

# Houston County Board of Education

Monitoring: <b>Review: Annually, in December</b>	Descriptor Term:  <b>Promotion and Retention</b>	Descriptor Code: <b>4.603</b>	Issued Date: <b>2/13/23</b>
		Rescinds:	Issued: <b>03/10/08; 05/14/18; 03/11/19</b>

## *General*

All promotion and retention decisions shall be made on a case-by-case basis and comply with state and federal law. All decisions shall be made in consultation with a student's IEP and/or 504 team, if applicable.<sup>1</sup>

Kindergarten through eighth-grade students who have difficulty in achieving the requirements for promotion may be considered for retention. Schools shall identify these students by February 1<sup>st</sup>. Factors used to identify students for retention shall include:<sup>2</sup>

1. Ability to perform at the current grade level;
2. Results of local assessments, screening, or monitoring tools;
3. State assessments, as applicable;
4. Home Literacy Reports;<sup>3</sup>
5. Overall academic achievement of the student;
6. Likelihood of success with more difficult material if promoted to the next grade;
7. Attendance record; and
8. The student's social and emotional maturity level.

Students may be identified for retention after the February 1<sup>st</sup> deadline if the delay in identifying a student is due to:<sup>4</sup>

1. Date of enrollment;
2. Additional information acquired after results of local assessment, screening, or monitoring are released; or
3. Other circumstances identified and documented by the school administration.

## **PROMOTION PLANS<sup>5</sup>**

When a student is considered for retention, the student's parent(s)/guardian(s) shall be notified within fifteen (15) calendar days, and an individualized promotion plan shall be developed to help the student avoid retention. The plan shall be developed in coordination with the student's teachers, IEP or 504 team, if applicable, and may also include input from the student's parent(s)/guardian(s), school counselor, or other appropriate school personnel.

Promotion plans shall incorporate evidence-based strategies, including expectations and measurements that will verify whether a student has made sufficient progress to be promoted to the next grade level and be tailored to the student’s learning needs. Promotion plans for students in third and fourth grade will include additional requirements for promoting students in these grades. A copy of the plan will be provided to the student’s parent(s)/guardian(s), and the school shall offer the opportunity for a parent-teacher conference to discuss the plan. If a student is not making progress on the promotion plan, then the strategies shall be modified. Parent(s)/guardian(s) shall be provided with any changes to the promotion plan.

A student who demonstrates sufficient academic progress according to his/her promotion plan shall be promoted to the next grade level unless retention is required per additional requirements for students in third and fourth grade.<sup>6</sup>

If a student has not demonstrated sufficient academic progress according to his/her promotion plan by the end of the school year, the student shall be eligible to enroll in a summer reading or learning program, if available. Parent(s)/guardian(s) shall be notified of a decision for retention at least ten (10) calendar days prior to the start of the next school year if the student was enrolled in a summer program. However, if the student wasn’t enrolled in a summer program, the parent(s)/guardian(s) shall be notified of a decision for retention at last thirty (30) calendar days prior to the start of the next school year.<sup>7</sup>

**RETENTION<sup>6</sup>**

A student may be retained when such retention is in the best interest of the student or when retention is required per additional requirements for students in third and fourth grade.

*Decisions of Retention- General<sup>8</sup>*

If a student is retained, the Director of Schools/designee shall develop an individualized academic remediation plan within thirty (30) calendar days after the beginning of the next school year. A copy of the plan shall be provided to the student’s parent(s)/guardian(s) within ten (10) calendar days of its development. This plan shall include at least one of the following strategies:

1. Adjustment to the current instructional strategies or materials;
2. Additional instructional time;
3. Individual tutoring
4. Modification to the student’s classroom assignment to ensure the student receives instruction from a teacher with a level of overall effectiveness of above expectations (level 4) or significantly above expectations (level 5); or
5. Attendance or truancy interventions.

A student shall not be retained more than once in any grade. The progress of students who are retained shall be closely monitored and reported to parent(s)/guardian(s) at least three (3) times during the school year in which the student is retained. The Director of Schools shall develop procedures to ensure appropriate recordkeeping of students who are retained.

*Decisions of Retention- Third Grade<sup>9</sup>*

Third grade students shall not be promoted to the next grade unless they are determined to be proficient (i.e., receive a performance level rating of “on track” or “mastered”) in English Language Arts (ELA) based on the student’s most recent TCAP test.

Students who are not proficient in ELA may still be promoted if the following conditions are met:

1. A student in third grade receiving a performance level rating of “approaching” on the ELA of ELA instruction;
  - a. The student is an English Language Learner and has received less than two (2) full years of ELA instruction;
  - b. The student was previously retained in grades K-3;
  - c. The student is retested before the next school year and scores proficient in ELA;
  - d. The student attends a learning loss bridge camp before the next school year, maintains a ninety percent (90%) attendance rate, **or** receives tutoring for the entirety of the next school year in accordance with state law.
  - e. The student has a disability or suspected disability that impacts reading.
  
2. A student in third grade receiving a performance level rating of “below” on the ELA portion of the student’s most recent TCAP test may be promoted if:
  - a. The student is an English Language Learner and has received less than two (2) full years of ELA instruction;
  - b. The student was previously retained in grades K-3;
  - c. The student is retested before the next school year and scores proficient in ELA;
  - d. The student attends a learning loss bridge camp before the next school year, maintains a ninety percent (90%) attendance rate, **and** receives tutoring for the entirety of the next school year in accordance with state law.
  - e. The student has a disability or suspected disability that impacts reading.

*Decision of Retention- Fourth Grade<sup>9</sup>*

Students in the following categories shall show adequate growth in the following ways before being promoted to the fifth grade:

1. A student who is promoted to the fourth grade due to receiving tutoring for the entirety of the next school year in accordance with state law or because of attending a learning loss bride camp must maintain a ninety percent (90%) attendance rate; and
  
2. A student receiving tutoring for the entirety of the next school year in accordance with the state law shall be required to show adequate growth on the fourth grade ELA portion of TCAP before the student may be promoted to fifth grade.

A student shall not be retained more than once in fourth grade.

*Decision of Retention- Student with Disabilities<sup>10</sup>*

Retention and promotion decisions shall be made on a case-by-case basis and in consultation with the student’s IEP and/or 504 team to determine whether the student’s performance on the ELA portion of the TCAP was due the student’s disability. The school district shall not retain a student with a disability or a suspected disability that impacts their ability to read.

**APPEALS<sup>11</sup>**

When a student is identified for retention, the parent(s)/guardian(s) shall be notified about the decision to retain the student and provided with information on the right to appeal the decision. Appeals shall be made to a Director of Schools/designee within five (5) business days.

For students where retention is required per the additional requirements for students in third and fourth grade, parent(s)/guardian(s) may appeal this decision directly to the Department of Education in accordance with state law<sup>12</sup>.

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Legal References

1. 20 USCA § 1400 *et seq.*; 29 U.S.C. § 794 (Section 504); TRR/MS 0520-01-03-.16; TCA 49-6-3115
2. TRR/MS 0520-01-03-.16(5)
3. TCA 49-1-905(e)
4. TRR/MS 0520-01-03-.16(4)
5. TRR/MS 0520-01-03-.16(6)
6. TRR/MS 0520-01-03-.16(6)(f)
7. TRR/MS 0520-01-03-.16(6)(e)
8. TRR/MS 0520-01-03-.16(6)(g)
9. TRR/MS 0520-01-03-.16(7)
10. 29 U.S.C. § 794 (Section 504); 20 USCA § 1400 *et seq.*; TRR/MS 0520-01-03-.16(7)(e)
11. TRR/MS 0520-01-03-.16(3); TCA 49-6-3102(e)(1)
12. TRR/MS 0520-01-03-.16(7)(f)

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Cross References

- Credit Recovery 4.210
- Grading System 4.600
- Reporting Student Progress 4.601
- Attendance 6.200
- Student Assignments 6.205
- Homeless Students 6.503
- Student Records 6.600