

Promotion/Acceleration/Retention

The Governing Board expects students to progress through each grade within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade level standards of expected student achievement set by the Board of Education.

(cf. 6011--Academic Standards)

(cf. 6146.1--High School Graduation Requirements/Standards of Proficiency)

(cf. Elementary School Promotion/Standards of Proficiency)

Kindergarten Students:

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. (Ed 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. (Ed Code 46300)

First through Ninth Grades:

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

1. Between grades 1 and 2
2. Between grades 2 and 3
3. Between grades 3 and 4
4. Between grades 4 and 5
5. Between grades 5 and 6
6. Between grades 6 and 7
7. Between grades 7 and 8
8. Between grades 8 and 9

Special consideration will be given to students with limited English proficiency and those with a special education IEP.

Students between grades 1 and 3 shall be identified 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 grades 6 and 7, and between grades 8 and 9. (Ed Code 48070.5)

Ninth through Twelfth Grades:

Progress toward high school graduation shall be based on the student's ability to pass the subjects and electives necessary to earn the required number of credits and pass the California High School Exit Exam (CAHSEE)

## Students

### Promotion/Acceleration/Retention

BP 5123

Page 2 of 3

#### Benchmark Grades:

District staff will pay special attention to students performing below the minimum standard in grades 3, 6, 8, and 10. Students can also be retained in grade K based upon current law. Students may be retained only once in their K-8 school career.

#### Kindergarten Retention Criteria:

Parent/guardian and the district may agree that a student shall continue in kindergarten for an additional school year if she/he performs below grade level standards on TOPA (Test of Phonemic Awareness), Kindergarten Benchmark Assessment, and receives report card grades of N in English Language Art and Math.

#### Grades 1-8 Retention Criteria:

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. Appeals will be heard at the school level by the principal. The burden of proof for the appeal rests with the appealing party. (Ed Code 48070.5)

The teacher(s) of record for students in grades 1-8 will recommend retention for any student who meets all criteria listed below, unless the teacher(s) specify in writing that retention is not the appropriate intervention.

- Grades 1 and 2 students performing far below standards on TOPA (1<sup>st</sup> grade only), San Diego Quick (1<sup>st</sup> and 2<sup>nd</sup> grades), with report card grade of N in Reading or Math.
- Grade 3 students performing at Below Basic or Far Below Basic on STAR English Language Arts/Math, with report card grade of N in Reading or Math.
- Grades 4-8 students performing at Below Basic or Far Below Basic on STAR English Language Arts and Math, with report card grades of D or lower in English Language Arts and Math.
- Below grade level performance in other applicable multiple measures.

#### Grades 9-12 Retention Criteria:

Pupil retention to determine standing shall be based on failure to earn credits according to the following schedule. Such designation shall occur in the summer between academic years.

9th to 10th grade - 50 units of credit

10th to 11th grade - 110 units of credit

11th to 12th grade - 170 units of credit

## Students

### Promotion/Acceleration/Retention

BP 5123  
Page 3 of 3

#### Board Rights:

The policy adopted pursuant to this section shall be adopted at a public meeting of the Governing Board of the District. Nothing in this section shall be construed to prohibit the retention of a pupil not included in grade levels identified in this policy, or for reasons other than those specified for pupils at risk for retention, if such retention is determined to be appropriate for that pupil. Nothing in this section shall be construed to prohibit the Governing Board from adopting promotion and retention policies that exceed the criteria established in the California Ed. Code 48070.5, Promotion or Retention of Pupils.

#### Acceleration:

When a high academic achievement is evident, and no appropriate academic placement is available within the district, the Superintendent or designee may recommend a student for acceleration of courses at the high school level; or at lower grade levels. The student may be promoted one grade to a higher grade level for one or more (subjects) courses. The student's social and emotional growth shall be taken into consideration in making a determination to accelerate a student.

Acceleration is the process of advancing pupils at a more rapid rate than experienced by most, and may be considered when pupils are performing significantly above grade (approximately 2 grades above level or at or above the midpoint for Advanced on STAR CST in English Language Arts and Math, and there are no district programs or courses for accelerating or fast tracking high achieving or gifted and talented children at that site).

Policy Adopted: August 24, 1983  
Policy Revised: March 15, 1989  
Policy Revised: December 8, 1999  
Policy Revised: March 10, 2004  
Policy Revised: January 23, 2008

Promotion/Acceleration/Retention  
Legal Criteria for Retention

As authorized by Ed. Code 48070.5, Fremont will identify students for possible retention based on grades and other indicators of achievement. These indicators are outlined in the district benchmarks.

Students who enter the district with no state-approved standardized test scores shall be measured using current grades and placement test results from the receiving school. Students with no test scores or records of achievement will be placed at the level indicted by report cards and/or transcript records, or diagnostic tests administered by the receiving school.

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

(cf. 6162.5--Student Assessment)

Kindergarten Retention Criteria:

Parent/guardian and the district may agree that a student shall continue in kindergarten for an additional school year if she/he performs below grade level standards on TOPA (Test of Phonemic Awareness), Kindergarten Benchmark Assessment, and receives report card grades of N in English Language Art and Math.

Grades 1-8 Retention Criteria:

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. (Ed Code 48070.5)

The teacher(s) of record for students in grades 1-8 will recommend retention for any student who meets all criteria listed below, unless the teacher(s) specify in writing that retention is not the appropriate intervention.

- Grades 1 and 2 students performing far below standards on TOPA (1<sup>st</sup> grade only), San Diego Quick (1<sup>st</sup> and 2<sup>nd</sup> grades), with report card grade of N in Reading or Math.
- Grade 3 students performing at Below Basic or Far Below Basic on STAR English Language Arts/Math, with report card grade of N in Reading or Math.
- Grades 4-8 students performing at Below Basic or Far Below Basic on STAR English Language Arts and Math, with report card grades of D or lower in English Language Arts and Math.
- Below grade level performance in other applicable multiple measures.

Grades 9-12 Retention Criteria:

Pupil retention to determine standing shall be based on failure to earn credits according to the following schedule. Such designation shall occur in the summer between academic years.

- 9th to 10th grade - 50 units of credit
- 10th to 11th grade - 110 units of credit
- 11th to 12th grade - 170 units of credit

Promotion/Acceleration/Retention

Any increase in graduation requirements will adjust this schedule. Change in retention status will not take place at the end of the fall semester except for seniors who may be promoted at the time if 200 units have been earned or for unit deficient transfer students who need to earn extra units to accelerate to the unit level required for standing at the appropriate grade level.

PROCEDURES FOR RETENTION K-8

Identification Phase:

When a student is identified as being at risk of retention, the teacher 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. (Ed 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. (Ed Code 48070.5)

The school site principal shall provide a copy of the district's promotion/retention policy and administrative regulation at the time parents/guardians are notified that their child is at risk of retention.

(cf 5145.6--Parent Notifications)

Once a pupil has been identified by the teacher or the parent/guardian as a potential candidate for retention, based upon performance against the District benchmark measures, the special learning needs of the pupil will be discussed with the principal and the SST. When possible, this discussion with the principal should occur on or before December 1. The school initiates the data-gathering phase. The student's performance shall be examined based upon the aforementioned benchmark multiple measures for all grade levels, with particular emphasis on performance in reading and math.

The Student Needs Assessment Plan (SNAP) shall be developed for students at risk of retention to monitor his/her performance during the year of retention and address specific outcomes of how the student shall receive focused instruction to increase performance in reading and/or mathematics. Classroom modification shall be made for a student in danger of failing, whether he/she is retained.

Promotion/Acceleration/Retention

If the teacher's recommendation to promote is contingent upon the pupil's participation in summer school or interim session remediation program, the pupil's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or promote shall be provided to and discussed with the pupil's parent or guardian and the school principal before any final determination of pupil retention or promotion. (Ed Code 48070.5)

Retention Data-Gathering Phase:

When sufficient information has been collected in regard to academic achievement and/or other factors, a conference will be scheduled with the pupil's parent/guardian to inform them of their child's progress, using the objective data collected. During the conference, the parent/guardian will be made aware of the intervention phase and any recommendations for remediation for their child through the development of SNAP.

Retention Intervention Phase:

Modifications to the pupil's instructional program will be made by the SST or like committee (Site Study Team) and based on the pupil's learning needs. Assistance will be made available to identified students at all sites K-12. Interventions will be offered to students who have been retained, as well as those in danger of retention. These interventions may include:

- Before, during, and after-school classes
- Homework Club
- Summer School
- Saturday School or holiday recess tutorials
- Tutorial
- Elective classes to support core classes
- Night School (through adult education or community college courses)
- Classroom modifications

These services shall be provided to students in the following priority order: (Ed Code 37252.5)

1. Students who have been recommended for retention or who have been identified as being at risk or retention, pursuant to Ed. Code 48070.5.
2. Students who have been identified as having a deficiency in, STAR English Language Arts/ Math and student report card grades of N or D or lower. These interventions shall be developed in accordance with the requirements of Ed. Code 37252.5.

Retention: School Decision Phase:

By the end of the 2nd grading period or no later than May 15, the teacher, principal, counselor, and other resource personnel, will review results of the intervention phase through the SST or like committee and arrive at a consensus recommendation for the next placement for the pupil. (This is not meant to preclude retention consideration for later-entering pupils.)

Promotion/Acceleration/Retention

If the student's intervention involves summer school performance, a decision to retain may be postponed until the student has completed the intervention. The final determination rests with principal as advised by the teacher(s) of record.

Retention: Final Decision Phase:

Final decision for placement should be reached by June 1, or when the student has completed remediation/interventions recommended by the teacher(s). The ultimate responsibility for the retention decision rests with the principal as advised by the teacher(s) of record, except in the case of kindergarten students whose parents must mutually agree that the student shall continue in kindergarten. (Ed. Code 48011)

The teacher(s) evaluation, including reports of summer school progress, shall be provided to and discussed with the pupil's parent/guardian and the school principal before any final determination of pupil retention. (Ed. Code 48070.5(d)) The final decision shall be made no later than 12 days prior to the start of the school year.

In all cases, a parent/guardian conference will be held and a summary of the recommendations and actions taken will be filed in the pupil's cumulative record. Retained students shall not be placed in combination classes or repeat the grade with the same teachers.

Retention: Appeal Process:

The principal's final decision to promote or retain a student may be appealed consistent with Board policy, administrative regulations, and law.

The burden shall be on the appealing party to show why the principal's decision should be overruled. (Ed. Code 48070.5)

To appeal a retention decision, the appealing party shall submit a written request to the Superintendent or designee, specifying the reasons why the principal's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion. The burden shall be on the appealing party to show why the decision of the teacher(s) is overruled.

If the Superintendent or designee determines that the appealing party has overwhelmingly proven that the site decision should be overruled, he/she shall overrule the principal's decision.

The decision of the Superintendent or his/her designee shall be final.

Promotion/Acceleration/Retention

PROMOTION/ACCELERATION/RETENTION OF SPECIAL EDUCATION STUDENTS

1. If a preschool special education student is scheduled to start kindergarten in September (Section 48000 of the Ed Code), the parent or teacher can request that the student remain one more year at the preschool level. The final decision will be made as part of the IEP process. The IEP team needs to consider and address the factors that are involved when retaining a K-6 student, in case the student is brought up for retention in a subsequent grade.
2. All retentions will be initiated in accordance with the notice and implementation requirements listed in these regulations.
3. If a special education student is placed in a special class (including a non-public school), the Special Day Class teacher recommends retention. The final decision will be made as part of the IEP process.
4. If the special education student is enrolled in the regular education program the retention process is initiated by the regular classroom teacher in collaboration with appropriate special education staff. Parents must be notified that they can request an IEP meeting to address promotion/retention. The decision of the IEP team will be the determiner of whether or not the student is retained.
5. Multiple measures must include individually administered achievement tests, as well as other special education measures of student performance levels.

PROMOTION/ACCELERATION/RETENTION OF STUDENTS WITH 504 PLANS

1. All retention will be initiated in accordance with the notice and implementation requirements listed in these regulations.
2. As soon as retention is being considered, and as part of the monitoring required by BP/AR 6170, the SST shall meet to assess the appropriateness of the accommodations, aids, and/or services provided. If the conditions that are causing the potential retention are related to the disability, they shall be addressed in the 504 accommodation plan according to 504 procedures. If the conditions are not related to the 504 disability, then a separate retention intervention plan should be developed.
3. If the SST moves to retain the student, it must provide written documentation that it complied with the requisite procedures and content of the student's 504 plan and that the disability is not the reason for the retention.
4. Determine the appropriateness of a special education evaluation if one has not already been completed.

PROMOTION/ACCELERATION/RETENTION OF ENGLISH LEARNERS (EL) STUDENTS

Students identified as EL cannot be considered for retention due to lack of English proficiency. Factors to consider include:

1. Length of time in the United States.
  2. Length of time in an appropriate program.
  3. Level of English acquisition.
- Students who are LEP or with an IEP may function on a separate set of standards.



Promotion/Acceleration/Retention

Acceleration of K-12 Students:

Acceleration is the process of advancing pupils at a more rapid rate than experienced by most, and may be considered when pupils are performing significantly above grade approximately 2 grades above level or above the midpoint for Advanced on STAR English Language Arts and Math, and there are no district programs or courses for accelerating or fast tracking high achieving or gifted and talented children at that site).

PROCEDURES FOR ACCELERATION

Identification/Data Gathering Phase:

1. Once a student has been identified by the teacher, counselor, or the parent/guardian as a potential candidate for acceleration, the special learning needs shall be discussed with the principal. Alternative programs or options shall be attempted within the school first.
2. Information/data will be gathered and referred to the Student Study Team or like committee meeting for analysis.
3. When sufficient information has been collected regarding a student's performance, a conference will be scheduled with the pupil's parent/guardian to inform him/her of his/her child's progress, using the objective data collected.

School Intervention Phase:

1. Resource personnel designated by the principal shall provide assistance to the classroom teacher and will recommend additional actions to meet the enrichment needs of the student.
2. Classroom modification will be made based upon the pupil's learning needs, strengths, and interests.

School Decision Phase:

1. When information has been collected for assessing the effectiveness of the intervention phase, the teacher, principal, and resource personnel through the SST or like committee will review the results and shall determine by consensus a recommendation for the best placement for that student.
2. Parent/guardian shall be invited to the SST or like committee meeting to discuss the school's recommendation

Acceleration--Final Decision Phase:

1. The recommendation will be shared with the parents/guardians at an SST or like committee meeting.
2. The pupil's progress will be monitored by the teacher. A plan shall be developed through the SST to provide special assistance the receiving teacher might need to prepare for accelerated students.

Promotion/Acceleration/Retention

3. A written plan for monitoring the pupil's performance at the next higher grade level shall be developed.
4. A summary of the recommendations and actions taken will be filed in the pupil's cumulative record.
5. Acceleration or fast-tracking of a high school student shall involve options at the ROP, Adult School, community college level, or other institutes of higher learning. Students in this fast-track phase may take courses in advance of the year in which he/she would normally take them. An Individual Student Acceleration Plan (ISAP) shall be developed and approved through the SST and the curriculum/instruction office as a compliance check with state law.
6. The parent/guardian must approve and support the plan of acceleration.

Regulation Established:	May 8, 1984
Regulation Revised:	November 8, 1984
Regulation Revised:	March 15, 1989
Regulation Revised:	February 1, 1993
Policy Revised:	March 15, 2000
Policy Revised:	November 12, 2003
Policy Revised:	January 23, 2008