

**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)

Acceleration 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 ability.
5. The parent/guardian of the student has filed a written statement with the 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 48010, 48011)

*(cf. 5111 – Admission)*

Whenever a student continues in kindergarten for an additional year, the principal or designee shall complete an Agreement to Retain Student in Kindergarten and secure the signature of the student's parent/guardian. The Agreement will state that the student shall continue in kindergarten for not more than one additional school year. A copy of the Agreement, with parent/guardian signature, will be sent to the Educational Services Department. (Education Code 46300, 48011)

The Superintendent or designee shall not approve a student's continuation in kindergarten until the student has been enrolled in kindergarten for close to one school year.

**PROMOTION/ACCELERATION/RETENTION** (continued)**Retention at Other Grade Levels**

The Superintendent/designee shall provide a copy of the district's Promotion/Retention Policy to the parents/guardians of elementary and/or middle school students at the beginning of each school year.

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
5. Between grades 5 and 6
6. Between grades 6 and 7
7. Between grades 8 and 9

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

Students in the primary grades 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 3 and 4, 4 and 5, 5 and 6, 6 and 7, and between middle school grades and high school grades. (Education Code 48070.5)

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) These recommendations/interventions shall be documented and become a permanent part of the pupil's cum file.

*(cf. 5121 – Grades/Evaluation of Student Achievement)*

*(cf. 6162.5 – Student Assessment)*

*(cf. 6162.51 – State Academic Achievement Tests)*

**PROMOTION/ACCELERATION/RETENTION** (continued)

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 by the summer school or intersession teacher 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 Learning Programs)*

*(cf. 6179 – Supplemental Instruction)*

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 should include a copy of the district Promotion/Retention Policy when parents/guardians are notified that their child is at risk of retention.

**Appeal Process**

Each school will establish a Site Retention Committee to determine whether students at risk of being retained will, in fact, be retained at the end of the school year. The site administrator will determine the composition of the Committee or whether an existing school committee will fulfill this responsibility.

The Committee'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 Committee's decision should be overruled. (Education Code 48070.5)

To appeal a Committee's decision, the appealing party shall submit a written request to the principal or designated administrator/teacher in charge specifying the reasons why the Committee'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 Principal or designee shall determine whether or not to overrule the Committee's decision. Prior to making this determination, the Principal or designee may meet with the appealing party and the Site Retention Committee. If the Principal or designee determines that the appealing party has overwhelmingly proven that the Committee's decision should be overruled, he/she shall overrule the Committee's decision.

**PROMOTION/ACCELERATION/RETENTION** (continued)

The principal or designee's determination may be appealed by submitting a written appeal to the Ad Hoc Promotion/Retention Committee within 15 school days. The Ad Hoc Promotion/Retention Committee will be appointed by the Assistant Superintendent of Learning Support and will consist of the following members: two teachers (preferably one from the grade level of the student considered for retention and the other from a grade level higher than the grade level of the of the student considered for retention); a counselor or school psychologist; an administrator; and a school board member. The committee members of the Ad Hoc Promotion/Retention Committee will be selected from schools other than the school attended by the student who is being considered for promotion/ retention.

Within 30 days of receipt of a written appeal, the Ad Hoc Promotion/Retention Committee shall act on the appeal. The Ad Hoc Promotion/Retention Committee's decision may be made on the basis of documentation prepared as part of the appeal process or the Ad Hoc Promotion/Retention Committee may also meet with the appealing party, the teacher and the Principal or designee, and/or the Site Retention Committee to decide the appeal. The decision of the Ad Hoc Promotion/Retention Committee shall be final and binding for all schools in the district.

If the decision of the Ad Hoc Promotion/Retention Committee 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.

**Remedial Instruction**

With the parent/guardian's consent, 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. 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)

These 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 have been identified by their teachers as having a deficiency in mathematics, reading or written expression based on the results of district assessments.

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

**PROMOTION/ACCELERATION/RETENTION** (continued)

**Retention Instructional Plan**

When the decision has been made to retain a student, the principal, parent(s), teacher(s), support personnel, and, when age-appropriate, the student will develop an instructional plan for the year to be repeated. This written plan will include achievement goals and the interventions to be provided and shall identify those responsible for implementing and monitoring the plan and for evaluating instructional outcomes.

**Retention Procedure**

Parent must appeal in writing within 10 days of the retention decision. Appeal is made to the principal.

Principal must determine within 30 days of receiving appeal whether to overrule Site Retention Committee's decision.

Parent can appeal principal's decision. This must be done in writing within 15 school days. This appeal is made to the Ad Hoc Promotion Retention committee appointed by the Assistant Superintendent of Learning Support.

Ad Hoc Committee shall act within 30 days of receipt of a written appeal. This committee's decision is final and binding for all schools in the district.

If the parent finds this ruling unfavorable, they may submit a written objection which will be placed in the student's records.

*(cf. 5125 – Student Records)*

*(cf. 5125.3 – Challenging Student Records)*

Regulation

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**VACAVILLE UNIFIED SCHOOL DISTRICT**

Vacaville, California