

# Administrative Regulation

AR 5123

## Promotion/Acceleration/Retention

### Students

#### Acceleration from Kindergarten to First Grade

At the beginning of each school year, the Superintendent or designee shall enroll any eligible child who will have his/her fifth or sixth birthday on or before September 1 of that year into kindergarten or first grade, as applicable (Education Code 48000, 48010)\*\*\*

Any student who meets the age eligibility requirement and has completed one year of kindergarten shall be admitted to first grade unless the parent/guardian and the Superintendent or designee agree that the student shall continue in kindergarten. (Education Code 48010, 48011)

(cf. 5111 - Admission)

\*\*\*Note: Pursuant to Education Code 48011, if a student does not meet the age eligibility requirement specified in Education Code 48010, he/she may be admitted to the first grade at the discretion of the administration of the district and with the consent of the student's parents/guardians. 5 CCR 200 mandates that the district adopt regulations setting forth procedures for early admission into first grade which ensure that students meet the minimum criteria outlined below. The district may specify additional criteria if desired. \*\*\*

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

\*\*\*Note: Education Code 46300 specifies that when a student has completed one year of

kindergarten, his/her further attendance in kindergarten may be included in the ADA computation only if the district has on file for the student an agreement signed by the parent/guardian stating that the student shall continue in kindergarten for not more than one additional school year. CDE Management Advisory 90-10 clarifies that this agreement is required for any student who continues in kindergarten after one year, even if he/she was admitted early pursuant to Education Code 48000. \*\*\*

Students who have completed one year of kindergarten shall be admitted to first grade unless the parent/guardian and the Superintendent or designee agrees that the student shall continue in kindergarten for not more than one additional school year. (Education Code 46300, 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)

#### Accelerated Single Subject Placement

While some students are cognitively gifted, it does not always follow that these same students are also advanced in the affective or psychomotor domains. In fact, most of these students are average in affective skills and psychomotor development. Much can be done to accommodate cognitively advanced students within their assigned classrooms. Teachers at the elementary level have been encouraged to utilize higher level basic and supplemental instructional materials. Secondary-age students can select from a hierarchy of courses, and have access to the most advanced section of each content area. To help ensure that accelerated subject placement is a positive educational experience, the following procedures shall be observed:

##### A. Placement Options

1. Kindergarten, first, second, and third graders may not be placed in secondary schools.
2. Fourth and fifth graders may be placed in intermediate schools.
3. Sixth, seventh and eighth graders may be placed in high schools.
4. Ninth, tenth, eleventh, and twelfth graders may be placed in colleges.
- 5.

##### B. Referral

1. All referrals should be made through the present teacher and reviewed by the present principal.

2. The present principal shall arrange a parent conference and obtain parent permission.
3. The referral shall be given to the psychologist assigned to the student's present school.

C. Eligibility

1. The assigned psychologist shall make an observation and conduct a diagnostic interview to determine the student's psychosocial ability to function with an older peer group. The psychologist's report and recommendation shall be submitted to the present principal.
2. If appropriate, the present principal shall request that the receiving principal/designee administer the final exam of the course preceding the one for which advanced placement is sought (e.g., must pass Spanish 1 final exam to get into Spanish 2).
3. The present principal, with the approval of the receiving principal, makes the decision, notifies the parents, and arranges for placement.

D. Prerequisites

1. Space must be available
2. Enrollment should be at the beginning of a semester.
3. The parent is responsible for transportation.
4. Every effort should be made to schedule the advanced class so as not to conflict with the remainder of the student's program (e.g., sixth grader attending first period at a high school does not disrupt sixth grade program).

Retention at Other Grade Levels

\*\*\*Note: The following section applies to grades 1-12. For indicators established by the Governing Board for the identification of students for retention at their current grade level, see the accompanying Board policy. \*\*\*

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 1 and 2
2. Between grades 2 and 3
3. Between grades 3 and 4
4. Between grades 4 and 5

\*\*\*Note: If all the schools in the district are configured in the same manner, the district may specify the actual grade levels in items #5 and #6 below (e.g., between grades 5 and 6, between grades 8 and 9). \*\*\*

5. Between the end of the intermediate grades and the beginning of the middle school grades
6. Between the end of the middle school grades and the beginning of the high school grades

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 intermediate and middle school grades, and between middle school grades and high school grades. (Education Code 48070.5)

(cf. 6142.91 - Reading/Language Arts Instruction)  
(cf. 6142.92 - Mathematics Instruction)

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.

(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)

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)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer School)

(cf. 6179 - Supplemental Instruction)

### Promotion

Students will be promoted to the next grade level when the following conditions are met:

1. Reasonable academic progress has been made
  - a. as measured by appropriate skill acquisition for that grade level or
  - b. as measured by achieving at a rate at least equal to the previous year's progress or
  - c. by completing the minimum number of credits for placement at the next grade level in high school:

<u>Grade Level</u>	<u>Number of Credits</u>
9	0 - 54
10	55 - 109
11	110 - 169
12	170

2. An eligible student is participating in a categorical program designed to accommodate a specialized need:
  - a. Students identified with disabilities and placed in Special Education programs for more than 50 percent of the school day.
  - b. Students designated as EL1 or EL2.

### Retention

Students shall be retained at the end of the school year if the following apply:

1. Grade 2:
  - a. Majority of reading skills taught have not been mastered

2. Grade 3:
  - a. F in Reading at third trimester
  
3. Grades 4-5 (elementary schools):
  - a. F in Reading at third trimester, and  
F in Writing at third trimester, and  
F in Mathematics at third trimester  
OR
  - b. F in any of the above and student does not successfully  
complete assigned intervention program.
  
4. Grades 6-8 (middle school):
  - a. F in English at second semester/third trimester, and F in  
Mathematics at second semester/third trimester  
OR
  - b. F in either of the above and student does not successfully  
complete assigned intervention program.

### Promotion and Retention

#### A. Criteria for Promotion/Retention

The following factors shall be considered prior to the decision to promote or retain a student at the same grade level:

1. Relative age to his/her peer group
2. Performance scores on group tests
3. Level of competency achieved
4. Level of learning aptitude
5. Physical size
6. School attendance
7. Previous retention
8. Present level of academic achievement
9. History of learning disabilities
10. Student's attitude about possible retention (particularly  
critical above grade 2)
11. Motivation of student to complete school tasks
12. History of inappropriate behavior including delinquency
13. Knowledge of English language
14. Present grade placement (retain at the lowest grade level  
possible)
15. Transiency
16. Emotional problems
17. Experiential background
18. Level of maturity in relating to other students his/her age
19. Number of years in this country

20. Accumulation of minimum number of credits (for grades 10-12 only)
21. Parent input (written parent permission required for kindergarten retention)

B. Promotion/Retention Procedure

1. Grades K-5

- a. The classroom teacher verifies whether or not the student has made reasonable academic progress and recommends promotion/retention to the principal.
  - 1) Beginning in November of each year, the classroom teacher will make the parents aware of those students who are not yet making reasonable academic progress.
  - 2) By February 15 of each school year, the teacher will submit to the principal a list of those students to be considered for retention.
  - 3) By March 15 of each school year, the teacher/principal will contact the parents to inform them of the possibility of retention of their child.
  - 4) After a preliminary review by school personnel of the original set of students being considered for retention, then a revised list shall be made.
- b. The principal makes the final decision for promotion/retention after:
  - 1) The criteria for promotion/retention have been reviewed and considered by the school guidance team which includes the school psychologist.
  - 2) Additional assessment(s) and observation(s) have been made, if needed, by the school psychologist and/or classroom teacher.
  - 3) Other alternatives to retention have been reviewed.

- 4) Receiving a recommendation by the psychologist for the students being considered for retention.
  - 5) Receiving written permission from the parent for kindergarten retention.
- c. The parent will be informed of the final decision in a parent-teacher meeting:
- 1) Held by the end of the last week of school.
  - 2) Which may include the principal and/or psychologist when applicable

C. Verification of Promotion/Retention Decision

1. Grades K-8

- a. A district form shall be completed for each retention indicating the final decision and the parent's signature of agreement or disagreement. Copies of the form will be distributed to the:
  - 1) Parent
  - 2) Cumulative record
  - 3) Either Director of Elementary or Secondary Education, as is appropriate.
- b. A copy of the transcript of students who have performed inadequately, yet are not retained, shall be placed in the cumulative record.

2. Grades 9-12

- a. When a student has not accumulated the minimum number of credits required, then he/she will be reclassified to the appropriate grade level.
- b. A copy of the student's transcript will reflect credits earned and class standing.

D. Time Lines for Promotion/Retention Decision

The following time lines shall be observed in promotion/retention decisions:

1. Grades K-5

- a. November - December: Student progress reviewed with parents by teacher.
- b. February 15: Referral by teacher to consider student for retention.
- c. March 15: Teacher contacts parents to inform them of consideration for retention.
- d. April: Student progress reviewed with parents.
- e. April - May: School personnel review student factors and make final recommendation.
- f. By last week of school: Final decision for retention made by the principal and parent informed.

2. Grades 6/7/8

- a. November – December: Parents informed and conference held with student.
- b. February - March: Conference held with parents of students who are failing.
- c. March - May: Continued monitoring of student's progress and informing parents.
- d. By last week of school: Principal decision to retain, give certificate of attendance or give certificate of promotion.

3. Grades 9-12

- a. November – December: Parents informed and conference held with student.
- b. February - March: Conference held with parents of students who are failing to inform them of progress and possibility of being reclassified at the same grade level.
- c. March - May: Continued monitoring of student's

progress and informing parents.

- d. After second semester: Decision to reclassify and parents informed.

E. Appeal of Promotion and Retention Decision

The following procedure shall be followed challenging a teacher's recommendation to retain a student in the current grade:

1. The principal or his/her designee receiving a parental request to challenge a teacher's recommendation to retain a student shall direct the parent to contact the teacher in an attempt to resolve the issue between the parent and the teacher.

In circumstances where the parent's request is not resolved by the conference, the parent will complete a written request no later than 10 school days of the determination of retention or promotion stating the reasons for the request and shall submit the written request to the principal.

2. The principal will conduct a review of the request and will ensure that both the parent and the teacher, at a minimum, are present during the review.
3. The principal shall inform the parent, the teacher, and the Director of Elementary/Secondary Education of his/her decision.

In circumstances where either the parent or the teacher are not in agreement with the principal's decision, either party may complete an Appeal of Promotion/Retention form (obtained from school site) stating the reasons for requesting an appeal of the principal's decision.

4. The written request for appeal must be submitted to the Director of Elementary Education (Grades K-5) or the Director of Secondary Education (Grades 6, 8) within 10 days after receiving notice of the principal's decision.
5. Upon receipt of an appeal, the Director of Elementary/Secondary Education shall convene a review panel consisting of:

- a. The principal of a school other than the school at which the retention decision was made.
  - b. A certificated employee appointed by the Unified Association of Conejo Teachers.
  - c. A parent (not employed by the school district) appointed by the Director of Elementary/Secondary Education. Consent shall be secured by the parent/guardian appealing the retention or promotion as confidential student records will be reviewed. If consent is not made available, the Director of Student Support Services will serve as the third party of the Appeal Panel
6. The review panel members, if possible, shall not be acquainted with the pupil, his/her parent, or the teacher(s) involved in the recommendation to retain/promote the pupil.
  7. The principal appointed to the hearing panel shall serve as its chairperson.
  8. The hearing panel shall, in closed session, hear the appeal as soon as possible, but no later than the first day of the next school year. Both the parent and the teacher may be present for the review and shall have an opportunity to address the panel.
  9. Written findings shall be made setting forth the facts and decisions of the panel and such findings shall be forwarded to the Superintendent.  
  
The proceedings of the hearing shall not be disclosed or discussed by panel members except in their official capacities.
  10. The decision of the review panel shall be final.
  11. If the final decision is unfavorable to the parent/guardian, he/she shall have the right to submit a written statement of objections which shall become part of the student's record.

\*\*\*Note: Pursuant to Education Code 48070.5, the district's policy or regulation should specify the teacher or teachers responsible for the promotion/retention decision in cases where the student does not have a single regular classroom teacher. The following paragraph should be revised to indicate the specific teacher(s) who will be responsible.

### Notice to Parents

Parents shall be notified as soon as possible when a student is identified as being at risk of being retained. California Assessment of Student Performance and Progress (CAASPP) results, progress reports, trimester report cards, quarter report cards, and semester report cards shall be considered notice to parents.

1. By mid-September each year, the classroom teacher will be notified of any student who has performed below minimum proficiencies on the CAASPP administered the prior spring.
2. Teachers will notify the principal of any student receiving a D or F in the designated subject(s) on any progress report, quarter report card, trimester report card, or semester report card.
3. Each time that a student is identified at risk of retention, the principal shall notify the parents of the before school, school day, after school, and/or summer academic and/or behavioral intervention opportunities available to that student.
4. The parent will be informed of the final decision to retain (1) in writing and (2) in a parent-teacher meeting held by the end of the last week of school. The meeting may include other staff as appropriate.

### Decision Authority

1. In grades K-1, the principal shall make the final decision for promotion/retention after considering the criteria, implementing the procedures, and considering the parents' desires. Parent concurrence is required at Kindergarten.
2. In grades 2-8, students shall be retained if the retention criteria stated in the above section apply. The teacher responsible for instruction in a designated subject area shall assign the grade(s). If the teacher assigning the grade(s) in the designated subject believes that retention is not appropriate, that teacher may submit a written report to the principal which will become a pupil record and remain in the students' cumulative file. If the principal concurs with the teacher's written report, then the student will not be retained.

(cf. 5125 - Student Records)

(cf. 5125.3 - Challenging Student Records)

CSBA (10/98 3/00) 11/00  
CVUSD (11/83, 3/95, 4/00, 6/14) 4/16