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SPECIAL EDUCATION AND RETENTION

In response to the increased pressure for students' improved school performance, most districts have developed school board policies regarding grade level promotions. These policies equally apply to students with disabilities.

Some believe that repeating a year will give the child reinforcing instruction, as well as provide more time for the development of grade level educational skills. However, contrary to this line of thinking, the large body of research on grade retention is almost uniformly negative. Retained students tend to have lower levels of academic adjustment in later grades (Sipple, J.W., Killeen, K. & Monk D.H., (2004), "Adoption and Adaptation: School District Responses to State Imposed Learning and Graduation Requirements." *Educational Evaluation and Policy Analysis*, Vol. 26, No. 2, pp. 143-168). In fact, grade retention is one of the predictors for high school student dropouts (Jimmerson S.R., Anderson, G., & Whipple, A., (2002), "Winning the Battle and Losing the War: Examining the Retention Between Grade Retention and Dropping Out of High School." *Psychology in Schools*, Vol. 39, No. 4, pp. 441-457). In making a decision about whether a student should repeat a year, districts should consider that retention masks other concerns. Such concerns include the failure to address risk factors such as stigmatization by peers or other negative experiences that particularly occur with retained children when approaching middle school and puberty. Moreover, for students with disabilities, it often calls into question, the appropriateness of their particular program and/or placement.

Often, board policies permit parents to make the final determination on whether their son or daughter, who receives special education services, be promoted. However, the decision as to whether a special education student be retained or promoted should be determined by an Individualized Education Program (IEP) team. The Individuals with Disabilities Education Act (IDEA) generally does not require an IEP team to make decisions regarding promotion or retention of a child with a disability. The IDEA, nonetheless, does not prevent an IEP team from making this decision. If a district must make a decision regarding retention of a special education student, the IEP team should reconvene immediately and consider the following:

- Is the current IEP for the student's academic, functional, social, emotional and behavioral needs appropriate?
- Is the manner of assessment appropriate, including accommodations and modifications identified in the IEP?
- Were all the services required by the student to make progress in the general educational curriculum appropriately identified in the IEP?
- Were the linguistic needs of English learners appropriately identified and addressed?
- Did the student receive all the services identified in the IEP?
- Were the assessments conducted consistent with the IEP?
- What other services, including counseling and/or tutoring, should be added to the student's IEP in order to support the promotion?

In sum, both retention and promotion should be an IEP team decision. Further, districts should proceed with an understanding, based on the foregoing that retention is not always beneficial.

Clients who have questions regarding issues discussed in this article, or any education law matter, should feel free to call us at 215-345-9111.

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