

## **Students**

### **K-6 PROMOTION/ACCELERATION/RETENTION**

The Governing Board expects students to progress through each grade level within one school year. To accomplish this, instruction should accommodate the variety of ways that children learn 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 proficiency.

*(cf. 6011 - Academic Standards)*

*(cf. 6146.5 - Elementary/Middle School Graduation Requirements)*

When high academic achievement is evident, the Superintendent or designee may recommend a student for acceleration into a higher grade level. The student's maturity level shall be taken into consideration in making a determination to accelerate a student.

As early as possible in the school year, the Superintendent or designee shall identify students who should be retained and who are at risk of being retained in accordance with law, Board policy, administrative regulation and the following criteria.

Students shall be identified on the basis of proficiency levels. The following other indicators of academic achievement may also be used:

1. Standardized Testing and Reporting
2. Student Assessments

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

*(cf. 5149 - At-Risk Students)*

When a student in grades 2 through 9 is retained or recommended for retention, the Superintendent or designee shall offer programs of direct, systematic and intensive supplemental instruction in accordance with Education Code 37252.2.

*(cf. 6179 - Supplemental Instruction)*

*Legal Reference: (see next page)*

**K-6 PROMOTION/ACCELERATION/RETENTION (continued)**

*Legal Reference:*

*EDUCATION CODE*

*37252.5 Supplemental instruction*

*46300 Method of computing ADA*

*48011 Admission on completing kindergarten; grade placement of pupils coming from other districts*

*48070-48070.5 Promotion and retention*

*48431.6 Required systematic review of students and grading*

*56345 Elements of individualized education plan*

*60641-60648 Standardized Testing and Reporting Program*

*60850-60856 Exit examination*

*CODE OF REGULATIONS, TITLE 5*

*200-202 Admission and exclusion of students*

*Management Resources:*

*CDE MANAGEMENT ADVISORIES*

*0900.90 Changes in Law Concerning Eligibility for Admission to Kindergarten 90-10*

*LEGISLATIVE COUNSEL'S OPINION*

*Promotion and Retention #21610*

*CSBA POLICY ADVISORIES*

*0901.99 Social Promotion/Retention Policy Briefing: Considerations for English Language Learners*

*1112.98 Student Promotion/Retention Advisory*

*WEB SITES*

*CSBA: <http://www.csba.org>*

*CDE: <http://www.cde.ca.gov>*

Policy

adopted: May 27, 2003

revised: October 18, 2005

revised: February 23, 2010

revised: November 13, 2012

**VISALIA UNIFIED SCHOOL DISTRICT**

Visalia, California

**K-6 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 six (6) years of age.

Dates:

2012-2013: November 2 - December 2

2013-2014: October 2 – December 2

2014-2015: September 2 – December 2

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 Superintendent or designee 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 1 and 2
2. Between grades 2 and 3
3. Between grades 3 and 4

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4. Between grades 4 and 5
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 2 and 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, 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.

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

Students shall be identified on the basis of either proficiency levels 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. If the decision is made to retain, student placement for the upcoming year will be in the referring teacher's classroom with the exception of documented extenuating circumstances. (Education Code 48070.5)

*(cf. 6177 - Summer School)*  
*(cf. 6179 - Supplemental Instruction)*

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. (Education Code 48070.5)

When a student is identified as being at risk of retention, the Superintendent or designee shall so notify the student's parent/guardian as early in the school year as practicable. The student's parent/guardian

**K-6 PROMOTION/ACCELERATION/RETENTION** (continued)

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)

*(cf. 5145.6 - Parental Notifications)*

The teacher's decision to promote or retain a student may be appealed consistent with Governing 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 that 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 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)*

Regulation

approved: May 27, 2003

revised: August 25, 2003

revised: January 25, 2010

revised: October 11, 2012

**VISALIA UNIFIED SCHOOL DISTRICT**

Visalia, California

**VISALIA UNIFIED SCHOOL DISTRICT**

**SCHOOL NAME:** \_\_\_\_\_

**Kindergarten Continuance Form**  
**Parental Agreement For Pupil to Continue in Kindergarten**  
 Reflects amendments to Education Code sections 46300 and 48011, effective January 1, 1992

Name of Pupil: \_\_\_\_\_

Kindergarten Attendance Anniversary Date: \_\_\_\_\_

Name of School Official Approving for District: \_\_\_\_\_

**Information for parent or guardian**

California law provides that after a child has been lawfully admitted to a kindergarten and has attended for a year, the child shall be promoted to the first grade unless the school district and the child's parents/guardians agree to having the child continue to attend kindergarten for not longer than one additional year. This rule applies whether a child begins kindergarten at the beginning of a school year or at the some later date, so that a child who begins kindergarten in January, for example, shall be promoted the following January unless there is a formal agreement to have him or her continue. Because kindergarten-age children often do not develop at steady or predictable rates, the California Department of Education recommends that approval for a child to continue not be given until near the anniversary of a child's admittance to kindergarten.

I agree to having my child (named above) continue in kindergarten until \_\_\_\_\_  
 (may not be more than one year beyond anniversary) (date)

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Printed/typed name of Parent/Guardian: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_