

Promotion and Retention

When children struggle in school, the topic of retaining a student can emerge. The emphasis on proficiency standards has resulted in a closer eye on children who may be under-performing. Over the years, differing views on “social promotion” and “holding students back” have been discussed and supported. Much research has been done on this topic and research is an important partner to opinions that people hold. Making a decision to promote or retain is very significant and can have ramifications for years. This packet of information highlights some of the key issues, as well as information on assessment which should guide decisions. Alternatives to retention are also noted. We have included Frequently Asked Questions on Promotion and Retention from the California Department of Education which has additional information available on their website at www.cde.ca.gov/re/lr/pr/faqppr.asp. The National Association of School Psychologists has available on their website (www.nasponline.org) a number of helpful articles on this subject.

Other Information Packets Available:

ADHD/ADD
Advocacy and Communication
Behavior and School
Bullying
Emotional Difficulties
Individual Education Plans (IEP)
Learning Disabilities
School Discipline
A Student’s Guide to the IEP
504 Plans

Our library in Novato offers articles, books, videos, magazines and other materials that relate to this topic. We also offer workshops on IEP issues, support groups, and one-on-one consulting with parents. Visit our website for more information.

Resources on Promotion and Retention*

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"Testing and Grade Retention". www.fairtest.org/arn/retenfct.htm

* All articles are available at Matrix Parent Network, Novato office

Promotion and Retention Overview

The decision to promote or retain a child is significant and should be made with a thorough review of the child's situation and the research on the outcome of retention. Research consistently indicates that outcomes for children who are retained are typically NOT positive. The National Association of School Psychologists states: "...retention is ineffective, maybe harmful". The social and emotional side effects can be quite negative and very difficult to overcome. The stigma of being "held back" can be long-lasting.

Parents should first seek a professional assessment to learn WHY their child struggled with the grade level work. Often parents are told that a child is young for his or her age. While in some situations this may be true, often there are underlying learning differences, ADHD or other difficulties that have not yet been identified. Research has proven that the SOONER one identifies learning differences and begins specialized instruction, the better chance there is for a positive academic outcome. Any consideration of retention must look at the impact of removing a child from their peer group.

Children who have learning or other disabilities need to be taught differently and a year of "repeating" the same method of instruction will not address the underlying challenges. Repeating a grade isn't going to improve paying attention in a child with ADHD, which is a neurological disability, not a maturity issue.

Parents can request that their local public school to do an assessment to see if their child is eligible for special education. Some parents prefer to have an assessment performed by a school psychologist in private practice; however, that assessment will be at the parent's expense. A school assessment will be paid for by the school.

What should be considered instead of retention:

- if a child is in special education, call an IEP meeting to review the current program and what can be changed. The California Department of Education states "Careful consideration in the development and implementation of the student's Individualized Education Program (IEP) should prevent student failure in most cases."
- in-school supplemental services (learning labs, special education)
- after-school support (homework clubs, tutors, a change in study location at home from the bedroom to the kitchen table)
- the philosophy or approach to education in the current school and how it matches with your child's learning style. Might another school be a better fit?
- changes that can be made in your child's current classroom to address the issues
- if a child is not in special education, ask for a student study meeting to have key professionals talk about what other options are available.

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

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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.

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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.

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Evaluation: What Does It Mean for Your Child?

What is an evaluation?

Evaluation is the process for determining whether a child has a disability and needs special education and related services. It's the first step in developing an educational program that will help the child learn. An initial evaluation must be done before schools provide any special education or related services, and students must be reevaluated at least every three years.

Evaluation involves gathering information from a variety of sources about a child's functioning and development in all areas of suspected disability. The evaluation may look at cognitive, behavioral, physical, and developmental factors, as well as other areas. All this information is used to determine the child's educational needs.

Why have an evaluation?

A comprehensive educational evaluation serves many important purposes:

1. **Identification.** It can identify children who have delays or learning problems and may need special education as a result.
2. **Eligibility.** It can determine whether your child has a disability and qualifies for special education and related services.
3. **Planning an Individualized Education Program (IEP).** It provides information that can help you and the school develop an appropriate IEP for your child.
4. **Instructional strategies.** It can help determine what strategies may be most effective in helping your child learn.
5. **Measuring progress.** It establishes a baseline for measuring your child's educational progress.

The evaluation process establishes a foundation for developing an appropriate educational program. You will receive a written summary of the evaluation report and attend a meeting to discuss the

results. Even if the evaluation results show that your child does *not* need special education services, the information may still be used to help your child in a regular education program.

What measures are used to evaluate a child?

No single test may be used as the sole measure for determining whether a child has a disability or for determining an appropriate educational program for your child. Both formal and informal evaluation measures are important in determining the special education and related services your child needs.

Testing measures a child's ability or performance by scoring the child's responses to a set of questions or tasks. It provides a snapshot of a child and the child's performance on a particular day. Formal test data is useful in predicting how well a child might be expected to perform in school. It also provides information about unique learning needs.

Other measures of a child's growth and development, such as observation or interviews with parents and others who know the child, provide vital information on how the child functions in different settings and circumstances.

The school must conduct a comprehensive evaluation that uses information from diverse sources, including formal and informal data. Tests are important, but evaluation also includes other types of information such as:

- medical information
- comparisons of the child's progress to typical expectations of child development
- observations of how the child functions in school, at home, or in the community
- interviews with parents and school staff

As a parent, you have a wealth of information about the development and needs of your child. When combined with the results of tests and other

evaluation, this information can be used to make decisions about your child's educational program.

What types of tests are available?

There are many types of tests that schools use to measure student progress. Here are a few important terms parents may need to know.

Group tests. Group achievement tests may not be used to determine eligibility for special services. They furnish information about how a child performs in relation to others of the same age or grade level, but they do not identify an individual student's pattern of strengths and needs.

Individual tests. Tests administered individually to your child can clarify the services your child needs to progress in school.

Curriculum-based assessments (CBAs) or curriculum-based measurements (CBMs).

These types of tests are developed by school staff to examine the progress a child has made in learning the specific materials the teacher has presented to the class. They can be useful tools for teachers and parents in determining whether learning is taking place, but they must never be used to determine eligibility for services.

Standardized tests. Standardized tests are rigorously developed by experts to be used with large populations of students. The tests are administered according to specific standards. Standardized tests can evaluate what a child has already learned (*achievement*), or predict what a child may be capable of doing in the future (*aptitude*).

Norm-referenced tests. Norm-referenced tests are standardized tests that compare a child's performance to that of peers. They can tell you where your child stands in relation to other children of the same age or grade.

Criterion-referenced tests. These tests measure what the child is able to do or the specific skills a child has mastered. Criterion-referenced tests do

not assess a child's standing in a group but the child's performance measured against standard criteria. They may compare a child's present performance with past performance as a way of measuring progress.

What criteria are used in selecting tests?

Schools should look at many factors when selecting tests to use in evaluation. Here are a few:

- Tests must be *reliable*. A test is reliable if it offers consistent results when taken at different times. You should feel comfortable asking for the reliability of the tests given to your child if this information isn't discussed along with the test results.
- Tests must be *valid*. A test is valid if it actually measures what it was designed to measure. Tests must accurately reflect the child's aptitude or achievement level. Any standardized tests your child is given must have been validated for the specific testing purpose and administered by trained and knowledgeable personnel.
- Tests and other evaluation materials must not discriminate against a child on a racial or cultural basis. They must be administered in the child's native language or other mode of communication.
- Factors such as your child's attentiveness, motivation, anxiety, and understanding of the test directions can affect the score.

What is functional assessment?

While tests are an important part of a comprehensive evaluation, sometimes what children can do or need to learn is not reflected in their scores. A functional assessment looks at how a child actually functions at home, at school, and in the neighborhood.

Functional assessment for some students includes looking at reading, writing, and math skills. For others, evaluating whether the student is able to ride the city bus, dress independently, or handle money might be more appropriate.

What is functional behavioral assessment?

When a child has behavior problems that do not respond to standard interventions, a functional behavioral assessment can provide additional information to help the team plan more effective interventions.

A typical functional behavioral assessment includes the following:

- A clear description of the problem behavior.
- Observations of the child at different times and in different settings. These observations should record (1) what was happening in the environment before the behavior occurred, (2) what the actual behavior was, and (3) what the student achieved as a result of the behavior.
- Positive intervention strategies to teach behavior skills.

Once the functional behavior assessment has been completed, the results may be used to write a behavior intervention plan or to develop behavior goals for the individualized education program.

How are evaluation results used?

After your child's evaluation is complete, you'll meet with a group of qualified professionals to discuss the results and determine whether your child has a disability under IDEA. The school must provide you with a copy of the evaluation report and a written determination of eligibility.

If the team determines, based on the evaluation results, that your child is eligible for special education and related services, the next step is to develop an IEP to meet your child's needs.

The goals and objectives the IEP team develops relate directly to the strengths and needs that were identified through evaluation.

It's important for you to understand the results of your child's evaluation before beginning to develop an IEP. Parents have the right to have the evaluation results explained to them in plain language by a qualified staff person.

You will want to request the evaluation summary report before meeting with school staff to plan the IEP. Reviewing the results in a comfort-

able environment before developing the IEP can reduce stress for parents and provide time to consider whether the results fit their own observations and experiences with their child.

When are students reevaluated?

Students receiving special education services must be reevaluated at least once every three years. The results are used to monitor your child's progress in meeting the goals and objectives in his or her IEP and to determine whether your child continues to be eligible for services.

The reevaluation will include a review of existing evaluation data, and information you provide, classroom assessments, and observations. The IEP team then decides if they need any additional data to determine if the child continues to have a disability and continues to need special education.

If the IEP team decides no additional data are needed, you will be informed in writing that the team has sufficient information to determine whether your child continues to be eligible for special education and related services. At this point, the team is not required to conduct additional assessments unless parents request them.

What questions should I consider when evaluation or reevaluation is proposed?

1. What tests are being considered for my child? Why? How will the information be used to plan my child's education?
2. Will the evaluator observe my child in the classroom and talk to my child's teachers?
3. Has the evaluator had experience testing children whose problems may be similar to my child's?
4. Will my child's disability interfere with obtaining valid test scores in any area?
5. Will a translator or an interpreter be available if my child needs one? Testing must be done in a child's native language or sign language if needed.
6. Is my child similar to the group on which the test was normed (the children used when the

test was developed)? Is the person responsible for conducting the test familiar with my child's culture?

7. Will test scores be based on my child's grade or age? If my child was retained, how will that be considered in evaluating the test results?
8. What kind of information will I be asked to contribute to the evaluation?
9. What will be done to help my child feel comfortable during the testing session?

What if I disagree with the school's evaluation?

If you disagree with the results of an evaluation, you have the right to obtain an independent educational evaluation (IEE). An IEE is conducted by qualified people not employed by the school. The school district must provide parents with a list names of possible evaluators and provide the evaluation at no cost to the parents.

If the school district denies a request for an IEE, it has two options: (1) provide the IEE at no cost to parents, or (2) initiate a due process hearing to show that its evaluation was appropriate.

When the school provides an IEE, the evaluation must be accomplished under the same criteria that the school district uses for its evaluations. The school may not unreasonably delay an IEE, and it must consider the results when determining eligibility or developing your child's IEP.

You also have the right to obtain an IEE at your own expense. If the agency you select to perform the IEE meets the school's criteria, those results, too, must be considered by the IEP team in determining your child's placement and special education services.

When the new evaluation is complete, ask for a written report. Be sure that any recommendations for services or specific kinds of programs are in writing. When you receive the report, contact your child's school to arrange an IEP meeting.