

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

Students**PROMOTION/ACCELERATION/RETENTION**

If a student is identified as performing below the minimum standard for promotion to the next grade level based on the indicators specified in County Superintendent/County Board policy, 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 that, in the opinion of the teacher, are necessary to assist the student in attaining acceptable levels of academic achievement. (Education Code 48070 and 48070.5)

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or interim session remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or promote the student shall be reevaluated at that time. The teacher's evaluation shall be provided to and discussed with the student's parents/guardians and the lead site administrator before any final determination of retention or promotion. (Education Code 48070 and 48070.5)

When a student is identified as being at risk of retention, the County Superintendent or designee shall so notify the student's parent/guardian as early in the school year as practicable. The student's parent/guardian shall be provided an opportunity to consult with the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070 and 48070.5)

The County Superintendent or designee shall also provide a copy of the promotion/retention policy and administrative regulation to those parents/guardians who have been notified that their child is at risk of retention.

Appeal Process

Whenever a student's parent/guardian appeals the teacher's decision to promote or retain a student, the burden shall be on the parent/guardian to show why the teacher's decision should be overruled. (Education Code 48070 and 48070.5)

To appeal a teacher's decision, the parent/guardian shall submit a written request to the County Superintendent or designee specifying the reasons that the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion.

The teacher shall be provided an opportunity to state orally and/or in writing the criteria on which his/her decision was based.

Within 30 days of receiving the request, the County Superintendent or designee shall determine whether or not to overrule the teacher's decision. Prior to making this determination, the County Superintendent or designee may meet with the parent/guardian and the teacher. If the County Superintendent or designee determines that the parent/guardian has overwhelmingly

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proven that the teacher's decision should be overruled, he/she shall overrule the teacher's decision.

If the final decision is unfavorable to the parent/guardian, he/she shall have the right to submit a written statement of objections which shall become part of the student's record.

Adopted: 10/15/2020

5123, 12/2013; Doc#122830