

STUDENT PROMOTION/RETENTION (REGULATION)

In accordance with the policy of the board of education, the following criteria for the selection of students to be retained in their current grade, or denied course credit, will be used in this school district.

Students shall receive credit for a course of study if a grade average of 60% has been achieved for an entire course of study as determined by the teacher.

Students in grades kindergarten through eight who have demonstrated unsatisfactory achievement in light of the student's potential shall be carefully considered before being moved to the next grade level of instruction. With the exception of retention decisions at the end of third grade, which are prescribed by state law, the student's maturity (emotional, social, mental and physical), chronological age, school attendance, effort, and grades achieved. Standardized test results can be used as one means of the judging progress. Students at the third grade level will be promoted or retained pursuant to 70 O.S. § 1210.508C (Reading Sufficiency Act).

Reading Sufficiency Act Third Grade Retention:

1. Any third-grade student who demonstrates proficiency in reading at the third-grade level through a screening instrument which meets the acquisition of reading skills criteria shall not be subject to mandatory retention. Upon demonstrating proficiency through screening, the district shall provide notification to the parent(s) and/or guardian(s) of the student that they have satisfied the requirements of the Reading Sufficiency Act and will not be subject to retention pursuant to this section.
2. If a third-grade student is identified at any point of the academic year as having a significant reading deficiency, which shall be defined as scoring below proficient on a screening instrument which meets the acquisition of reading skills criteria, the district shall immediately begin a student reading portfolio and shall provide notice to the parent of the deficiency.
3. If a student has not yet satisfied the proficiency requirements of this section prior to the completion of third grade and still has a significant reading deficiency, as identified based on assessments administered as required by law, has not accumulated evidence of third-grade proficiency through a student portfolio, or is not subject to a good cause exemption, then the student shall not be eligible for automatic promotion to fourth grade.
4. For the 2016-2017 school year, a student not eligible for automatic promotion under paragraph 3 of this subsection and who scores at the unsatisfactory level on the reading portion of the third-grade statewide criterion-referenced test, may be evaluated for "probationary promotion" by the Student Reading Proficiency Team. Beginning with the 2017-2018 school years, a student not eligible for automatic promotion as provided for under paragraph 3 of this subsection and who scores "Does Not Meet RSA Criteria on the reading portion of the statewide third-grade assessment may be evaluated for "probationary promotion" by the student Reading Proficiency Team. The Student Reading Proficiency Team shall be composed of:

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- (1) the parent(s) and/or guardian(s) of the student,
- (2) the teacher assigned to the student who had responsibility for reading instruction in that academic year,
- (3) a teacher in reading who is responsible for reading instruction and is assigned to teach in the next grade level of the student , and
- (4) a certified reading specialist, if one is available.

The student shall be promoted to the fourth grade if the team members unanimously recommend "probationary promotion" to the school principal and the school district superintendent and the principal and the superintendent approve the recommendation that promotion is the best option for the student. If a student is allowed a "probationary promotion," the team shall continue to review the reading performance of the student and repeat the requirements of this paragraph each academic year until the student demonstrates grade-level reading proficiency, as identified through a screening instrument which meets the acquisition of reading skills criteria, for the corresponding grade level in which the student is enrolled or transitions to the requirements set forth by the Achieving Classroom Excellence Act.

5. Students who score "Does Not Meet RSA Criteria" on the reading portion of the statewide third-grade assessment and who are not subject to a good cause exemption as provided in subsection K of this section, and who do not qualify for promotion or "probationary promotion" shall be retained in the third grade and provided intensive instructional services and supports.
6. The school district shall annually report to the State Department of Education the number of students promoted to the fourth grade as required by law.

A third grade student may be promoted for "good cause" if the student meets one of the following statutory exemptions:

- (1) Limited-English-proficient students who have had less than two years of instruction in an English language learner program;
- (2) Students with disabilities whose individualized education plans, consistent with state law, indicates that the student is to be assessed with alternative achievement standards through the Oklahoma Alternate Assessment Program (OAAP);
- (3) Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education;
- (4) Students who demonstrate through a student portfolio, that the student is reading on grade level as evidenced by demonstration of mastery of the state standards beyond the retention level;
- (5) Students with disabilities who participate in the statewide assessments and who have an individualized education plan that reflects that the student has received intensive remediation for reading for more than two years but still demonstrates a deficiency in reading and was previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade; and

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(6) Students who have received intensive remediation in reading through a program of reading instruction for two or more years but still demonstrate a deficiency in reading and who were previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade for a total of two years.

Requests to exempt students from the mandatory retention requirements based on one of the good-cause exemptions shall be made using the following process:

1. Documentation submitted from the teacher of the student to the school principal that indicates the student meets one of the good-cause exemptions and promotion of the student is appropriate. Documentation shall be limited to the alternative assessment results or student portfolio work and the individual education plan (IEP), as applicable;
2. The principal of the school shall review and discuss the documentation with the teacher. If the principal determines that the student meets one of the good-cause exemptions and should be promoted based on the documentation provided, the principal shall make a recommendation in writing to the school district superintendent; and
3. After review, the school district superintendent shall accept or reject the recommendation of the principal in writing.

PROMOTION/RETENTION

In the elementary, intermediate and middle schools, a placement committee consisting of the principal, counselor, and teacher(s) shall determine if a student is to be promoted to the next grade level or retained in the current grade. The committee shall consider the student's maturity (emotional, social, mental and physical), chronological age, school attendance, effort, and grades achieved. Standardized test results can be used as one means of the judging progress.

Whenever a teacher or placement committee recommends that a student be promoted to the next grade level or retained at the present grade level, the parent(s) or guardian, if dissatisfied with the recommendation, may appeal the decision on or before June 1, of the current academic year, by complying with the district's appeal process. If a timely request for an appeal is not received, the teacher or placement committee's decision shall be final.

A written statement requesting an appeal is to be submitted on or before June 1, of the current academic year, to the Placement Appeal Committee which is comprised of the Superintendent's Designee and two certified personnel who did not participate in the recommendation regarding the promotion or retention decision. A hearing of the Placement Appeal Committee shall be scheduled, and the student and/or the student's parent or guardian shall be notified of the date, time, and place of the hearing. The student may be represented by legal counsel at the hearing. The student must notify the Chairperson of the Placement Appeal Committee in writing, at least 2 (two) days in advance of the hearing if the student is going to be represented by legal counsel. The District may elect to have legal representation at the hearing.

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The Placement Appeal Committee shall conduct an informal hearing in which the administrator recommending the promotion or retention shall present a statement and any evidence to support the recommendation and the student and his/her parent/guardian shall have the opportunity to present a statement and any evidence to support his/her position. At the conclusion of the hearing, the Committee shall deliberate outside the hearing of the administrator and the student and shall render a written decision as to the promotion or retention. The chairperson of the Committee shall insure that a copy of the written decision is mailed to the student's parent/guardian and provided to the administrator.

If the student's parent/guardian is dissatisfied with the decision of the Placement Appeal Committee, the parent/guardian may appeal the Committee's decision to the Board of Education ("Board") by submitting a written request for an appeal to the Superintendent or the Clerk of the Board within two (2) days after receipt of the Committee's decision.

A hearing on the promotion/retention shall be scheduled and the student's parent or guardian shall be notified in writing of the date, time, and place of the hearing. The student's parent/guardian shall also be notified of the right to have the hearing conducted in either an open or closed session of the Board and shall be required to advise the Superintendent at least three (3) days prior to the hearing as to which option is being chosen. The student's parent/guardian shall also notify the Superintendent at least 3 (three) days prior to the hearing if the student is to be represented by legal counsel.

At the hearing, the administration will present its statement and any evidence to support the recommendation. The parent/guardian shall have the opportunity to present a statement and any evidence to support his/her position. The Board may also ask questions of the administration, student and student's parent/guardian. Both parties may make closing statements. The Board may then deliberate. If the hearing was conducted in executive session, the Board may excuse the parties while conducting its deliberations. If the hearing was conducted in open session, the deliberations will take place in open session. If not already in open session, the Board shall then return to open session, shall make findings of fact, and shall vote to uphold or revoke the placement decision. The decision of the Board shall be final.

**REFERENCE: 70 O.S. §24-114.1
70 O.S. §1210.508C**