

FAIRLAND BOARD OF EDUCATION		EIA-R4
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STUDENT RETENTION (REGULATION)

In accordance with the policy of the board of education, the following criteria for the selection of students to be retained in their current grade, or denied course credit, will be used in this school district.

Students shall be promoted or receive credit for a course of study if a grade average of 59.5% has been achieved for an entire course of study as determined by the teacher.

Students in grades one through eight must achieve a grade average of 59.5% or higher in at least three major courses of study to be promoted to the next higher grade. The major courses of study are math, language arts, science, reading, and social studies.

1. Any first-grade, second-grade, or third-grade student who demonstrates end of year proficiency in reading at the third-grade level through a screening instrument which meets the acquisition of reading skills criteria shall not be subject to retention. Upon demonstrating proficiency through screening, the district shall provide notification to the parent(s) and/or guardian(s) of the student that they have satisfied the requirements of the Reading Sufficiency Act and will not be subject to retention pursuant to this section.
2. If a third-grade student is identified at any point of the academic year as having a significant reading deficiency, which shall be defined as not meeting the grade level targets on a screening instrument which meets the acquisition of reading skills criteria, the district shall immediately begin a student reading portfolio and shall provide notice to the parent of the deficiency.
3. If a student has not yet satisfied the proficiency requirements of this section prior to the completion of third grade and still has a significant reading deficiency, as identified based on assessments administered as required by law, has not accumulated evidence of third-grade proficiency through a student portfolio, or is not subject to a good cause exemption, then the student shall not be eligible for automatic promotion to fourth grade.
4. The minimum criteria for grade-level performance of third grade students pursuant to the Reading Sufficiency Act shall be that student are able to read and comprehend grade level text. To determine the promotion and retention of third grader students pursuant to the Reading Sufficiency Act, the State Board of Education shall use only the scores for reading foundations/processes and vocabulary portions of the statewide third-grade assessment and administered pursuant to Oklahoma law. The performance levels established by the Commission for Educational Quality and Accountability shall ensure that students meeting the performance-level criteria are performing at grade level on the reading foundations and vocabulary portions of the statewide third grade assessment.
5. Beginning with the 2017-2018 school years, a student not eligible for automatic promotion as provided for under paragraph 3 of this subsection and who do not meet the performance criteria established by the Commission for Educational Quality and Accountability on the reading portion of the statewide third-grade assessment may be evaluated for “probationary promotion” by the Student Reading Proficiency Team. The Student Reading Proficiency Team shall be composed of:

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- (1) the parent(s) and/or guardian(s) of the student,
- (2) the teacher assigned to the student who had responsibility for reading instruction in that academic year,

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- (3) a teacher who is responsible for reading instruction and is assigned to teach in the next grade level of the student, and
- (4) a certified reading specialist if one is available.

The student shall be promoted to the fourth grade if the team members unanimously recommend "probationary promotion" to the school principal and the school district superintendent and the principal and the superintendent approve the recommendation that promotion is the best option for the student. If a student is allowed a "probationary promotion," the team shall continue to review the reading performance of the student and repeat the requirements of this paragraph each academic year until the student demonstrates grade-level reading proficiency, as identified through a screening instrument which meets the acquisition of reading skills criteria, for the corresponding grade level in which the student is enrolled or transitions to a locally designed remediation plan after the fifth grade which shall have the goal of ensuring that the student is on track to be college and career ready.

- 6. Students who do not meet the performance criteria established by the Commission for Educational Quality and Accountability on the reading portion of the statewide third-grade assessment and who are not subject to a good cause exemption as provided in subsection K of this section, and who do not qualify for promotion or "probationary promotion" shall be retained in the third grade and provided intensive instructional services and supports.
- 7. The school district shall annually report to the State Department of Education the number of students promoted to the fourth grade as required by law.

A third-grade student may be promoted for "good cause" if the student meets one of the following statutory exemptions:

- (1) English language learner students who have had less than two years of instruction in an English language learner program;
- (2) Students with disabilities whose individualized education plans, consistent with state law, indicates that the student is to be assessed with alternative achievement standards through the Oklahoma Alternate Assessment Program (OAAP);
- (3) Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education;

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- (4) Students who demonstrate through a student portfolio, that the student is reading on grade level as evidenced by demonstration of mastery of the state standards beyond the retention level;
- (5) Students with disabilities who participate in the statewide assessments and who have an individualized education plan that reflects that the student has received intensive remediation for reading and has made adequate progress in reading pursuant to the student's individualized education program; and

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- (6) Students who have received intensive remediation in reading through a program of reading instruction for two or more years but still demonstrate a deficiency in reading and who were previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade; and
- (7) Students who have been granted an exemption for medical emergencies by the State Department of Education.

Requests to exempt students from the mandatory retention requirements based on one of the good-cause exemptions shall be made using the following process:

1. Documentation submitted from the teacher of the student to the school principal that indicates the student meets one of the good-cause exemptions and promotion of the student is appropriate. Documentation shall be limited to the alternative assessment results or student portfolio work and the individual education plan (IEP), as applicable;
2. The principal of the school shall review and discuss the documentation with the teacher. If the principal determines that the student meets one of the good-cause exemptions and should be promoted based on the documentation provided, the principal shall make a recommendation in writing to the school district superintendent; and
3. After review, the school district superintendent shall accept or reject the recommendation of the principal in writing.

In the elementary and middle schools, a placement committee consisting of the principal, counselor, and teacher(s) shall determine if a student is to be assigned to the next higher grade. The committee shall consider standardized test scores and the student's age.

Whenever a teacher or a placement committee recommends that a student be retained at the present grade level or not passed in a course, the parent(s) or guardian, if dissatisfied with the recommendation, may appeal the decision by complying with the district's appeal process. The decision of the board of education shall be final. The parent(s) or

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guardian may prepare a written statement to be placed in and become a part of the permanent record of the student stating the parent(s)'s or guardian's reason(s) for disagreeing with the decision of the board.

REFERENCE: 70 O.S. §24-114.1
70 O.S. §1210.508C