

**PROMOTION/ACCELERATION/RETENTION**

The Board of Education expects students to progress through each grade level within one school year. ~~To accomplish this,~~ *Toward this end,* instruction *shall be designed to* ~~should~~ accommodate the variety of ways that ~~children~~ *students* learn and ~~include~~ *provide* 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)*  
*(cf. 6146.5 – Elementary/Middle School Graduation Requirements) (cf. 6162.52 – High School Exit Examination)*  
*(cf. 6170.1 - Transitional Kindergarten)*

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

Teachers shall identify students who are at risk of being retained at their current grade level as early as possible in the school year and as early in their school careers as practicable. Such students shall be identified 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 8 and 9

Students shall be identified for retention on the basis of failure to meet minimum levels of proficiency, as indicated by grades and/or ~~the following~~ additional indicators *specific to the student.* ~~of academic achievement.~~

*(cf. 5121 - Grades/Evaluation of Student Achievement)*  
*(cf. 5149 – At-Risk Students)*

**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 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)*

If a student does not have a single regular classroom teacher, the Superintendent or designee shall specify 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 in accordance with AR 5123 - Promotion/Acceleration/Retention.

When a student *in grades 2-9* is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall offer an appropriate program of remedial instruction to assist the student in meeting grade-level expectations. (Education Code 48070.5)

*(cf. 6176 - Weekend/Saturday Classes)*

*(cf. 6177 - Summer Learning Programs)*

*(cf. 6179 - Supplemental Instruction)*

*Legal References:*

EDUCATION CODE

*37252-37254.1 Supplemental Instruction*

*41505-41508 Pupil Retention Block Grant 46300 Method of computing ADA*

*46300 Method of computing average daily attendance*

*48010 Admittance to first grade*

*48011 Promotion/retention following one year of kindergarten*

*48070-48070.5 Promotion and retention*

*56345 Elements of individualized education plan*

*60640-60649 California Assessment of Student Performance and Progress*

*60850-60859 Exit examination*

CODE OF REGULATIONS, TITLE 5

*200-202 Admission and exclusion of students*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*FAQs Promotion, Retention, and Grading (students with disabilities)*

*FAQs Pupil Promotion and Retention*

*Kindergarten Continuance Form*

WEB SITES

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

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

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

*Policy amended: May 21, 2020*

Policy amended: October 2, 2014

Policy amended: March 5, 2009

Policy adopted: June 7, 2001

**PROMOTION/RETENTION/ACCELERATION****Placement from Transitional Kindergarten (first year of a two-year kindergarten program) to Kindergarten**

A student enrolled in transitional kindergarten (TK) may be admitted to kindergarten at the discretion of the Superintendent or designee and with the consent of the parent or guardian, upon determination that the child is academically, socially, and emotionally ready. (Ed Code 48011)

Admission shall be subject to the following minimum criteria:

1. The student has attended a public school transitional kindergarten for a period of time to enable school personnel to evaluate ~~that child's~~ *the student's* social and emotional developmental readiness and achievement level.
2. ~~The student is in the upper five percent of the age group in terms of demonstrated ability.~~ *The student has demonstrated social and emotional readiness and academic achievement appropriate to a Kindergarten aged student as measured by school personnel.*
3. The parent or guardian of the child has filed a written statement with the school district approving the placement in kindergarten.

**Acceleration from Kindergarten to First Grade**

Any student who meets the age eligibility requirement and has 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. (Education Code 48010, 48011)

*(cf. 5111 - Admission)*

A student who does not meet the age eligibility requirement may be admitted to the first grade at the discretion of the Superintendent or designee and with the consent of the parent or guardian, upon determination that the child is ready for first-grade work. *subject to the following minimum criteria:* (Education Code 48011; *5 CCR 200*)

~~Admission 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 mental ability.

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

5. The parent or guardian of the child has filed a written statement with the school district approving the placement in first grade.

**Continuation in Kindergarten**

Whenever the Superintendent or designee and the parents/guardians agree that a student shall continue 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, 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.

**Retention at Other Grade Levels**

If a student is identified as performing below the minimum standard for promotion to the next grade level based on the indicators specified in Board policy, 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)

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

*(cf. 6162.5 - Student Assessment)*

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

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. (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 parent/guardian as early in the school year as practicable. ~~but not later than the grading period prior to the final grades of the school year.~~ 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)

*(cf. 5145.6 - Parental Notifications)*

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

The Superintendent or 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 their child is at risk of retention.

**Promotion**

~~Students will progress through grades K-8 by demonstrating growth in learning and by meeting specified levels of proficiency for each grade.~~

**Appeal Process**

Whenever a student's parent/guardian appeals the teacher's decision to promote or retain a student, the burden shall be on the parent/guardian to show why the teacher's decision to retain the student should be overruled. (Education Code 48070.5)

To appeal a teacher's decision, the parent/guardian 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 promotion or 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 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 parent/guardian and the teacher. If the Superintendent or designee determines that the parent/guardian 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 of Education 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 parent/guardian, the teacher, and the Superintendent or 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 final decision is unfavorable to the parent/guardian, he/she shall have the right to submit a written statement of objections which shall become part of the student's record.

*(cf. 5125 - Student Records)*

*(cf. 5125.3 - Challenging Student Records)*

**Regulation amended: May 26, 2020**

Regulation amended: October 2, 2014

Regulation amended: May 16, 2013

Regulation approved: June 7, 2001