

LODI UNIFIED SCHOOL DISTRICT

Students

Rule 5123

Promotion/Acceleration/Retention

Acceleration from Kindergarten to First Grade

Any student who meets the age eligibility requirement, has completed one year of kindergarten and is ready for first-grade work, shall be admitted to first grade unless the parent/guardian and the Superintendent or designee agree that the student shall continue in kindergarten.

A student who does not meet the age eligibility requirement may be admitted to first grade at the discretion of the Superintendent or designee and with the consent of the parent/guardian upon determination that the student is ready for first-grade work, subject to the following minimum criteria:

1. The student is at least five years of age
2. The student has attended a public school kindergarten for a long enough time to enable school personnel to evaluate his/her ability
3. The student is in the upper five percent of his/her age group in terms of general mental ability
4. The emotional and social maturity of the student is consistent with his/her advanced mental ability
5. The parent/guardian of the student has filed a written statement with the school district approving the placement in first grade

Continuation in Kindergarten

Students who have completed one year of kindergarten shall be admitted to first grade unless the parent/guardian and the district agree that the student shall continue in kindergarten for not more than one additional school year.

Whenever a student continues in kindergarten for an additional year the Superintendent or designee shall secure an agreement signed by the parent/guardian stating that the student shall continue in kindergarten for not more than one additional school year.

Retention at Grades 1-8

The Superintendent or designee shall identify students who should be retained or who are at risk of being retained at the following grade levels:

1. Between grades 1 and 2
2. Between grades 2 and 3
3. Between grades 3 and 4
4. Between grades 4 and 5
5. Between grades 5 and 6
6. Between grades 6 and 7
7. Between grades 7 and 8
8. Between grades 8 and 9

Proficiency in reading, English language arts and mathematics shall be the basis for identifying students at risk of being retained. Proficiency at each grade level shall be based on districtwide criteria.

When a student is identified as being at risk of retention, the Superintendent or designee shall so notify the student's parents/guardians as early in the school year as practicable. The student's parent/guardian shall be provided an opportunity to consult with appropriate school personnel regarding the decision to promote or retain the student.

The Superintendent's designee shall also provide a copy of the district's promotion/retention policy and administrative regulation to those parents/guardians who have been notified that his/her child is at risk of retention.

Intervention

With the parent/guardian's consent, the Superintendent's designee may require a student who has been recommended for retention or has been identified as being at risk of retention to participate in a supplemental instructional program. Such programs may be offered before school, after school, on Saturdays and/or during intersessions. Services shall not be provided during the regular instructional day if it would result in the student being removed from classroom instruction in the core curriculum. This supplemental instruction program shall be developed in accordance with the requirements of Education Code 37252.5.

If a student is identified as performing below the minimum standard for promotion, the student shall be retained in his/her current grade level unless the student's

regular classroom teacher determines, in writing, that retention is not the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is not appropriate for the student and shall include recommendations for interventions other than retention.

Appeal Process

The decision to promote or retain a student may be appealed consistent with Board of Education policy, administrative regulation and law. The burden shall be on the appealing party to show why the decision should be overruled.

To appeal a decision, the appealing party shall submit a written request to the Superintendent's designee specifying the reasons why the decision should be overruled. The appeal must be initiated within five (5) school days of the determination of retention or promotion. The teacher(s) shall be provided an opportunity to state in writing the criteria on which the decision was based.

Within 10 days of receiving the request, the Superintendent's designee shall convene a meeting of the Promotion Retention Appeals committee, to determine whether or not to overrule the decision. Prior to making this determination, the Superintendent's designee may meet with the appealing party and appropriate school personnel. If the Promotion Retention Appeals committee determines that the appealing party has overwhelmingly proven that the decision should be overruled, the committee shall overrule the decision to retain.

The decision may be appealed by submitting a written appeal to the Board of Education within five (5) school days. Within 30 days of receipt of a written appeal, the Board shall meet in closed session to decide the appeal. The Board of Education's decision may be made on the basis of documentation prepared as part of the appeal process or, at the discretion of the Board of Education, the Board may also meet with the appealing party, the teacher(s) and the Superintendent's designee to decide the appeal. The decision of the Board of Education shall be final.

If the decision of the Board of Education is unfavorable to the appealing party, he/she shall have the right to submit a written statement of objections which shall become part of the student's record.

Rule

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