

Appeal Request Form

This form may be submitted after you receive a letter from your building or district administrator notifying you that your child will not be promoted to the fourth grade. Please contact the Elementary School Principal with questions regarding this process. Please review each category of exception and check which apply to your student.

- **Mathematics assessment:** Did your child pass the ILEARN mathematics assessment?
 - ☐ No. This exception does not apply.
 - ☐ Yes. Your child may be eligible for an exception.

- **Already retained in third grade:** Has your child already been retained / held back once in third grade?
 - ☐ No. This exception does not apply.
 - ☐ Yes. Your child might be eligible for an exception.

- **Already retained twice:** Has your child been retained / held back twice between Kindergarten and second grade?
 - ☐ No. This exception does not apply.
 - ☐ Yes. Your child may be eligible for an exemption. List the grade(s) and years your child was retained: _____.

- **English learner:** Has your child been identified as an English learner?
 - ☐ No. This exception does not apply.
 - ☐ Yes, go on to the next question.

If yes, how long has your child been receiving English learner services?

 - ☐ More than 2 years, this exception does not apply.
 - ☐ Less than 2 years, go on to the next question.

- **Has an Individual Learning Plan committee determined that your child should be promoted to fourth grade?**
 - ☐ No. This exception does not apply.
 - ☐ Yes. Your child may be eligible for an exception.

Please provide copies of your child's Individual Learning Plan and any other documentation of the committee determination with this form.

- **Special Education with Intellectual Disability:** This exception applies only to students who have an intellectual disability. Indiana defines an intellectual disability as something "manifested during the developmental period of life. It is characterized by significant limitations in intellectual functioning. Further, intellectual disability is demonstrated

through limitations in adaptive behavior and adversely affects educational performance.”
511 IAC 7-41-3. Has your child been identified by a case conference committee as having an intellectual disability?

- ☐ No. This exception does not apply.
- ☐ Yes, go on to the next question.

Has your child’s case conference committee determined that promotion to fourth grade is appropriate for your child?

- ☐ No. This exception does not apply.
- ☐ Yes. This exception may apply.

Please provide copies of your child’s IEP and any other documentation of the case conference committee action with this form.

- **Special Education Case Conference Committee Determination:** Does your child have an individualized education program (IEP) stating that retention in third grade is not appropriate?
 - ☐ No. This exception does not apply.
 - ☐ Yes, go on to the next question.

Has a case conference committee determined promotion to fourth grade is appropriate?

- ☐ No. This exception does not apply.
- ☐ Yes. This exception may apply.

Please provide copies of your child’s IEP and any other documentation of the case conference committee action with this form.

If there are no exceptions that apply, do you request for your child to be evaluated for eligibility for special education services or for eligibility as an English learner?

- ☐ No
- ☐ Yes

Name of student _____

Student birthdate: _____

Name of parent or guardian _____

Signature of parent or guardian _____

Phone number(s) _____

Email address _____

Date submitted _____

Third Grade Good Cause Exemption & Retention Decision FAQs

If my child has not passed the third grade IREAD exam, will my child be able to go on to fourth grade?

To encourage a solid foundation in reading before promotion to fourth grade, Indiana law requires a school to retain a student in third grade if the student does not pass IREAD after having multiple chances to take the test through summer after third grade. If your child has not passed IREAD after having multiple chances to take the exam, state law may require the school to retain your child in third grade.

Does the law allow an exception that would permit my child to be promoted to fourth grade?

A school is not legally required to retain a student who meets any one of these exceptions:

1. Math ILEARN: The student has passed the ILEARN Mathematics assessment.
2. Already retained in third grade: The student was previously retained in third grade.
3. Already retained twice: A student who was retained twice in kindergarten through second grade and has received intensive intervention for at least two (2) years.
4. English learners: A student who is an identified English learner (EL) who has received services for fewer than two (2) years and the student's Individual Learning plan committee determined that promotion to fourth grade is appropriate.
5. Intellectual Disability: The student has an intellectual disability and the student's Case Conference Committee has determined that promotion to another grade is appropriate. Indiana defines an intellectual disability as something "manifested during the developmental period of life. It is characterized by significant limitations in intellectual functioning. Further, intellectual disability is demonstrated through limitations in adaptive behavior and adversely affects educational performance." 511 IAC 7-41-3.
6. Special Education IEP: The student's Individualized Education Program specifies that retention in third grade is not appropriate and the Case Conference Committee has determined that promotion to another grade is appropriate.

BHMSD will inform you if one of these exceptions applies to your child's promotion.

What if my child meets one of these exceptions but is denied? If you think your child is eligible for one of the exceptions listed above but has been denied promotion, you can appeal the decision using the Appeal Request Form.

Who can I talk to about this? If you have questions regarding this process, you can talk to your building principal, Director of Special Education or Assistant Superintendent for more information.