

## **PROMOTION / ACCELERATION / RETENTION**

The Governing Board of the Murrieta Valley Unified School District 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 addressing academic deficiencies when needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting the grade-level standards of expected student achievement established by the Governing Board.

*(cf. 6011 – Academic Standards)*

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

*(cf. 6162.52 – High School Exit Examination)*

### **Acceleration: Grades K-8**

A student enrolled in kindergarten may be admitted to the first grade at the discretion of the principal/designee and with the consent of the parent/guardian, upon determination that the child is ready for first grade work.

The principal/designee may recommend a student enrolled in any grade between first and eighth for acceleration into a higher grade level when high academic achievement is evident. The student's social and emotional growth shall be taken into consideration in making a determination to accelerate.

### **Promotion/Retention: Grades 2-8**

Students shall be considered for promotion and retention in specific subject areas and between certain grade levels:

1. Second grade and third grade in reading,
2. Third grade and fourth grade in reading,
3. Fourth grade and fifth grade in reading, English language arts, and math,
4. The end of elementary grades (grade 5) and the beginning of middle school grades (grade 6) in reading, English language arts, and math,
5. The end of middle school grades (grade 8) and the beginning of high school (grade 9) in reading, English language arts, and math.

**PROMOTION / ACCERLATION / RETENTION** (continued)

As early as possible in the school year and in the students' school careers, teachers shall identify students who should be retained or who are at risk of being retained in accordance with law, Board Policy, and Administrative Regulation. When a student has more than one teacher, the principal shall determine which individual teacher or teachers shall be responsible for the promotion/retention decision.

Students shall be identified on the basis of grades and the following other indicators of academic achievement: the assessment results on the State's Standardized Testing and Reporting Program and the minimum levels of proficiency recommended by the State Board of Education, District-designed, standards-based, grade-level skills exams, including a writing sample and an open-ended assessment.

When a student is identified as being at risk of retention, parents/guardians shall be notified as early in the school year as practicable. In addition to being notified, a student's parent/guardian shall have the opportunity to consult with the teacher or teachers responsible for the decision to promote or retain the student.

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

*(cf. 5149 – At-Risk Students)*

*(cf. 6162.5 – Student Assessment)*

**High School**

At the senior high school level, 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 Governing Board and pass the exit examinations mandated by the State.

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

**English Language Learners**

For the English language learner who is enrolled in a Structured English Immersion Program, retention decisions shall be based on the student's rate of English acquisition rather than on lack of grade-level English language proficiency or mastery of the District's core academic content standards.

*(cf. 6174 – Education for English Language Learners)*

**PROMOTION / ACCELERATION / RETENTION** (continued)**Special Needs Students**

Special education and Section 504 students are expected to master the District's core academic content standards to the maximum extent appropriate. Special education students may be retained through the Individual Education Plan (IEP) process. Elementary, middle, and high school students enrolled in special programs shall meet the goals stated in their Individual Education Plans (IEPs) or Section 504 Plans.

**Right to Appeal**

Parents/guardians shall be provided a process whereby the decision to retain the student may be appealed.

*(cf. 5125 – Student Records: Confidentiality)*

**Remedial Instruction**

To assist students in overcoming academic deficiencies, the District shall offer programs of direct, systematic, and intensive supplemental instruction to students in grades two through eight, inclusive, who have been retained or who have been recommended for retention, pursuant to Education Code 48070.5. Supplemental instruction may also be offered to grades two through eight to students who are identified as being at risk of retention.

Such opportunities may include but are not limited to tutorial programs, before / after-school programs, Saturday programs, intersession and summer school programs. Services shall not be provided during the regular instructional day if that would result in the student being removed from classroom instruction in the core curriculum. This supplemental instruction program shall be developed in accordance with the requirements of Education Code 37252.5.

*(cf. 6177 – Summer/Intersession School)*

**Legal Reference:****EDUCATION CODE**

*37252-37254.1 Supplemental instruction*

*41505-41508 Pupil Retention Block Grant*

*46300 Method of computing ADA*

*48011 Promotion/retention following one year of kindergarten*

*48070-48070.5 Promotion and retention*

*56345 Elements of individualized education plan*

*60641-60648 Standardized Testing and Reporting Program*

*60850-60859 Exit examination*

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

*Legal Reference: (continued)*

CODE OF REGULATIONS, TITLE 5

*200-202 Admission and exclusion of students*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Performance Level Tables for the California Standards Tests and the California Alternative Performance Assessment*

*Parental Agreement Form: Agreement for Pupil to Continue in Kindergarten*

LEGISLATIVE COUNSEL OPINION

*1001.98 Promotion and Retention #21610*

WEB SITES

*California School Boards Association: <http://www.csba.org>*

*California Department of Education: <http://www.cde.ca.gov>*

Policy  
adopted: May 9, 1990  
revised: February 13, 1997  
revised: June 3, 1999  
revised: November 17, 2005

**MURRIETA VALLEY USD**  
Murrieta, California

**PROMOTION / ACCELERATION / RETENTION****Kindergarten**

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: (Code of Regulations, Title 5, Section 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**

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 48011)

Whenever a student continues in kindergarten for an additional year, the principal 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 principal 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 grades 5 and 6 (elementary school to middle school)
5. Between grades 8 and 9 (middle school to high school)

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

Students between 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 grades 5 and 6, and between grades 8 and 9. (Education Code 48070.5)

**Criteria for Retention of At-Risk Students**

Beginning in the 1999-2000 school year, parents/guardians of students shall be notified in writing that their child is being considered for retention when the student meets the following criteria:

| <b>Grade Level</b>                       | <b>At-Risk Criteria</b>   | <b>Identified At-Risk and Possible / Probable Retention</b>  |
|--|---|--|
| End of 2 <sup>nd</sup>                   | Below grade level on the District reading assessments from grade 1 including the District-designed, standards-based, grade-level skills exams in phonics, spelling and reading comprehension  | Identified as “at risk” at the end of the previous school year and unsatisfactory reading performance in the 3 <sup>rd</sup> trimester or 4 <sup>th</sup> quarter (report card)                                |
| End of 3 <sup>rd</sup>                   | Below grade level on the District reading assessments from grade 1 including the District-designed, standards-based, grade-level skills in phonics, spelling and reading comprehension and the grade 2 California Standards Test in English Language Arts   | Identified as “at risk” at the end of the previous school year and unsatisfactory reading performance in the 3 <sup>rd</sup> trimester or 4 <sup>th</sup> quarter (report card)                                |
| End of 4 <sup>th</sup> , 5 <sup>th</sup> | Below grade level on the District reading, language arts, and mathematics assessments from grades 3 and 4 including California Standards Test in English Language Arts and mathematics scores and District-designed, standards-based, grade-level skills exams, including a writing sample and an open-ended assessment | Identified as “at risk” at the end of grade 3, 4 or 5 and unsatisfactory reading, language arts and mathematics performance in the 3 <sup>rd</sup> trimester or 4 <sup>th</sup> quarter (report card)          |
| End of 8 <sup>th</sup>                   | Below grade level on the District reading, language arts, and mathematics assessments from grade 7 including California Standards Test in English Language Arts and mathematics scores, and District-designed, standards-based, grade-level skills exams, including a writing sample and an open-ended assessment       | Identified as “at risk” at the end of the previous school year and unsatisfactory reading, language arts and mathematics performance in the 3 <sup>rd</sup> trimester or 4 <sup>th</sup> quarter (report card) |

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

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 an intersession remediation program, the student's academic performance shall be reassessed, using District-designed, grade-level assessments at the end of the remediation program, and the decision to retain or promote the student shall be reevaluated at that time by the intersession teacher. 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. 6177 – Summer School)*

*(cf. 6179 – Supplemental Instruction)*

If the student does not have a single regular classroom teacher, the principal shall specify the intersession teacher(s) or principal's designee responsible for the decision to promote or retain the student. (Education Code 48070.5)

**Notification of Academic Deficiencies**

The principal shall annually inform parents/guardians in writing about the District's criteria for promotion/acceleration/retention.

When a student is identified as being at risk of retention, the teacher or principal's designee shall make personal contact with the student's parent/guardian via telephone or parent conference. Within five (5) school days, this personal contact shall be followed up with a written notification of academic deficiency. This notification shall be provided as early in the school year as practicable. The student's parent/guardian shall be provided an opportunity to consult with the teacher(s) regarding the decision to promote or retain the student. (Education Code 48070.5)

**Appeal Procedure**

The decision to promote or retain a student may be appealed consistent with Board Policy, Administrative Regulations, and law. The right to appeal is limited to the student's parent/guardian. The burden shall be on the appealing party to show why the retention decision should be overruled. (Education Code 48070.5)

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

To appeal a retention decision, the appealing party shall submit a written request to the principal/designee specifying the reasons why the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention. The teacher shall be provided an opportunity to state orally and/or in writing the criteria on which his/her decision was based.

Within 15 school days of receiving the request, the principal/designee shall determine whether or not to overrule the retention decision. Prior to making this determination, the principal/designee may meet with the appealing party and/or the teacher. If the principal/designee determines that the appealing party has overwhelmingly proven that the retention decision should be overruled, he/she shall overrule the retention decision.

The parent/guardian may appeal the principal/designee's determination by submitting a written appeal to the Superintendent/designee within 10 school days. Within 15 school days of receipt of the written appeal, the Superintendent/designee shall render a decision on the appeal. The Superintendent/designee's decision may be made on the basis of documentation prepared as part of the appeal process; or at the discretion of the Superintendent/designee, the Superintendent/designee may also meet with the appealing party, the teacher, and/or the principal/designee to decide the appeal. The decision of the Superintendent/designee shall be final.

If the decision of the Superintendent/designee 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 Concerning the Schools)*  
*(cf. 5125 – Student Records: Confidentiality)*

**Remedial Instruction**

With the parent/guardian's consent, the teacher and/or administrator shall require a student who has been recommended for retention to participate in a supplemental instructional program. Students who have been identified as at risk of retention may also be required to participate. Such programs shall be offered before school, after school, on Saturdays, and/or during intersessions. Services shall not be provided during the regular instructional day if that would result in the student being removed from classroom instruction in the core curriculum. (Education Code 37252.5)



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

These services shall be provided to students in the following priority order: (Education Code 37252.5)

1. Students in grades two through eight who have been retained pursuant to Education Code 28070.5.
2. Students in grades two through eight who have been identified as being at risk of retention.
3. Students in grades two through eight who have been identified as having a deficiency in reading, written expression, and/or mathematics, based on the results of assessments administered under the STAR program.

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

Regulation  
approved: May 9, 1990  
revised: June 3, 1999  
revised: November 17, 2005

**MURRIETA VALLEY USD**  
Murrieta, California

**PROMOTION / ACCELERATION / RETENTION**

**AGREEMENT TO CONTINUE IN KINDERGARTEN**

|  |  |
|--|--|
| Name of student                                | Kindergarten attendance anniversary date |
| Name of school official approving for District |  |

**Information for Parent/Guardian**

California law provides that after a child has been lawfully admitted to kindergarten and has attended for a year, the child shall be promoted to the first grade unless the school district and the child's parent/guardian agree to the child's continuing in 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 some later date, so that a child who begins kindergarten in January, for example, shall be promoted the following January unless it is formally agreed that he/she shall continue in kindergarten. Because kindergarten-age children often do not develop at steady or predictable rates, the California Department of Education recommends that approval to continue in kindergarten not be given until near the anniversary of a child's admittance to kindergarten.

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

|                                       |                  |
|---------------------------------------|------------------|
| Signature of parent/guardian          | Date             |
| Printed/typed name of parent/guardian | Address          |
|                                       | Telephone number |

Exhibit  
 approved: June 3, 1999  
 reviewed: November 17, 2005

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 Murrieta, California