

# 3rd GRADE TO 4th GRADE PROMOTION AND RETENTION

## Policy 345.41

### Sample Policy 1

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*{This sample addresses the promotion policy mandate established under [section 118.33\(6\)\(a\)3](#) of the state statutes. This sample takes an overall approach to the mandate that shares many similarities to 345.41 Sample Policy 2 and 345.41 Sample Policy 3, but it is less detailed. As the shortest of the three samples, this sample offers the advantage of relative brevity, but it addresses fewer contingencies, includes fewer options, and provides less guidance for implementation. Before selecting a sample and making final local policy choices, consider reviewing the other PRG samples to obtain a better understanding of the topic and different possible options.}*

#### **Effective Date**

The effective date of this policy is July 1, 2025, and the promotion criteria specified herein first apply to third grade promotion decisions that occur at the end of the 2025-26 school year.

*{Editor's Note: Choosing July 1, 2025, as the effective date of the entire policy means that (1) per [DPI guidance](#), the district is not obligated to provide eligible promoted students with an intensive summer reading program under [section 118.33\(5m\)\(a\)](#) of the state statutes until the summer of 2026, and (2) the district's existing 3rd grade promotion criteria and procedures will apply to promotion decisions that are made at the end of the 2024-25 school year. However, importantly, all districts must implement the other post-promotion mandates found in 118.33(5m)(a) (e.g., services and supports provided in 4th grade for eligible students) in the 2025-26 school year.}*

#### **General Third Grade Promotion Criteria**

(refer also to the later section addressing certain students with disabilities)

*{Editor's Note: The criteria that a district ultimately includes in this section represent discretionary policy decisions. The examples given below may not sufficiently reflect your district's intent/goals and can be modified.}*

A 3rd grade student shall be promoted to 4th grade, without further evaluation being required, **unless** the available information about the student's academic progress (not limited to any single test or assessment result) indicates that:

1. The student is clearly not meeting **2<sup>nd</sup> grade** academic standards and learning goals (viewed in the aggregate by subject area) at a level of basic proficiency in **both** math and reading/language arts; **or**
2. The student is clearly not meeting **1<sup>st</sup> grade** academic standards and learning goals (viewed in the aggregate by subject area) at a level of basic proficiency in **either** math or reading/language arts.

However, even if a student does **not** meet the initial promotion criteria stated above, the District will still promote the student if, upon a further evaluation that considers (1) academic factors, (2) relevant non-academic factors (e.g., social, developmental, etc.), (3) evidence-based practices, and (4) available input from the student's parent(s)/guardian(s), a designated representative of the District concludes that **both** of the following apply:

1. If promoted with available interventions, the District **would** be able to provide the student with at least a realistic opportunity to participate in the 4th grade general curriculum in a meaningful manner and make more than negligible progress in reducing the gap(s) that exist between the student's present level of academic progress and grade-level

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standards (i.e., with a “realistic opportunity” meaning that it is reasonable to think that those academic outcomes would be possible, not that those outcomes are assured or even highly likely); **and**

*[Insert either **OPTION 1** or **OPTION 2** or **OPTION 3**:*

**OPTION 1 (designated staff make the final decision; promotion occurs in all cases where promotion is at least somewhere on the spectrum of reasonableness):**

- 2. In the District representative's professional judgment, there is a reasonable view of the student's overall circumstances under which promotion with available interventions would be in the best educational interests of the student, even if other views are also reasonable and even if the District's representative would personally choose retention for the student.*

**OPTION 2 (designated staff make the final decision; the district would have somewhat more latitude to retain a student than under OPTION 1):**

- 2. In the District representative's professional judgment, the review of the student's overall circumstances did **not** clearly and convincingly demonstrate that retention with interventions would be **substantially** more likely to be in the student's educational best interests (e.g., promotion will occur in any reasonably close case).*

**OPTION 3 (because the district concluded under the “realistic opportunity” determination that promotion would be at least a minimally reasonable academic setting for the student, if the district recommends retention as the most appropriate outcome, the student's parents/guardians may still elect promotion):**

- 2. That **either** (1) promotion with interventions is at least equally likely to be in the overall best educational interests of the student **or** (2) after a designated District representative has presented the student's parent(s) or guardian(s) with a recommendation that retention with interventions is likely to be in the overall best educational interests of the student, the student's parent(s) or guardian(s) select promotion with interventions for their child.*

**[END OF OPTIONS]**

### **Screening and Further Evaluating Students for Possible Retention**

***{Editor's Note: The screening criteria that a district includes in this section represent discretionary policy decisions.}***

3rd grade students will be preliminarily screened and then further evaluated for retention or promotion under the criteria established in the previous section (above) if:

1. A licensed staff member involved in providing math or reading instruction to a student has made a direct referral for further evaluation due to a concern that the student may not be able to meet the promotion criteria established above in this policy; or
2. *[Insert additional screening criteria that the district wishes to include in the policy].*

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***{Editor's Note: The following are two examples of potential additions to this list:***

- The outcome of any universal screening reading assessment or diagnostic reading assessment taken **during 3rd grade** showed the student to be "at risk" under the state's definition of "at risk."
- The student is screened for such further evaluation based on any other factor that the District Administrator or an administrative-level designee has determined will help to appropriately identify those students who, upon further evaluation, might realistically be retained under this policy's promotion criteria.}

After the screening process, the District will inform the student's parent(s) or guardian(s) if their child has been identified for further evaluation for possible retention.

The District Administrator or an administrative-level designee will establish (1) a timeline and staff responsibilities for conducting the screening, and (2) procedures, timelines, and staff responsibilities for completing the individualized evaluations and making a final decision. ***{Editor's Note: Refer to 345.41 Sample Policy 3 for an example of one possible approach to assigning staff responsibilities and establishing the relevant procedures and timelines.}***

### **Modifications for Certain Students with Disabilities**

If a student's IEP includes materially modified academic content and achievement standards in reading, math, or both, then the student shall be promoted if the student's IEP team determines that promotion will be the appropriate setting for the student in the following year based on relevant academic and non-academic factors, evidence-based practices, and the educational best interests of the student. All other students with disabilities are subject to the same promotion criteria and screening and evaluation processes as students without disabilities, except as may be required to comply with state or federal law in an individual case.

### **Parent Requests for Reconsideration**

If the student's parent(s) or guardian(s) disagree with the District's promotion or retention decision under this policy, they may request reconsideration. The administrator designated to respond to the request will modify the initial decision only if, upon a review of all relevant and reasonably available information, they conclude that the policy was applied incorrectly.

### **Retention in Extraordinary Circumstances**

***{Editor's Note: This section could be deleted, but the parent right to request a program and curriculum modification likely applies to this situation whether it is referenced in policy or not.}***

A parent or guardian who believes that, under extraordinary circumstances, their child should be retained even though the child was properly determined to be eligible for promotion under this policy may request retention as a special program and curriculum modification under section 118.15(1)(d) of state law. The District reserves all lawful discretion to deny such requests.

### **3rd Grade Students Promoted to 4th Grade without Completing Their Personal Reading Plan**

If the District promotes a student from 3rd grade to 4th grade, but the student had a legally-mandated personal reading plan in place during 3rd grade that the student did not successfully

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complete (as completion is defined in state law), then, subject to limited exceptions, state law requires the District to do all of the following for the student:

1. Notify the student's parent or guardian, in writing, that the student did not complete the personal reading plan and include a description of the intensive instructional services and supports that will be provided to the student to remediate the identified areas of reading deficiency.
2. Provide the student with the applicable intensive instructional services and supports during 4th grade.
3. Monitor the student's progress with respect to the student's development of reading skills.
4. As a further service/support, provide the student with an intensive summer reading program each summer until the student scores at grade-level in reading on a summative assessment. The student's parent(s) or guardian(s) may decline to have their child participate in any such summer reading program that is offered by the District.

Section 118.33(5m)(b) of the state statutes allows, but does not require, the District to apply a "good cause" exception to providing the notification, services, supports, and/or progress monitoring (as listed above) to certain students who would otherwise be eligible. The District will consider applying a statutory "good cause" exception to a student only when the District determines that doing so would be nondiscriminatory and educationally appropriate *[insert if desired: "and if the student's parent(s) or guardian(s) agree to the application of the exception"]*. **{Editor's Note: If the district prefers to expressly list the five "good cause" exceptions in its policy, see the final section of 345.41 Sample Policy 3 for an example of appropriate wording.}**

### Legal References:

#### Wisconsin Statutes

<a href="#">Section 118.016(1)(a)</a>	[definition of "at risk" with respect to reading readiness assessments]
<a href="#">Section 118.016(5)(d)</a>	[completion of a personal reading plan by a 3rd grade pupil]
<a href="#">Section 118.15(1)(d)</a>	[parent requests for program and curriculum modifications]
<a href="#">Section 118.24(2)(a)</a>	[district administrator authority to manage the promotion of students]
<a href="#">Section 118.33(5m)</a>	[post-promotion service and support mandates for certain students promoted to 4th grade; good cause exceptions]
<a href="#">Section 118.33(6)(a)</a>	[policy requirements for 3rd, 4th, and 8th grade promotion criteria]
<a href="#">Section 118.33(6)(cm)</a>	[policy requirement for kindergarten to 1st grade promotion criteria]

#### Wisconsin Administrative Code

<a href="#">Section PI 13.09(1)</a>	[limitations on using test results and test exemptions to make promotion and retention decisions for students with limited English proficiency]
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### Cross References:

*[Insert appropriate cross references to the policy as applicable to your district.]*

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**Adoption Date:**