

# Mt. Diablo USD

## Administrative Regulation

### Promotion/Retention/Acceleration

AR 5123  
**Students**

#### Promotion

##### Grades 1-8

Decisions regarding promotion in grades 1-8 are based on students demonstrating achievement required for satisfactory performance in the subsequent grade. This includes mastery of standards by achieving a 3 or 4 on the standards-based elementary report card or passing grades in middle school English Language Arts and Mathematics courses.

#### Acceleration

A student in grades 1-8 may be accelerated to a higher-grade level when exceptional academic achievement is evident. The student's social and emotional growth shall also be taken into consideration when considering accelerating a student.

##### Grades 9-12

Progress toward high school graduation shall be based on the student passing the required and elective subjects necessary to earn the annual required number of credits as outlined by current Board policy. Students will be required to take and pass the High School Exit Exam when mandated by the State of California.

Student promotion, retention and grade level are determined by the cumulative number of credits successfully completed by the student. Therefore, a student must accumulate the following credit totals including those required for each grade level to be promoted to the next grade level:

<u>Comprehensive</u>	<u>Continuation</u>
<u>Grade 9      0-50 0-49 credits</u>	
<u>Grade 10     50-100 50 - 99 credits</u>	<u>0-95 0-99 credits</u>
<u>Grade 11     100-155 100-154 credits</u>	<u>96-125 100-124 credits</u>
<u>Grade 12     155-230 155-200 credits</u>	<u>126-200 125-180 credits</u>

## High School Grade Level Status Determination and Notification

A student's grade level status will be determined at the site once per year following summer school. Students in the 4th year of high school will have an additional determination made at the beginning of the second semester. The school will inform the student and parent/guardian if the student did not earn sufficient credits to be advanced to the new grade level. The parent/guardian will be informed of the student's status and given the range of alternatives for the remediation of any deficiency. A "High School Grade Level Status Notification" form will be mailed to the parent/guardian with a request for a follow up conference to review the alternatives for remediation.

Students shall be allowed to participate in grade level designated activities, i.e., Senior Breakfast, Junior Prom, based on achievement of sufficient credits for grade level status, not number of years at the high school level.

### Retention including Kindergarten Continuance

A retention conference will be held for all K-8 students at risk of being retained. A conference team will consist of a minimum of parents/guardians, teacher, and administrator.

(Note: Retention in kindergarten is considered "continuance" in kindergarten.)

The Superintendent or designee shall identify students who are at risk of being retained and students who are recommended to be retained at the end of grades 1 through 8.

Students in grades 1 through 3 shall be identified as being at risk of retention primarily on the basis of their level of proficiency in Reading. Mathematics will also be assessed for purposes of offering intervention.

Proficiency in Reading, English/Language Arts (E/LA) and Mathematics shall be the basis for identifying students in grades 4 through 8.

The following chart provides guidelines, which shall be used to determine retention.

### Reading Indicators for Retention, Grades 1-2

Performance Level:

RAP Score (Reading Assessment Program)-Spring Rubric Score of 1 and  
Report Card Evidence (Reading) Rubric Score of 1

### Reading Indicators for Retention, Grade 3

Performance Level:

California Standards Test English Language Arts (E/LA) Far below basic and  
RAP Score (Reading Assessment Program)-Spring Rubric Score of 1 and  
Report Card Evidence (Reading) Rubric Score of 1



Reading, E/LA, Mathematics Indicators for Retention, Grades 4-5

Performance Level:

California Standards Test Far below basic and  
Report Card Evidence (Reading, English Language Arts, Rubric Score of 1  
Mathematics)

Reading, E/LA, Mathematics Indicators for Retention, Grades 6-8

Performance Level:

California Standards Test Far below basic and  
Report Card Evidence (Reading, English Language Arts, F  
Mathematics)

If a student is identified as performing at these performance levels, the student shall be retained in his/her current grade unless the student's teacher(s) determine, 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).

#### Promotion/Retention of English Learners

The promotion of English Learners (EL) will take into account the students' mastery of English Language Development (ELD) standards, the students' educational history, exposure to English instruction, and exposure to mainstream curriculum.

An English Learner with less than three years of English instruction will not be retained, unless it is determined that the student is failing to make adequate progress due to factors other than English proficiency. The report of the Retention Conference Team, including the English Learner's classroom teacher, will provide documentation as to why the decision to retain was made. A copy of the decision and supporting documentation will be placed in the student's cumulative record folder.

#### Promotion/Retention of Special Education Students

Local Governing board adopted standards for promotion apply to students with disabilities unless the Individual Education Plan (IEP) team establishes individualized differentiated promotion criteria.

IEP teams should consider whether the student's disability adversely impacts the student's potential for learning or rate of learning. If so, the IEP team should consider whether accommodations or curricular modifications could minimize this impact. If, even with these supports, the student is unable to meet the board-adopted standards for promotion due to the nature or severity of the disability, the IEP team should document individualized differentiated promotion criteria, which are aligned with the board-adopted



standards. The student, parents, administrators and general and special education teachers should be informed of potential consequences of individualized differentiated promotion criteria.

If a student with a disability fails to meet board-adopted standards or individualized differentiated promotion criteria documented in the IEP, the IEP team should reconvene immediately to consider the following questions. These should be considered at each reporting period:

1. Does the current IEP address the student's academic, linguistic, social, emotional and behavioral needs appropriately?
2. Are the assessments used, including any accommodations and modifications, appropriate to measure the student's progress?
3. Were all the services required by the student to make progress in the general education curriculum appropriately identified in the student's IEP and did the student receive these services?
4. Were the linguistic needs of an English Language Learner appropriately identified?
5. Were the student's individualized differentiated promotion criteria appropriate and supported by the IEP?

Students may be required to attend an intervention program developed by the local board. If a summer school program is appropriate, the IEP team should document all the supports and related services the student will need to benefit from that program. The IEP team may develop an alternate plan, provide a summer school program, and consider not retaining the student.

Students must have access to the core curriculum in order to meet the requirements of standards-based curriculum and assessment. Special education and related services must be aligned with the regular core curriculum and enable a student to master the expected competencies to the maximum extent appropriate to his/her individualized needs.

#### Parent/Guardian Notification and Appeal Process

When a student is identified as being at risk of retention, the Superintendent or designee shall notify the student's parent(s)/guardian(s) in writing as early in the school year as practical, no later than January. Where necessary, parent notification will be provided in the primary language of the parent. The student's parent(s)/guardian(s) shall be provided an opportunity, and are encouraged, to consult with the principal and the teacher(s) responsible for the recommendation to promote or retain the student. If the student has more than one classroom teacher, the site administrator shall specify the teacher(s) responsible for the decision to promote or retain the student. The teacher's written



recommendation (Teacher Inventory Factors Form) shall be provided to and discussed with the student's parents/guardians and the principal before any final determination of retention or promotion is made.

The Superintendent/designee shall provide a copy of the district's promotion/retention policy and administrative regulation to those parent(s)/guardian(s) who have been notified that their child is at risk of retention.

The teacher's decision to promote or retain a student may be appealed consistent with Board policy, administrative regulation and law. 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 14 school days of the notification 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. The burden shall be on the appealing party to show why the teacher's decision should be overruled. 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.

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 (Education Code 48070.5).

#### Intervention (Supplemental Instruction)

With the parent/guardian's consent, the Superintendent or designee may require a student who has been retained, or recommended for retention, to participate in school day intervention classes or an after-school (supplemental instruction) program.

Intervention (supplemental instruction) programs may be offered to students with low math, reading or written expression scores. Intervention (supplemental instruction) programs will include appropriate instruction for students learning English. The parent/s or guardian/s may decline in writing to the Superintendent or designee to enroll their



child in a program. Such programs may be offered during the summer, after school, and/or on Saturdays.

The district shall seek the active involvement of parents and teachers in the development and implementation of intervention (supplemental instruction) programs. Services shall not be provided during the regular instructional day.  
(Ed Code 37252.5).

#### 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 (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). A state required form, "Agreement for Pupil to Continue in Kindergarten" must be completed.

#### 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 (Ed Code 48011).

Admission shall be subject to the following minimum criteria:

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.

Regulation MT. DIABLO UNIFIED SCHOOL DISTRICT  
approved: May 23, 2006 Concord, California