board shall meet in closed session to decide the appeal. The Board's decision may be made on the basis of documentation prepared as part of the appeal process or, at the discretion of the Board, the Board may also meet with the appealing party, the teacher and the Superintendent/designee to decide the appeal. The decision of the Board shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)  
(cf. 9321.1 - Closed Session Actions and Reports)

If the decision of the Board 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 Schools)  
(cf. 5125 - Student Records)  
(cf. 5125.3 - Challenging Student Records)

### **Remedial Instruction**

The Superintendent or designee may require a student who has been recommended for retention or has been identified as being at risk of retention to participate in a supplemental instructional program, with the parent/guardian's consent. Such programs

may 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*)

The teacher will keep an Individual Student Form for each student who is at-risk for retention, designating the supplemental instruction/interventions provided for the student. *See Exhibit f.*

In March, after the second trimester benchmark assessments have been given to second through eighth grade students, parents will receive a report informing them of their child's scores. All students who do not meet the minimum promotion requirements must enroll in summer school to complete these requirements. Students who fail to attend summer school or do not complete the requirements may be retained. If however, the student meets the minimum promotion requirement on the third trimester assessment, the student will be excused from attending summer school. If a student has met the minimum promotion requirements on the first and second trimester assessments, but fails to meet those requirements on the third trimester assessment, parents will be notified immediately that their child is at risk of retention and must attend summer school.

Students who are not at risk for retention but who do not pass the benchmark assessments at the District grade level standards (*70% or better*) will be strongly encouraged to attend summer school to meet the grade level requirements.

(cf. 6177 - Summer School)

Supplemental instructional services shall be provided to students 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;
2. Students who are not at risk for retention but did not pass the benchmark assessments at the District grade level standard;
3. 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 STAR program.

This supplemental instruction program shall be developed in accordance with the requirements of Education Code 37252.5.

At the end of the school year, the teacher will complete a Summary Form designating the supplemental instruction/interventions provided for each student who was at-risk for retention, whether the student was retained or promoted. This form will be given to the principal before the teacher checks out the last workday. *See Exhibit g.*

*Regulation*  
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