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 60 % 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 60 % 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.

Beginning with the 2027-2028 school year, third-grade students shall demonstrate sufficient reading skills for promotion to fourth grade. Students shall be provided the following options to demonstrate sufficient reading skills for promotion to fourth grade:

a. scoring above the below basic level on the third-grade statewide English Language Arts assessment, or

b. earning an acceptable score on an alternative standardized reading assessment as recommended by the Commission for Educational Quality and Accountability and approved by the State Board of Education.

If a third-grade student cannot demonstrate sufficient reading skills on one of the two options described in paragraph 1 of this subsection and does not qualify for a good-cause exemption, the student shall be retained in the third grade for the next school year. Screening instruments described in this section shall not be used for promotion purposes.

The board of education may only exempt students from mandatory third-grade retention for good cause. A student who is promoted to fourth grade with a good-cause exemption, except for students who meet the definition of a student with the most significant cognitive disabilities, shall continue to receive reading intervention services that includes specific reading strategies prescribed in the student's individual reading intervention plan until the deficiency is remedied. Good-cause exemptions shall be limited to the following:

1. Students with disabilities whose individualized education program (IEP) indicates that participation in the statewide student assessment system is not appropriate, consistent with state law;

2. Students identified as English language learners who have had less than two (2) consecutive school years of instruction in an English-learner program;

3. Students with disabilities who participate in the statewide English Language Arts assessment and who have an IEP that reflects that the student has received reading intervention for more than two (2) school years but still demonstrates a reading deficiency, or who was previously retained for one (1) year in kindergarten, first, second, or third grade; and

4. Students who have received reading intervention services for two (2) or more years but still demonstrate a reading deficiency, and who were previously retained in kindergarten, first, second, or third grade for a total of two (2) years. No student shall be retained twice in third grade.

Requests to exempt students from the mandatory third-grade retention requirement, using one of the good-cause exemptions shall be made consistent with the following:

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1. Documentation shall be submitted from the student's teacher to the principal indicating that the promotion of the student is appropriate. Such documentation shall consist only of the good-cause exemption being requested and the existing reading intervention plan or IEP;

2. The principal shall review and discuss the recommendation for exemption with the student's teacher. If the principal determines that the student meets one of the good-cause exemptions based on the discussion and documentation provided, the principal shall make such recommendation in writing to the superintendent. The superintendent shall accept or reject the school principal's recommendation in writing; and

3. The parents or legal guardians of a third-grade student eligible for a good-cause exemption may choose that the student be retained for one (1) year even if the superintendent accepts a recommendation for a good-cause exemption pursuant to this subsection.

The school district shall provide written notification to the parent or legal guardian of any student who is retained. Such notification shall state that his or her child has not met the reading level required for promotion to the fourth grade, the reasons the child is not eligible for a good-cause exemption, and that his or her child will be retained in third grade. The notification shall include a description of the proposed reading intervention services and the intensity of instruction that will be provided to the child to remedy the identified areas of reading deficiency in the retained year.

Students that are withdrawn from public school to bypass third-grade retention requirements shall be subject to screening upon return to the public school system to determine appropriate grade level upon re-entry.

If a third-grade student subject to retention transfers to the district the requirements to retain the student in third grade shall remain in effect for the placement of the student.

Beginning with the 2027-2028 school year, students retained shall be provided Tier 2 or Tier 3 reading interventions to remedy the student's specific reading deficiency. The reading intervention services shall include effective instructional strategies to accelerate student progress. Each school district shall conduct a review of student reading intervention plans for all students retained in third grade. The review shall address additional supports and services needed to remedy the identified areas of reading deficiency and ensure the following are provided to retained students:

1. A teacher with appropriate training and demonstrated competency in evidence-based reading intervention. School districts with only one third-grade teacher are exempt from the requirements of this paragraph;

2. Tier 2 or Tier 3 reading intervention services and supports to correct the identified areas of reading deficiency;

3. One of the following intervention supports:

a. before-, during-, or after-school supplemental research-based reading intervention delivered by a teacher or tutor with specialized reading training, or

b. summer academy programs designed to ensure that participating students successfully complete grade-level competencies in reading to enhance next-grade readiness; and

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4. A "Read at Home" plan as created by the Office of Educational Quality and Accountability shall be outlined in a parental or legal guardian notification, including participation in parent or legal guardian training workshops or regular parent-guided or legal guardian-guided home reading activities which are aligned to scientifically based reading research.

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 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