

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: IEA, IEF, ISB-RA, JEA, JEA-RB, JEA-RC, JEB, JEB-RB, KLA-RA
Responsible Office: Office of School Support and Improvement; Office of the Chief Academic Officer

Placement, Promotion, Acceleration, and Retention of Students

I. PURPOSE

To set forth the procedures for grade and course placement, promotion, acceleration, and retention of Montgomery County Public Schools (MCPS) students

II. DEFINITIONS

As defined by the U.S. Department of Education, a *newcomer* is a student who was not born in the United States and whose family has recently (within two years) arrived in the United States.

III. PLACEMENT

A. Criteria

1. The principal has final responsibility for grade and course-level placement of MCPS, except for certain newcomer students enrolled through the International Admissions and Enrollment (IAE) office, as set forth in this regulation.
2. In determining a student's grade or course placement, the principal consults appropriate staff for their recommendations.
3. Students in kindergarten through Grade 12 who enroll in or transfer to MCPS and do not provide previous school records will be placed tentatively after consulting with the students and/or parent(s)/guardian(s). Final placement will be made by the principal when sufficient information about the student is available.
4. Placement of students in prekindergarten (Pre-K) through Grade 1 is

governed by state laws, Montgomery County Board of Education policies, and MCPS regulations. Also refer to the following:

- a) Board Policy JEA, *Residency, Tuition, and Enrollment*.
 - b) Board Policy IEA, *Framework and Structure of Early Childhood and Elementary Education*.
 - c) Montgomery County Public Schools (MCPS) Regulation JEB-RB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade*.
 - d) MCPS Regulation JEA-RB, *Enrollment of Students*.
5. Students with previously documented special education needs are placed according to the following criteria:
- a) Students working toward a high school diploma, as identified in the Individualized Education Program (IEP), should be placed in the appropriate grade or course in the same manner as nondisabled peers.
 - b) Students working toward a certificate of high school completion, as identified in their IEP, should be placed in the grade or course that most appropriately matches the student's needs. Principals/designees should consult with their special education supervisor for assistance with determining the appropriate grade/course for students not working toward a diploma.

B. IAE Placement

1. IAE bases student grade and course placement decisions on criteria set forth in Regulation JEA-RC, *Enrollment and Placement of International and Foreign Students*.
 - a) Unless there are compelling factors for IAE to decide otherwise, placement of newcomer students is based on the student's age, regardless of previous schooling gaps or proficiency in English.
 - b) IAE's determination is found on the student's demographic tab of Synergy.
2. IAE defers placement decisions to the principal, in consultation with the Office of Special Education, for students enrolled through IAE for whom

there are previously documented special education needs, or for students who are suspected of having a disability that may require special education services.

IV. PROMOTION

A. Criteria

1. Students in prekindergarten through Grade 2 are promoted based on age.
2. For students in Grades 3 through 8, promotion is based on academic progress and the attainment of MCPS grade-level objectives assigned to the students.
3. For students in Grades 9 through 12 who are working toward a Maryland high school diploma, according to the following criteria:
 - a) To be promoted to Grade 10, a student must earn a minimum of 5 credits, including 1 credit for a required English course and 1 credit for a required mathematics course.
 - b) To be promoted to Grade 11, a student must earn a minimum of 10 credits, including 2 credits in required English courses, 2 credits in required mathematics courses, 1 credit in a required social studies course, and 1 credit in a required science course.
 - c) To be promoted to Grade 12, a student must earn a minimum of 15 credits, including 3 credits in required English courses, 3 credits in required mathematics courses, 2 credits in required social studies courses, and 2 credits in required science courses.
 - d) Required courses that fulfill graduation requirements for each grade level are identified in the *High School Course Bulletin*.
4. Students with IEPs who receive special education and related services and working toward a high school diploma shall be promoted in the same manner as all other students using the above criteria.

B. Authority

Promotion of students with IEPs who are working toward a Maryland High School Certificate of Program Completion is determined by the principal in consultation with students' IEP teams.

V. ACCELERATION

Student needs are met within the classroom or grade level through such program adjustments as flexible grouping, differentiated instruction, and enrichment.

VI. INTERVENTION

A. When a student in pre-K through Grade 8 is not attaining MCPS grade-level or course content standards, staff will initiate intervention strategies.

1. If the student does not respond to the classroom-initiated strategies, the Educational Management Team (EMT) will develop and document a plan for educational support, using MCPS Form 272-4, Educational Management Team Summary.
2. Parents/guardians and, when appropriate, students will be included in the development of the plan.
3. The principal will monitor the implementation of this plan.

B. When a student in Grades 9 through 12 is not attaining the course content standards, staff will develop a plan of intervention strategies.

1. Parents/guardians and students will be included in the process.
2. The principal or designee will monitor the implementation of the plan.
3. If these strategies are not successful, the EMT will modify the plan to support improved student performance.

C. If, at any time and/or in any grade, a student is not making sufficient academic progress to demonstrate knowledge of the grade-level content standards, and school staff, parent/guardian, or eligible student suspect that a student has a disability, then a referral shall be made to the IEP team for consideration of the need to evaluate the student to determine eligibility for special education and related services.

VII. RETENTION

A. Criteria

1. For students in pre-K through Grade 2, retention is not to occur. Students

who are not performing according to MCPS grade-level content standards are provided with additional assistance and intervention.

2. For students in Grades 3 through 8, retention may be considered only when the EMT plan and documented alternative educational strategies, including progress toward IEP goals as appropriate, have not resulted in student progress toward MCPS grade-level content standards.
3. In Grades 9 through 12, if students fail to meet the credit requirements outlined in IV.A.3. above, they will be retained.
4. When retention is considered for students who do not have IEPs, the EMT, together with parents/guardians and the student, develops a new plan for educational support, using MCPS Form 272-42, *Educational Management Team Program Plan for Students Being Retained*, for the school year in which the retention is to occur. The outcomes of the previously implemented plan should be used as the basis for developing the program for the retention year. Such plans may include tutoring, mentoring, and other supports determined by the EMT.
5. When retention is considered for students with IEPs, IEP goal progress and mastery may be a consideration in addition to the factors set forth above for students without IEPs; however, neither the amount of progress on IEP goals nor the level of mastery of goals shall be a determining factor in a decision to retain a student with an IEP.

B. Authority

1. The final responsibility for retention decisions rests with the principal.
2. The principal's decision regarding retention is determined in consultation with parents/guardians, students, the EMT, and the IEP team, as appropriate.
3. Principals will submit the proposed plan of support for each retained student to the Office of School Support and Well-being.
4. A student working toward a certificate of completion may attend school through the year they turn age 21 and is not subject to retention decisions.

VIII. APPEALS

- A. For concerns or disagreements regarding placement, promotion, or retention,

parents/guardians or eligible students should seek resolution with the principal and the Office of School Support and Improvement director responsible for the student's school prior to filing a complaint through MCPS Regulation KLA-RA, *Concerns, Complaints, and Appeals to the Superintendent of Schools*.

- B. Concerns or disagreements regarding the promotion or retention of students with IEPs are subject to the same appeal processes as students without disabilities.
- C. Concerns or disagreements regarding the placement or the provision of special education and related services are subject to the *Individuals with Disabilities Education Act* and the procedural safeguards set forth therein. Parent/guardians or eligible students may consult with the IEP team, principal, or counselor for more information.

Related Sources: Code of Maryland Regulations 13A.01.06.05, 13A.02.06.02, and 13A.05.09.03.

Regulation History: Formerly Regulation 3553, May 15, 1981; directory information updated; revised December 1986; revised and split into two regulations (this one and JEA-RB) August 26, 1987; revised April 1, 1992; revised March 23, 2010; revised August 22, 2024.

MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

- (1) Title VI of the federal Civil Rights Act of 1964; and
- (2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not
 - (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
 - (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
 - (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at www.montgomeryschoolsmd.org/info/nondiscrimination.

<p>For inquiries or complaints about discrimination against MCPS students***</p> <p>Director of Student Welfare and Compliance Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org</p>	<p>For inquiries or complaints about discrimination against MCPS staff***</p> <p>Human Resource Compliance Officer Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org</p>
<p>For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973</p> <p>Section 504 Coordinator Office of School Support and Improvement Well-Being and Student Services 850 Hungerford Drive, Room 257, Rockville, MD 20850 240-740-3109 504@mcpsmd.org</p>	<p>For staff requests for accommodations under the Americans with Disabilities Act</p> <p>ADA Compliance Coordinator Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org</p>
<p>For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***</p> <p>Title IX Coordinator Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org</p>	

*This notification complies with the federal Elementary and Secondary Education Act, as amended.

**This notification complies with the Code of Maryland Regulations Section 13A.01.07.

***Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mccr@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.