REGULATION ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: IIB, IIC, IIC-RA, JCH, JCH-RA
Responsible Office: OFFICE OF ACADEMICS, OFFICE OF INSTRUCTION AND SCHOOL PERFORMANCE, DIVISION OF CURRICULUM, INSTRUCTION, AND ASSESSMENTS

[Section D.1.b. shall be effective beginning in the 2027-2028 school year.]

PROMOTION AND RETENTION

A. PURPOSE

To establish procedures for the promotion and retention of students in Anne Arundel County Public Schools (AACPS).

B. BACKGROUND

The Maryland State Board of Education (MSBE) Comprehensive Pre-K – 3 Literacy Policy promotes instructional equity, enhances literacy outcomes, and builds a strong foundation for future success, regardless of a student's cultural background, linguistic diversity, socioeconomic status, geographic location, or specific learning needs. Local school districts are required to implement practices that ensure students' reading needs are met through robust and targeted interventions and parents/guardians are well informed of their students' reading progress, fostering collaboration between schools and families. AACPS discourages the practice of retention. Preventive interventions are expected to ensure student success in the progression between grade levels.

C. DEFINITIONS

1. ***Core Courses*** – core content areas comprised of Language Arts, Mathematics, Science, and Social Studies.

2. ***Diagnostic*** – a systematic evaluation used to identify a student's specific strengths and areas for improvement. Unlike general screenings, diagnostic assessments provide detailed insights into a student's abilities in a particular subject area, allowing educators to tailor instruction and interventions to meet the individual needs of each student.

3. ***Elective Courses*** – content areas that are not part of the four core subjects which are Language Arts, Mathematics, Science, and Social Studies.

4. ***Multi-Tiered System of Support (MTSS)*** – a framework for enhancing academic, behavioral, and social-emotional outcomes for all students. MTSS provides supports for students with reading challenges, addressing identified needs with varying intensities and durations. The MTSS framework includes:

    a. ***Tier I*** – on-grade level, standards-aligned general instruction for all students. It should occur within the core instructional block and be delivered through whole group or small group.

    b. ***Tier II*** – in addition to core instruction, Tier II support involved small group interventions that align with evidence-based practices used in Tier I instruction.

    c. ***Tier III*** – for students not demonstrating growth in Tier II, Tier III provides diagnostic-based, explicit interventions tailored to their needs.

5. ***Reading Difficulties*** – a student's challenges with decoding, language comprehension, or both, which affect their ability to achieve grade-level reading proficiency.

6. ***Reading Intervention (or Supplemental Instruction in Reading)*** – evidence-based, sequential, systematic, explicit, and cumulative instruction or intervention to mastery of foundational literacy skills, including phonological or phonemic awareness and processing, phonics, and vocabulary to support development of decoding, spelling, fluency, writing, and reading comprehension skills to meet grade level curriculum. It encompasses evidence-based strategies to address reading challenges, including individual and small group instruction, multisensory approaches, tutoring, technology-assisted learning paired with face-to-face supports, and targeting specific reading skills.

7. ***Student Reading Improvement Plan (SRIP)*** – a personalized plan to help students improve their reading skills including assessments, goals, instruction, and monitoring.

8. ***Universal Screener*** – an assessment administered three times per year (beginning, middle, and end) to identify or predict students at risk for poor reading outcomes. It is typically brief and assesses skills such as phonological and phonemic awareness, phonics, fluency, and vocabulary, as developmentally appropriate.

D. PROCEDURES

1. Elementary

a. Decisions regarding the promotion and retention of students are the shared responsibility of the principal and parent(s)/guardian(s). Communication between school and home is an expectation to ensure opportunities for the sharing of information.

i. Grade-level expectations are based on a thorough understanding of the wide range of cognitive, physical, social, and emotional developmental levels that are typical for elementary school students.

ii. When retention becomes a possibility, a parent(s)/guardian(s)–teacher conference shall occur as soon as a student's significant lack of progress becomes apparent, but no later than the end of the third marking period.

iii. Except in accordance with paragraph b. of this section, in the event the school recommends retention and the parent(s)/guardian(s) disagrees, the student shall be retained.

iv. If the final decision is for retention, a plan for success, including specific interventions to be implemented during the year retention occurs, shall be in place and submitted to the appropriate Assistant Superintendent for Instruction and School Performance by the end of the current school year. If possible, the plan shall be developed collaboratively between school staff and the parent(s)/guardian(s).

v. A parent(s)/guardian(s) may appeal a decision regarding promotion or retention in accordance with Policy JCH and Regulation JCH-RA – Student Complaints Related to Policy, Regulation, or Law.

b. Grade 4 Promotion

i. Students in Grade 3 may only be retained if they do not demonstrate one of the following:

a) Score at or above the required performance level, indicating adequate reading proficiency on the Grade 3 Maryland State Department of Education (MSDE)-adopted State English Language Arts Assessment;

b) Score at or above the required performance level on an MSDE-approved reassessment and show proficiency through triangulated data, from valid and reliable multiple measures such as curriculum-based measures, diagnostic assessments, benchmark assessments, or other assessments as identified by MSDE. Screener and benchmarks may not be used in isolation for promotion purposes; or

c) Qualifies for a good cause exemption according to the MSBE Comprehensive Pre-K – 3 Literacy Policy.

i) The good cause exemptions are:

1) Students with disabilities whose Individualized Education Program

(IEP) indicates participation in the Maryland Alternate Education Framework;

2) Students who have received less than 2 years of instruction aligned to World-class Instructional Design and Assessment (WIDA) standards or who have demonstrated to be on track to meet the English language proficiency as measured by WIDA;

3) Students with disabilities who participate in the State English Language Arts Assessment and who have an IEP or Section 504 plan that reflects that the student has received intensive reading intervention for at least 2 years, but still demonstrates a reading difficulty, or was previously retained for 1 year in kindergarten, Grade 1, Grade 2, or Grade 3; and

4) Students who were previously retained for 1 year in Kindergarten, Grade 1, Grade 2, or Grade 3. No student shall be retained more than once as a result of the MSBE Comprehensive Pre-K – 3 Literacy Policy.

ii) A request for good cause exemptions for a Grade 3 student from the academic requirements established for promotion to Grade 4 shall be made consistent with the following:

1) Documentation shall be submitted from the student's teacher to the school principal which indicates that the promotion of the student is appropriate and is based upon the student's record. The documentation shall consist of the good cause exemption being requested and clearly prove that the student is covered by one of the good cause exemptions listed.

2) The principal shall review and discuss the recommendations with the teacher and parent(s)/guardian(s) and decide as to whether the student should be promoted based on requirements set forth by the MSBE Comprehensive Pre-K – 3 Literacy Policy. If the principal determines that the student should be promoted, based on the documentation provided, the principal shall make the recommendation in writing to the Superintendent or Superintendent's designee, who, in writing, may accept or reject the principal's recommendation.

iii) A student who is designated for promotion to Grade 4 with a good cause exemption shall continue to receive intensive reading intervention that includes the strategies prescribed in the SRIP until the student no longer demonstrates reading difficulty.

ii. If a student is designated for retention in Grade 3, the school shall notify the parent(s)/guardian(s) to explain the process and options available. The notification shall include:

a) An invitation via phone call, letter, or email to meet to discuss the recommendation for retention in Grade 3;

b) A letter informing the parent(s)/guardian(s) that the student may be retained in Grade 3, an explanation of the student's current performance level in reading, and reference to the required adequate reading proficiency level required for promotion to Grade 4;

c) An explanation of the potential risks and benefits of both promotion and retention for a student who does not demonstrate reading proficiency by the end of Grade 3;

d) An MSDE-approved list of supplemental reading support program options for the parent(s)/guardian(s) to choose from at no cost to the parent(s)/guardian(s); and

e) A document that captures the parent(s)/guardian(s)' final decision regarding the options to:

i) Consent to the designation of retention in Grade 3; or

ii) Choose Grade 4 promotion and consent to their student enrolling and participating in a supplemental reading support program provided by AACPS and approved by MSDE at no cost to the parent(s)/guardian(s).

iii. In the case that a school or AACPS does not receive a final decision regarding retention in Grade 3 from the parent(s)/guardian(s), the school shall continue reaching out to parent(s)/guardian(s) through multiple means of communication.

iv. If a parent(s)/guardian(s) cannot be contacted after multiple attempts and means of communication, the school or AACPS shall send communication via certified mail no later than June 30 and follow-up by July 31 stating that the child will be retained in Grade 3.

v. A student may only be retained due to the MSBE Comprehensive Pre-K – 3 Literacy Policy if:

a) The student does not meet reading proficiency;

b) The student does not qualify for a good cause exemption; and

c) The student's parent(s)/guardian(s) consent to retention or fail to respond to the decision in a timely manner.

vi. For students retained in Grade 3, the following supports shall be offered:

a) A review of SRIPs for any student that is retained in order to address additional supports and services;

b) Access to core instruction that is aligned to the science of reading. Additional time for intervention may not impede students' access to Tier I or core instruction;

c) Reading intervention services and strategies and supports to address the identified area(s) of reading difficulty, including more dedicated time than the previous school year in scientifically evidence-based instruction and intervention;

d) Daily targeted small group reading intervention based on student needs, including explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback;

e) Frequently monitoring the reading progress of each student's reading skills throughout the school year and adjusting instruction according to student needs;

f) Before or after school supplemental evidence-based reading intervention delivered by a teacher or tutor with specialized training grounded in the science of reading; and

g) A "Read at Home" plan outlined in a family reading agreement, including participation in parent(s)/guardian(s) training workshops or regular parent/guardian-guided home reading activities which are aligned to scientifically based reading research.

2. **Middle**

a. Students in Grade 6 – to be promoted to grade 7, the student shall pass three of four Core courses. In addition, if a student takes fewer than four Elective courses, the student may fail no more than one Elective course. If a student takes four or more Elective courses, the student may fail no more than two Elective courses.

b. Students in Grade 7 – to be promoted to grade 8, the student shall pass three of

four Core courses. If the student fails a Core course, it may not be in the same subject failed in a previous year. In addition, if a student takes fewer than four Elective courses, the student may fail no more than one Elective course. If a student takes four or more Elective courses, the student may fail no more than two Elective courses.

c. Students in Grade 8 – to be promoted to grade 9, the student shall pass three of four Core courses. If the student fails a Core course, it may not be in the same subject failed in a previous year. In addition, if a student takes fewer than four Elective courses, the student may fail no more than one Elective course. If a student takes four or more Elective courses, the student may fail no more than two Elective courses.

d. Exceptions to these promotion and retention requirements may be granted on an individual basis by the principal with input from the student's parent(s)/guardian(s).

e. A student who does not successfully complete middle school courses is strongly encouraged to attend summer school courses or alternative interventions, with the principal's approval, to earn passing grades.

f. A parent(s)/guardian(s) may appeal a decision regarding promotion or retention in accordance with Policy JCH and Regulation JCH-RA – Student Complaints Related to Policy, Regulation, or Law.

3. **High School**

a. Students in Grade 9 – to be promoted to grade 10, a student shall complete six credits, with three credits being in academic subjects.

b. Students in Grade 10 – to be promoted to grade 11, a student shall complete 13 credits, with seven credits being in academic subjects.

c. Students in Grade 11 – to be promoted to grade 12 a student shall complete 20 credits, with 11 credits being in academic subjects.

d. Students in Grade 12 – a student who has successfully completed a minimum of 20 credits by September 1 and who is enrolled in a program that allows the student to meet all graduation requirements by June of the same academic year may be considered a twelfth grader.

e. A student who does not successfully complete all courses in a grade level is strongly urged to attend summer school or attend evening high school.

4. Requirements and expectations related to the implementation of these regulations may be found in the *AACPS High School Program of Study* and the *AACPS Middle School Program of Study*.

Regulation History: Issued 01/03/07; Revised 04/23/20; 11/19/25; Technical Edit 05/16/23; 11/02/26

Note Previous History: Replaces Regulation AR 608.02 issued 08/25/58, and revised 05/20/91; 12/15/99; 06/05/02; 06/04/03; 10/08/03

Legal Reference: Maryland State Board of Education Comprehensive Pre-K – 3 Literacy Policy