



## PROMOTION AND RETENTION OF STUDENTS WITH DISABILITIES

### *Why Retention?*

A student may be recommended for retention in their current grade by a parent, teacher or administrator for numerous reasons including a failure to meet grade level promotion criteria, concerns regarding developmental maturity, behavioral challenges, or extended periods of absence. Prior to making a final determination it is essential to carefully consider the student's individual needs, previous and future opportunities for support, and the scope of potential academic, social and emotional outcomes the student may experience as a result of retention. In order to make well-informed student-centered decisions, school team members must also remain knowledgeable of research regarding retention outcomes for students.

There are additional crucial considerations when making retention decisions for students with exceptional needs for whom an Individualized Education Plan (IEP) has been developed. Those considerations, as well as general information regarding promotion criteria, retention research outcomes, and alternatives to retention will be provided in this section.

### *Research Related to Retention*

Retention research consistently indicates negative implications for students at all grade levels and into early adulthood. Currently, there is no empirical evidence that repeating a grade yields a positive effect on long-term academic achievement or social-emotional adjustment. Although initial achievement gains may occur, research suggests that gains decline within two to three years after which retained students perform the same or worse than similar groups of promoted students. Additionally, students who have been retained may experience: increased behavioral problems, lower self-esteem, decreased attendance, and lower academic outcomes in reading, written language and math<sup>2</sup>.

The National Association of School Psychologists (NASP)<sup>3</sup> proposes multiple explanations for the negative effects associated with grade retention. Potential explanations include: the absence of specific remedial strategies to enhance social or cognitive competence, a failure to address risk factors, and/or stigmatizing consequences of being over-age for one's grade.

At the secondary level, a consistently high correlation between retention and drop-out rates has been found even when controlling for academic achievement levels, as well as increased risks of health-compromising behaviors. Lastly, longitudinal research provides evidence that retained students have a greater probability of poorer educational and employment outcomes during late adolescence and early adulthood.

Conversely, NASP indicates that retention is less likely to yield negative effects for students who have difficulty in school due to a lack of opportunity for instruction rather than lack of ability. This effect is only the case if the student is no more than one year older than his or her classmates and the reason for the lack of opportunity (i.e. attendance, health or mobility problems) has been resolved. Whether retained or promoted, it is strongly recommended that students receive specific remediation to address skill or behavioral deficits and encourage positive social, emotional and academic outcomes.

### ***Promotion Criteria for Students with Disabilities***

Local governing board adopted standards for promotion apply to students with disabilities; however, IEP teams may choose to recommend individualized promotion standards for students with significant disabilities for whom substantial modifications to the general curriculum are made and defined in the student's IEP. The Individuals with Disabilities Education Act (IDEA) requires that the IEP specify any alternative promotion standards or requirements which may be based on the student's progress on IEP goals.

### ***Retention of Students with Disabilities***

If a student with exceptional needs is recommended for retention, it is suggested that the IEP team meet to thoroughly consider the impact of the disability on the student's ability to access general curriculum and ensure that the student has been provided appropriate services, accommodations and/or modifications with fidelity. IDEA does not specifically address standards for retention or promotion of students with disabilities, therefore the decision to retain is not considered an IEP placement decision. That said, the decision to retain a student with an IEP should be carefully and cautiously considered. Input may be provided by IEP team members; however the final determination is often made by a school administrator in consultation with the parent(s).

According to the California Department of Education (CDE)<sup>1</sup>, 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. Additionally, documentation of these discussions should be included in IEP notes:

- Does the current IEP address the student's academic, linguistic, social, emotional, and behavioral needs?
- Are accommodations and modifications as indicated in the IEP appropriate?
- 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 student's promotion standard appropriate and clarified in the IEP?
- Was Extended School Year (ESY) considered?

If the IEP team answered NO to any of the above questions, it is recommended that the student not be retained due to the district/LEA's failure to implement the IEP. The IEP may be amended to reflect any required changes in service needed to allow the student to receive educational benefit. It may also be appropriate to provide supplemental educational services. Supplemental educational services are not to be provided during the regular instructional day and may be offered during the summer, before school, after school, on Saturdays, or during intersession, or in a combination thereof.

If all questions above were answered YES, yet the student failed to meet board approved or IEP determined promotion criteria, it is also recommended that the student participate in supplemental educational services developed by the local board pursuant to Education Code 37252.8. The IEP team should ensure that all supports and related services required for the student to benefit from supplemental instruction are clearly documented. If the student still does not meet the board-adopted or individualized promotion standards after receiving supplemental instruction, an IEP meeting should be convened to determine if additional assessment is required in order to develop an appropriate plan

to support student progress<sup>1</sup>. Team members may also wish to include a statement in the IEP notes to document their recommendation for or against retention based on needs related to the student's disability. However, final determination regarding retention will be the decision of the general education administrator in consultation with the parent(s).

Although a parent is unable to request a due process hearing to object retention or promotion decisions, they may choose to file for due process if a denial of FAPE had a direct impact upon the retention decision. For example, if a student did not receive the IEP services designed to assist in meeting the promotion standards, the student's parents could challenge the lack of services as a denial of FAPE. Therefore, careful review of the student's IEP and access to services which provide meaningful educational benefit is essential when a recommendation for retention is made.

Detailed information on pupil promotion, retention and related supplemental instruction can be found on the CDE Pupil Promotion & Retention Web page<sup>1</sup>.

### ***Alternatives to Retention***

Schools are encouraged to consider a wide array of evidence-based strategies in lieu of retention. Specifically, NASP recommends that educational professionals<sup>2</sup>:

- Encourage parents' involvement in their children's schools and education through frequent contact with teachers, supervision of homework, etc.
- Adopt age-appropriate, culturally sensitive and linguistically appropriate instructional strategies that accelerate progress in all classroom settings.
- Incorporate systematic assessment strategies, including continuous progress monitoring and formative evaluation, to enable ongoing modification of instructional efforts.
- Provide effective early intervention academic and mental health programs.
- Consider development of a school-wide Multi-Tiered System of Supports (MTSS) to bolster both academic and behavioral progress for all students.
- Use student support teams to assess and identify specific learning or behavior problems, design interventions to address those problems, and evaluate the efficacy of those interventions regularly.
- Use effective behavior management and cognitive behavior modification strategies to reduce classroom behavior problems.
- Provide appropriate education services for children with educational disabilities, including collaboration between regular, remedial, and special education professionals.
- Offer extended year, extended day, and summer programs that focus on facilitating the development of academic skills as needed.
- Implement tutoring and mentoring programs with peer, cross-age, or adult tutors.
- Incorporate comprehensive school-wide programs to promote the psychosocial and academic skills of all students.

#### Resources:

<sup>1</sup> California Department of Education (2015). *Promotion, Retention and Grading FAQ*. <http://www.cde.ca.gov/>

<sup>2</sup> National Association of School Psychologists. Jimerson, Shane R. PhD, NCSP and Sarah M. Woehr, & Amber M. Kaufman, MA (2007). *Grade Retention and Promotion: Information for Parents*

<sup>3</sup> National Association of School Psychologists (2003). *Position Statement on Student Grade Retention and Social Promotion*