

PROMOTION/ACCELERATION/RETENTION

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. 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)

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.

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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 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 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 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 Trustees 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)

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Middle School Retention

1. The Superintendent or designee shall identify students who should be retained or who are at risk of being retained between the end of the middle school grades (8th grade) and the beginning of high school (9th grade). Proficiency in reading, English language arts and mathematics shall be the primary basis for identifying students to be retained. (E.C. 48070.5) Students shall also be identified on the basis of grades and other indicators as established by Board policy.
2. In determining the appropriateness of retention for a student, the teacher(s) shall consider the following factors when recommending retention. This list includes but is not limited to:
 - a) Factors related to the level of academic achievement: scores on achievement and proficiency tests, teacher evaluation of ability, interest and motivation, student's demonstrated adequate or significant growth.
 - b) Factors related to developmental maturity: age, size, gender, and general health.
 - c) Factors related to emotional maturity: ability to communicate, social adaptability, emotional difficulties, and antisocial attitudes.
 - d) Previous retention (Student has/has not been previously retained).
 - e) Family situation: age and grade placement of siblings, family stability or transiency (has/has not impacted learning).
 - f) Student and parent/guardian's attitudes towards school and retention, attendance (frequent absences impact/do not impact achievement).
 - g) Factors related to a learning handicap. (If in Special Education, an adjustment of the special program placement is the usual alternative to retention.)
3. If the teacher(s)' recommendation to promote is contingent on the student's participation in a summer school or intersession 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 qualified promotion.
4. The Principal or designee shall specify the teacher(s) responsible for the decision to promote or retain the student failing to meet minimum standards for promotion. It should normally include the student's Language and Mathematics' teachers.
5. When a student is identified as being at risk of retention, the Superintendent or designee shall so notify the student's parents/guardians in writing as early in the school year as practicable. The student's parents/guardians shall be provided an opportunity to consult with the teacher(s) responsible for the student being identified as at risk of retention. 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 their child is at risk of retention.

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6. The teacher(s)' decision to promote or retain a student failing to meet minimum standards may be appealed consistent with Board policy and administrative regulation by parents/guardians, school administration, or District instructional personnel. The burden shall be on the appealing party to show why the teacher(s)' decision should be overruled.
7. 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(s) shall be provided an opportunity to state orally and/or in writing the criteria on which his/her/their decision was based.
8. Within 30 school 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(s). 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.
9. The Superintendent or designee's determination may be appealed by submitting a written appeal to the Board within 15 school days. Within 30 school 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.
10. 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 that shall become part of the student's record.

Remedial Instruction

With the parents/guardians' 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 may be offered during the summer, before/after school, on Saturdays and/or during intersessions. Services will not be provided during the regular instructional day if it would result in the student being removed from classroom instruction in the core curriculum.

Salinas Union High School District

Students

Regulation #5123

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These services shall be provided to students in the following priority order:

1. Required program for students who have been retained.
2. Required program for students recommended for or at risk of retention.
3. Students who have been identified as having a deficiency in mathematics, reading, or English language arts based on tests administered by the school.

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

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