



MEMO

DATE: January 30, 2019

TO: PPS Policy and Governance Special Committee

FROM: Judy Brennan, Enrollment and Transfer Director

RE: Follow-up on proposed changes to PPS policy 4.10.020-P

Thank you for submitting follow-up questions regarding proposed changes to PPS policy 4.10.020-P. A team of subject matter experts contributed to the below responses. We look forward to discussing further with you on January 31, 2019.

Our review also exposed an error in the prior draft policy version. Attached is the corrected version, including item (1)(c)(c), which had been unintentionally omitted from the prior draft:

If the parent/guardian wishes, a student who has been enrolled in Kindergarten outside of PPS may be placed in Kindergarten when entering the district during the school year, even if the student's birthdate occurs after September 1.

Question: What is the Early Entry to Kindergarten process that is referenced in the report and materials?

Response: The Early Entry to Kindergarten process is described in PPS administrative directive 4.10.033-AD, [attached](#), and led by the Talented and Gifted Department.

Question: Is there a state standard we are aligning with?

Response: All ages stated in the proposed policy align with [ORS 336.092](#), [ORS 336.095](#) and [ORS 339.115](#), attached. Oregon allows each district to establish its own early entry and grade level placement procedures.

Question: Are the guidelines best practice?

Response:

- Early entry: We reference Oregon Early Learning Standards and other resources such as Association of Kindergarten Entry Age with Early Literacy Outcomes, <http://eric.ed.gov/?id=EJ978814>; and Kindergarten Entry & Placement, <https://www.naeyc.org/files/naeyc/file/positions/Psunacc.pdf>.
- Grade level placement based on prior experience, if the child is younger than Oregon age minimum: The guidelines support educational continuity from PK to K to 1st grade even if child's school district has different cut-off birthdates. Additionally by not allowing K age students to repeat PK, we are aligning with NAEYC best practices (NAEYC's 2001 Report, [STILL Unacceptable: Trends in Kindergarten Entry and Placement](#))
- This policy allows placement of students with grade level peers, promoting social and emotional growth while treating as individuals for course selection and appropriate academic need.

Question: Applying the racial equity lens, would this policy have disparate impact on students and families

Response:

- Early entry: Families must obtain outside testing at their own expense, PPS does not test these children, however, we do supply parents with names of diagnosticians that use a sliding scale for students who qualify for free and reduced meals. Most diagnosticians do not offer testing in languages other than English.

- Placement at other grades: Allowing grade level placement based on prior experience, if the child is younger than Oregon age minimums, supports educational continuity for students who change schools due to residential moves. Numerous studies show that students of color experience more housing changes and school moves than white students.
Section (2)(c) is written specifically to support immigrant and refugee students who may be newly arriving to PPS after a lengthy interruption in their education and/or lack of records from their prior schools. We will continue to analyze any previous high school record to transfer earned credits. Additionally, the actual courses to be determined individually based on student need, graduation requirements, with family and school input allows for differentiation based on each student.
- **Question:** Is there a petition or exemption process at any grade level? If yes, what is it?
- **Response:** Families may seek grade acceleration or retention through the process described in PPS policy 4.20.010-P, [attached](#).

Question: What is the desired timeline for Board approval and why?

Response: Board approval is sought for Winter 2019, as most new families are visiting schools and beginning the enrollment process for the coming year at this time. This timeframe also allows for materials to be updated and training for secretaries and other vital staff prior to peak enrollment in mid-to-late August.

Attachments

Cc: Nancy Hauth, Mary Kane, Veronica Magallanes, Brenda Martinek, Elisa Schorr Linda Smith

BOARD POLICY 4.10.020-P Age And Grade Level At Entrance

- 1) **Preschool through First grade:** Admission is allowed for children whose birthdays occur on or before September 1, as follows:
 - a) **Preschool:** A child is eligible to apply for Preschool if his/her third birthday occurs on or before September 1.
 - b) **Pre-Kindergarten:** A child is eligible to apply for Pre-Kindergarten if his/her fourth birthday occurs on or before September 1.
 - (a) A child whose fifth birthday occurs on or before September 1 is not eligible for Pre-Kindergarten.
 - c) **Kindergarten:** A child will be admitted to Kindergarten if his/her fifth birthday occurs on or before September 1, or if approved through the Early Entry to Kindergarten process.
 - (a) A student whose fifth birthday occurs after September 1 and on or before October 1 may apply for early entry into Kindergarten, as allowed in Administrative Directive .4.10.033-AD.
 - (b) A student whose sixth birthday occurs on or before September 1 may enroll in Kindergarten if he/she has not successfully completed a kindergarten program.
 - (c) If the parent/guardian wishes, a student who has been enrolled in Kindergarten outside of PPS may be placed in Kindergarten when entering the district during the school year, even if the birthdate occurs after September 1.
 - d) **First Grade:** A child will be admitted to the first grade if his/her sixth birthday occurs on or before September 1, or with evidence of successful completion of a kindergarten program.
 - (a) A child whose sixth birthday occurs after September 1 who has been enrolled in first grade outside of PPS will be placed in first grade when entering the district during the school year.
- 2) **Second through Twelfth Grade:** A student newly enrolling in PPS will be assigned to a grade based on his/her age or prior school experience:
 - a) A student who has successfully completed a grade level will be enrolled in the next grade level when entering the district at the start of a school year.
 - b) A student who has been enrolled in a grade level outside of PPS will be placed in that same grade level when entering the district during the school year.
 - c) A student who is newly enrolling without educational records from a previous school will be placed in the appropriate grade level based on his/her age. Course selection for a middle or high school student will occur in collaboration with the student, family, counselor and other school staff, and take into consideration student skill level and necessary high school graduation requirements.

- 3) Students 19 years of age: Students who turn 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
- 4) Students 21 years of age: The district shall admit otherwise eligible students who have not yet attained 21 years of age prior to the beginning of the current school year if they are shown to be in need of additional education in order to receive a diploma or are receiving special education services and have not yet received a regular high school diploma. These students may attend school without paying tuition for the remainder of the school year.
- 5) Nothing in this policy prevents a family from seeking grade acceleration or retention, as allowed in Policy 4.20.010-P.

Legal References: ORS 327.006; ORS 336.092; ORS 336.095; ORS 339.115 History: Adpt 9/71; Amd 9/73; Amd8/81; Amd 10/27/83; Amd 8/95; Amd 9/9/02; BA 2420: Amd 11/18

BOARD POLICY 4.10.020-P Age And Grade Level At Entrance

~~(1) Preschool – Early Childhood Centers. A child will be admitted to early childhood education when space in such programs permits and provided his/her fourth birthday occurs on or before September 1. The Head Start Program admits three year olds on a "space available" basis.~~

~~(2) Kindergarten. A child will be admitted to kindergarten if his/her fifth birthday occurs on or before September 1.~~

~~(3) First Grade. A child will be admitted to the first grade if his/her sixth birthday occurs on or before September 1.~~

~~(4) Students 19 Years of Age. Resident students over age 19 who have a diploma may be admitted with the approval of the [superintendent or designee] and upon payment of tuition at a rate established by the district. Students who turn 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.~~

~~(5) Students 21 Years of Age. The district shall admit otherwise eligible students who have not yet attained 21 years of age prior to the beginning of the current school year if they are shown to be in need of additional education in order to receive a diploma or are receiving special education services and have not yet received a regular high school diploma. These students may attend school without paying tuition for the remainder of the school year.~~

1) Preschool through First grade: Admission is allowed for children whose birthdays occur on or before September 1, as follows:

a) Preschool: A child is eligible to apply for Preschool if his/her third birthday occurs on or before September 1..

b) Pre-Kindergarten: A child is eligible to apply for Pre-Kindergarten if his/her fourth birthday occurs on or before September 1.

(a) A child whose fifth birthday occurs on or before September 1 is not eligible for Pre-Kindergarten.

c) Kindergarten: A child will be admitted to Kindergarten if his/her fifth birthday occurs on or before September 1, or if approved through the Early Entry to Kindergarten process.

(a) A student whose fifth birthday occurs after September 1 and on or before October 1 may apply for early entry into Kindergarten, as allowed in Administrative Directive .4.10.033-AD.

(b) A student whose sixth birthday occurs on or before September 1 may enroll in Kindergarten if he/she has not successfully completed a kindergarten program.

- (c) If the parent/guardian wishes, a student who has been enrolled in Kindergarten outside of PPS may be placed in Kindergarten when entering the district during the school year, even if the birthdate occurs after September 1.
- d) First Grade: A child will be admitted to the first grade if his/her sixth birthday occurs on or before September 1, or with evidence of successful completion of a kindergarten program.
- (a) A child whose sixth birthday occurs after September 1 who has been enrolled in first grade outside of PPS will be placed in first grade when entering the district during the school year.
- 2) Second through Twelfth Grade: A student newly enrolling in PPS will be assigned to a grade based on his/her age or prior school experience:
- a) A student who has successfully completed a grade level will be enrolled in the next grade level when entering the district at the start of a school year.
- b) A student who has been enrolled in a grade level outside of PPS will be placed in that same grade level when entering the district during the school year.
- c) A student who is newly enrolling without educational records from a previous school will be placed in the appropriate grade level based on his/her age. Course selection for a middle or high school student will occur in collaboration with the student, family, counselor and other school staff, and take into consideration student skill level and necessary high school graduation requirements.
- 3) Students 19 years of age: Students who turn 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
- 4) Students 21 years of age: The district shall admit otherwise eligible students who have not yet attained 21 years of age prior to the beginning of the current school year if they are shown to be in need of additional education in order to receive a diploma or are receiving special education services and have not yet received a regular high school diploma. These students may attend school without paying tuition for the remainder of the school year.
- 5) Nothing in this policy prevents a family from seeking grade acceleration or retention, as allowed in Policy 4.20.010-P.

Legal References: ORS 327.006; ORS 336.092; ORS 336.095; ORS 339.115 History: Adpt 9/71; Amd 9/73; Amd8/81; Amd 10/27/83; Amd 8/95; Amd 9/9/02; BA 2420: Amd 11/18



Early Entry into Kindergarten

A. Introduction:

In accordance with board Policy 4.10.032-P, early entry is granted for an intellectually and /or academically advanced child who would not otherwise be allowed to enter kindergarten for another year due to his/her date of birth.

B. Early Entry into Kindergarten:

1. Students whose fifth birthday occurs after September 1st and on or before October 1st may apply for early entry into Kindergarten. All applications for early entry must be received by the Talented and Gifted [TAG] Office by May 15th unless applying for the School Choice Transfer Process, in which case applications must be received by February 15th.
2. Process: The TAG Office will make the final determination on advanced readiness for early entry based on the following criteria:
 - (a) Nationally normed academic and cognitive assessments.
 - (b) The child's preschool history and teacher survey reflecting readiness for early entry into school.
 - (c) The child is prepared socially and emotionally to enter school early.
 - (d) If the child meets the above criteria, outreach and conversation with the child's potential neighborhood principal must take place to discuss best fit and enrollment.

AD History: Adopted March 2009; Amended 3/2016



BOARD POLICY

4.20.010-P

PROMOTION AND RETENTION OF STUDENTS

The curriculum and instruction program of the district is arranged in a manner designed to present the student with learning experiences appropriate to the student's level of maturation and academic ability. Satisfactory completion of the instructional program during the academic year is normally sufficient for the student to progress to the next grade level. However, the district recognizes that all students do not learn at exactly the same rate or level. Some students may benefit from additional instruction at a certain level, while others may benefit from accelerated placement beyond the normal grade level assignment.

Scope of Policy: This policy shall apply to all students enrolled in the Portland Public School District including students who qualify for Special Education and students who are on Section 504 plans. Early entry may be granted for the intellectually advanced child who would not otherwise be allowed to enter school for another year due to date of birth. (See 6.10.015-P, Talented and Gifted Education, for early entry into Kindergarten)

Policy:

- (1) The decision to promote, retain or accelerate (e.g., double promote) a student:
 - (a) Shall be made by the school principal upon recommendation of the school staff and with the involvement of the student's parents or guardian.
 - (A) The recommendation shall be made to the parents or guardian in a timely manner that allows sufficient time to develop an appropriate plan for the coming school year.
 - (B) The decision to separate a student from his/her age/grade peer group should be considered with caution and only if other strategies appear unlikely to improve the student's performance to the degree necessary to sustain a satisfactory rate of growth.
 - (C) If a student is recommended for acceleration or retention, the appropriate administrative directive shall be followed.
 - (b) Shall be based upon careful review of the student's academic progress and in consideration of the student's physical development, psychological development, emotional maturity, and social development.

PROMOTION AND RETENTION OF STUDENTS

4.20.010-P

- (c) Shall be accompanied by the development of a plan that identifies the best placement option for the student and appropriate intervention strategies. The plan also shall specify the types of instructional strategies to be used to assist the student.
 - (A) Intervention strategies and available programs, such as, summer school, tutoring, the Talented and Gifted program, remediation, etc., shall be considered in plans to assist the student.
 - (B) In the event that the plan is unsuccessful, the procedures and timeline set forth in the appropriate administrative directive shall be followed to best meet the future education needs of the student.
- (2) All schools shall monitor student achievement and progress. Those students who achieve substantially below grade level standards will be provided intensive, corrective instruction in the academic areas below standard. If a recommendation for retention is made, the plan should specify the changes in instructional methodology and materials that will be utilized to assist the student in the new academic year.
- (3) Should a student be recommended for accelerated placement, the process set forth in the accompanying administrative directive will be followed.
- (4) The superintendent shall develop administrative directives to implement this policy.

Legal References:

History: Adpt. as AD 6/71; Amd. 2/78; made into policy and Amd. 9/09/02, BA 2425

2017 ORS 339.115¹

Admission of students

- **waiver**
- **denial**

- (1) Except as provided in ORS 339.141 (Tuition prohibited for regular school program), authorizing tuition for courses not part of the regular school program, the district school board shall admit free of charge to the schools of the district all persons between the ages of 5 and 19 who reside within the school district. A person whose 19th birthday occurs during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year. A district school board may admit nonresident persons, determine who is not a resident of the district and fix rates of tuition for nonresidents.
- (2) (a) A district must admit an otherwise eligible person who has not yet attained 21 years of age prior to the beginning of the current school year if the person is:
 - (A) Receiving special education and has not yet received a high school diploma or a modified diploma as described in ORS 329.451 (High school diploma); **or**
 - (B) Receiving special education and has received an extended diploma or an alternative certificate as described in ORS 329.451 (High school diploma).
- (b) A district may admit an otherwise eligible person who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if the person is shown to be in need of additional education in order to receive a high school diploma or a modified diploma.
- (3) The obligation to make a free appropriate public education available to individuals with disabilities 18 through 21 years of age who are incarcerated in an adult correctional facility applies only to those individuals who, in their last educational placement prior to their incarceration in the adult correctional facility:
 - (a) Were identified as being a child with a disability as defined in ORS 343.035 (Definitions for chapter); **or**
 - (b) Had an individualized education program as described in ORS 343.151 (Individualized education program).
- (4) For purposes of subsection (3) of this section, "adult correctional facility" means:

- (a) A local correctional facility as defined in ORS 169.005 (Definitions for ORS 169.005 to 169.677 and 169.730 to 169.800);
 - (b) A regional correctional facility as defined in ORS 169.620 ("Regional correctional facility" defined); **or**
 - (c) A Department of Corrections institution as defined in ORS 421.005 (Definitions).
- (5) An otherwise eligible person under subsection (2) of this section whose 21st birthday occurs during the school year shall continue to be eligible for a free appropriate public education for the remainder of the school year.
- (6) The person may apply to the board of directors of the school district of residence for admission after the 19th birthday as provided in subsection (1) of this section. A person aggrieved by a decision of the local board may appeal to the State Board of Education. The decision of the state board is final and not subject to appeal.
- (7) Notwithstanding ORS 339.133 (Determination of residency of student for school purposes) (2) (a), a school district shall not exclude from admission a child located in the district solely because the child does not have a fixed place of residence or solely because the child is not under the supervision of a parent, guardian or person in a parental relationship.
- (8) Notwithstanding subsection (1) of this section, a school district:
- (a) May for the remaining period of an expulsion deny admission to the regular school to a resident student who is expelled from another school district; **and**
 - (b) Shall for at least one calendar year from the date of the expulsion and if the expulsion is for more than one calendar year, may for the remaining period of time deny admission to the regular school program to a student who is under expulsion from another school district for an offense that constitutes a violation of a school district policy adopted pursuant to ORS 339.250 (Duty of student to comply with rules) (7).
- (9) Notwithstanding the minimum age requirement prescribed by ORS 339.010 (School attendance required) and 339.020 (Duty to send children to school), a district school board may admit free of charge a child whose needs for cognitive, social and physical development would best be met in the school program, as defined by policies of the district school board, to enter school even though the child has not attained the minimum age requirement but is a resident of the district. [1965 c.100 §285; 1971 c.410 §1; 1977 c.463 §1; 1983 c.193 §1; 1987 c.283 §2; 1989 c.132 §1; 1989 c.215 §1; 1991 c.693 §26; 1995 c.656 §1; 1995 c.660 §46; 1996 c.16 §1; 1999 c.989 §1; 2005 c.209 §29; 2005 c.662 §16; 2007 c.464 §2; 2007 c.660 §18; 2009 c.618 §5; 2011 c.718 §12; 2013 c.267 §10; 2015 c.234 §4; 2017 c.726 §8]

¹ Legislative Counsel Committee, *CHAPTER 339—School Attendance; Admission; Discipline; Safety*, https://www.oregonlegislature.gov/bills_laws/ors/ors339.html (2017) (last accessed Mar.

30, 2018).

2017 ORS 336.092¹

Definitions for ORS 336.092 and 336.095

As used in ORS 336.092 (Definitions for ORS 336.092 and 336.095) and 336.095 (Full-day and half-day kindergarten), unless the context requires otherwise:

- (1) "Kindergarten child" means a child five years of age or whose fifth birthday occurs on or before September 1 or who has been admitted by the district school board under ORS 336.095 (Full-day and half-day kindergarten) (3).
- (2) "Kindergarten facilities" includes physical facilities, supplies, equipment and personnel suitable for the education and training of kindergarten children.
- (3) "Physical facilities" includes but is not limited to public school buildings, rented buildings which meet health and safety standards or homes used in school district sponsored programs. [1973 c.707 §2; 1987 c.283 §1; 1993 c.45 §80; 2011 c.704 §11]

¹ Legislative Counsel Committee, *CHAPTER 336—Conduct of Schools Generally*, https://www.oregonlegislature.gov/bills_laws/ors/ors336.html (2017) (last accessed Mar. 30, 2018).

2017 ORS 336.095¹

Full-day and half-day kindergarten

- free kindergarten facilities
- rules
- admission of underage child

- (1) (a) A school district that is not a union high school district must offer half-day kindergarten and may choose to offer full-day kindergarten.
- (b) A public charter school may choose to offer half-day kindergarten or full-day kindergarten.
- (c) The State Board of Education shall adopt by rule:
 - (A) Standards for half-day kindergarten and full-day kindergarten; and
 - (B) The minimum number of instructional hours required for half-day kindergarten and full-day kindergarten.
- (2) Every school district that is not a union high school district must provide kindergarten facilities free of charge for the kindergarten children residing in the district by operating the facilities either singly or jointly with other districts or by contracting with public or private providers that conform to standards adopted by rule by the State Board of Education.
- (3) Nothing in this section prevents a district school board from admitting free of charge a child who is a resident of the district and whose needs for cognitive, social and physical development would best be met in the school program, as defined by policies of the district school board, even though the child has not attained the minimum age requirement.
- (4) Kindergarten that is offered as provided by subsection (1) of this section shall be funded in the same manner as other grades of the district are funded, except that the aggregate days membership of children in kindergarten shall be calculated as provided by ORS 327.006 (Definitions for State School Fund distributions).
- (5) Kindergarten is an integral part of the public school system of this state. [1973 c.707 §3; 1981 c.543 §1; 1993 c.45 §81; 2005 c.22 §232; 2011 c.704 §3]

¹ Legislative Counsel Committee, *CHAPTER 336—Conduct of Schools Generally*, https://www.oregonlegislature.gov/bills_laws/ors/ors336.html (2017) (last accessed Mar. 30, 2018).

