

Promotion, Retention, and Grading

Frequently asked questions from the field regarding the promotion, retention, and grading of students with disabilities.

Promotion and Retention of Students with Disabilities

1. May students with disabilities be retained?

Yes, students with disabilities can be retained; however, careful consideration in the development and implementation of the student's individualized education program (IEP) should prevent student failure in most cases.

2. Do local governing board-adopted standards for promotion apply to students with disabilities?

Local governing board adopted standards for promotion apply to students with disabilities; however, IEP teams should consider whether the student's disability adversely impacts the student's potential for learning or rate of learning. If so, the IEP teams should consider whether accommodations or curricular modifications can minimize this impact.

3. May students with disabilities have individualized promotion standards?

If, even with accommodations or curricular modifications, the student will be unable to meet the board-adopted promotion standards due to the nature or severity of the disability, the IEP team should document individualized promotion standards for the student that are within the context of district standards. The documentation of an individualized promotion standard should be completed before the first day of the school year, if possible. The student, parents, and general and special education teachers should be informed of potential consequences of individualized promotion standards (i.e. will the individualized promotion standard satisfy district requirements for graduation with a diploma or entrance requirements of a postsecondary institution?).

4. Are individualized promotion standards determined by the location where services are provided to students with disabilities?

No, for example, a student with significant disabilities who spends all or most of the instructional day in general education classrooms learning social or communication skills may have individualized promotion standards. Yet, a student with emotional or behavioral disabilities who spends most or part of the instructional day in a more restrictive environment may be held to the regular promotion standards.

5. What if a student with a disability fails to meet board-adopted or individualized promotion standards?

If a student with a disability fails to meet board-adopted or individualized promotion standards, the IEP team should reconvene immediately to consider the following:

- Is the current IEP for the student's academic, linguistic, social, emotional, and behavioral needs appropriate?
- Is the manner of assessment appropriate, including accommodations and modifications identified in the IEP?
- Were all the services required by the student to make progress in the general education curriculum appropriately identified in the student's IEP?
- Were the linguistic needs of English Learners appropriately identified?
- Did the student receive all the services identified in the IEP?
- Was the assessment conducted consistent with the IEP?
- Was the student's promotion standard appropriate and clarified in the IEP?

6. What if the IEP was written to consider the student's individualized needs, but the student still failed to meet the promotion standards?

If the questions in item #5 above were answered positively, but the student still failed to meet the promotion standards, then the student should participate in intensive supplemental instruction developed by the local board pursuant to *Education Code* 37252.2 – 37252.8. The IEP team should document all the supports and related services the student will need to benefit from supplemental instruction.

If after intensive supplemental instruction, the student still does not meet the board-adopted or individualized promotion standards, then the student may not be promoted to the next grade level. An IEP meeting should be held to develop an appropriate plan for helping the student advance.

If the questions in item #5 were answered in the negative, the IEP team should determine why such supports were not provided, develop an alternate plan, provide intensive supplemental instruction, and consider not retaining the student because the district did not provide the supports and services necessary for the student to benefit from the educational program.

7. May students with disabilities participate in intensive supplemental instruction pursuant to *Education Code* 37252.2 – 37252.8 and Extended School Year (ESY) under the Individuals with Disabilities Education Act (IDEA) simultaneously?

Yes, a student may participate in the two programs simultaneously, but only if the need for supplemental instruction is documented in the student's IEP. In order to receive both services, ESY and supplemental instruction, the IEP must reflect that the student needs to participate in an intensive supplemental instruction program as part of the ESY services necessary for the provision of a free appropriate public education (FAPE). In other words, the student is receiving supplemental instruction in order to meet the standards-based goals of the IEP, and special education and related services will be provided in order for the student to benefit from that instruction.

8. Where can more detailed information on pupil promotion and retention and related supplemental instruction be found?

Detailed information on pupil promotion and retention and related supplemental instruction can be found on the California Department of Education Web site at <http://www.cde.ca.gov/re/lr/pr/index.asp>.

Grades, Report Cards, and Transcripts for Students with Disabilities

1. Should a student's grade reflect that accommodations have been made for that student to access the general education curriculum?

No. A student's grade should not reflect that accommodations have been made. Accommodations provide students with disabilities an equal opportunity to participate in the general education curriculum.

An accommodation is a change in the course, standard, test preparation, location, timing, scheduling, expectation, student response, or other attributes that provides access for a student with a disability to participate in a course, standard or test, and it does not fundamentally alter or lower the standard or expectation of the course, standard or test.

The [Matrix of Test Variations, Accommodations and Modifications for Administration of California Statewide Assessments](#) (DOC; 2.2MB; 6pp.; Oct-2007) has examples of accommodations.

2. May a student's grade reflect that modifications have been made for that student to access the general education curriculum?

Yes. If modifications have been made to the curriculum of any course, it is important that the student's grade reflect the student's achievement in the modified curriculum, as long as modified grades are available to all students. However, any modifications to programming, instruction, and grading must be documented in the student's IEP and be directly related to the student's disability. To automatically give modified grades to all special education students would be discriminatory and potentially violate Section 504 of the Rehabilitation Act of 1973.

A modification is a change in the course, standard, test preparation, location, timing, scheduling, expectation, student response, or other attribute that provides access for a student with a disability to participate in a course, standard or test, and it does fundamentally alter or lower the standard or expectation of the course, standard or test.

The [Matrix of Test Variations, Accommodations and Modifications for Administration of California Statewide Assessments](#) (DOC; 2.2MB; 6pp.; Oct-2007) has examples of modifications.

3. May some type of symbol or code be used on a student's report card to indicate that the student has had a modified curriculum in the general education classroom?

Yes. A symbol or code may be used on a student's report card to indicate that the student has had a modified curriculum in the general education classroom. However, this type of coding should not be used solely for students with disabilities. A policy should be developed that applies to all students.

4. May pass/fail grades be used for students with disabilities in the general education classroom?

Yes. A student with disabilities may be given a pass/fail grade as long as participation in this grading system is voluntary and is available to all students. In addition, the grading system must meet the student's special needs and must be documented in the IEP.

5. May a student's transcript indicate that the student participated in a modified curriculum?

Yes. The purpose of the transcript is to present an accurate picture of a student's coursework. If the curriculum content has been modified, the transcript may reflect that modification through some type of symbol or code that indicates that the student received modified grades or completed work at a lower grade level. The explanation of the symbol or code can not indicate that the student has a disability or that the student is in special education. Information regarding a disability may be indicated on the transcript if the student or the parent of the student gives written consent for the information to be released to a postsecondary institution or employer.

References

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