

## **Students**

### **7–8 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.

*(cf. 6011 - Academic Standards)*

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

*(cf. 6146.5 - Elementary School Promotion/Standards of Proficiency)*

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. The student must also meet the minimum proficiency requirements set by the Board.

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

As early as possible in the school year and in students' school careers, 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 academic achievement. The indicators of academic achievement include grades, rubric scores, standardized testing, and proficiency level on grade level content standards.

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

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

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall provide opportunities for remedial instruction to assist the student in overcoming his/her academic deficiencies. Such opportunities may include but are not limited to tutorial programs, after-school programs, summer school programs and/or the establishment of a student study team.

*(cf. 6164.5 - Student Study Teams)*

*(cf. 6177 - Summer School)*

**7–8 PROMOTION/ACCELERATION/RETENTION** (continued)

Pursuant to Education Code 48070.5, the district's policy must include a process for appealing the decision to promote or retain a student. The appealing party has the burden to prove why the decision should be overruled.

The 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 decision should be overruled. (Education Code 48070.5)

To appeal a decision to retain the student, the appealing party shall submit a written request to the Superintendent or designee specifying the reasons that the decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion.

The site team (principal and teachers) shall be provided an opportunity to state orally and in writing the criteria on which the decision was based.

Within 30 days of receiving the request, the Superintendent or designee shall determine whether or not to overrule the site's decision. Prior to making this determination, the Superintendent or designee may meet with the appealing party and the principal. If the Superintendent or designee determines that the appealing party has overwhelmingly proven that the decision should be overruled, he/she shall overrule the 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 principal 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)*

**7-8 PROMOTION/ACCELERATION/RETENTION (continued)**

*Legal Reference:*

EDUCATION CODE

37252-37253 Summer school

37252.5 - AB 1639

46300 Method of computing ADA

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

48070-48070.5 Promotion and retention

48070.5 - AB 1626

48431.6 Required systematic review of students and grading

51215 Proficiency standards in basic skills

51216 Assessment of pupil proficiency

51217 Withholding diploma (high school)

51218 Separate proficiency standards

56345 Elements of individualized education plan

60641-60647 Standardized Testing and Reporting Program

60648 Minimum performance levels

CODE OF REGULATIONS, TITLE 5

200-202 Admission and exclusion of students

*Management Resources:*

CDE PROGRAM ADVISORIES

06121.89-06123.89 Educating Young Children: Next Steps in Implementing the School Readiness Task Force Report

0916.91 Retention of Students in Elementary and Middle Grades, CIL 91/92-02

CDE MANAGEMENT ADVISORIES

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

LEGISLATIVE COUNSEL OPINION

1001.98 Promotion and Retention #21610

CSBA ADVISORIES

1112.98 Student Promotion/Retention Advisory

WEB SITES

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

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

## **Students**

### **7–8 PROMOTION/ACCELERATION/RETENTION**

#### **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 2 and 3
2. Between grades 3 and 4
3. Between grades 4 and 5
4. Between the end of the intermediate grades and the beginning of the middle school grades
5. Between the end of the middle school grades and the beginning of the high school grades

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

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

*(cf. 6162.5 - Student Assessment)*

According to Visalia Unified School District Board policy, middle school students must show they have mastered the content required in their current grade level before being promoted to the next grade. Based upon an individual student's mastery of the grade level content, the student may be promoted, conditionally promoted, or retained at the end of the school year. Explanation of these three categories follows:

*(AR 5123.2 continued on next page)*

**7-8 PROMOTION/ACCELERATION/RETENTION (continued)**

**PROMOTION**

To be promoted, students must reach a proficient level (2.3) in all core subjects (English, mathematics, science, and social science)

**OR**

Meet the following grade level criteria:

**Grade 7:** Score at the proficient level on both the English/Language Arts and mathematics criterion reference tests (STAR CST's)

**Grade 8:** Score at the proficient level on both the English/Language Arts and mathematics criterion reference tests (STAR CST's)

**OR**

Attend the assigned targeted interventions during the appropriate grading sessions as per the Visalia Unified School District Intervention Worksheet found at each middle school so as to meet the proficient level (2.3) in all core subjects

**CONDITIONAL PROMOTION**

English Learner students who do not meet the proficient level (2.3) may be conditionally promoted if they are making progress towards proficiency.

Students with current Individualized Education Plans (IEP'S) may be conditionally promoted if they meet the terms and conditions of their respective plans.

**RETENTION**

Retention – When a student has not demonstrated grade-level proficiency in the core content areas, the principal shall determine whether the student will be retained. This decision will be made in consultation with the teacher(s), parents, and other staff, if appropriate. Parents will be notified as soon as retention is being considered and no later than the end of the 5<sup>th</sup> grading period of the school year. The final decision on retention will be made following the completion of an extended year program and no later than August 1<sup>st</sup> of that year.

**7-8 PROMOTION/ACCELERATION/RETENTION** (continued)

The Superintendent/designee shall also provide a copy of the district's promotion/retention policy and administrative regulation to those parents/guardians who have been notified that his/her child is at risk of retention.

Pursuant to Education Code 48070.5, the district's policy must include a process for appealing the decision to promote or retain a student. The appealing party has the burden to prove why the decision should be overruled.

The decision to promote or retain a student may be appealed consistent with Governing Board policy, administrative regulation and law.

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*(cf. 5125.3 - Challenging Student Records)*

**7-8 PROMOTION/ACCELERATION/RETENTION** (continued)

**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)

*(cf. 6177 - Summer School)*

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 as having a deficiency in mathematics, reading or written expression based on the results of the tests administered under the STAR program

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

Regulation  
approved: June 22, 2004  
revised: July 12, 2005  
revised: May 18, 2009 - Board Policy Committee

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California