

Ceres Unified SD

Administrative Regulation

AR 5123
Students

Promotion/Acceleration/Retention

Kindergarten

Children five years old or older who have completed one year of kindergarten shall be admitted to first grade regardless of age unless the parent/guardian and the district agree that the child shall continue in kindergarten for not more than one additional 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 the student shall continue in kindergarten for not more than one additional year. (Education Code 46300)

First Grade Acceleration

A child enrolled in kindergarten may be admitted to the first grade at the discretion of the principal and upon determination that the child is ready for first grade work. Admission shall be subject to the following criteria: (Code of Regulations, Title 5, Section 200)

1. The child is at least five years of age.
2. The child has attended a public school kindergarten for a long enough time to enable school personnel to evaluate his/her ability.
3. Of general mental the child is in the upper five percent of his/her age group in terms ability.
4. The physical development and social maturity of the child are consistent with his/her advance mental ability.
5. The parent/guardian of the child has filed a written statement with school district approving the placement in the first grade.

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

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, writing 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 assessment results, grades and other indicators of academic achievement, as established by Board policy. Promotion-retention assessment criteria for specific grade levels are outlined in Exhibit A to this Administrative Regulation.

Nothing in this policy or administrative regulation shall prohibit the retention of a student not included in the specified grade levels, nor shall they prohibit retention for reasons other than those specified in policy, if retention is determined to be appropriate for that student.

Students who have been retained once and are being considered for a second retention will be retained a second time upon the approval of the Superintendent or designee.

(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 retention becomes the final decision, an Individual Retention Plan will be developed by the current year's teacher, next year's teacher, principal or designee in conjunction with the parent and student that specifies strategies to help the student reach specific academic goals during the retention year and during any required remediation beyond the regular school day. This Plan will specify strategies that address the student's needs in varied ways and will contain a timeline for regular follow-up during the retention year to evaluate progress.

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or intersession or other 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 and reviewed by the Student Study Team before any final determination of retention or promotion. (Education Code 48070.5)

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 parents/guardians as early in the school year as practicable. The parent shall be informed that their student is a risk of retention prior to the student being notified. 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 teacher'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 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 why 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/or 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)

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, before and/or 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 CERES UNIFIED SCHOOL DISTRICT
approved: September 2, 1993 Ceres, California
revised: March 18, 1999
revised: November 7, 2002
revised: February 20, 2003
revised: February 23, 2004