

# INDIAN AFFAIRS MANUAL

Part 30

Education (Management)

Chapter 20

Student Progress and Promotion Policy

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- 1.1 Purpose.** This chapter establishes the policy and procedures for student progress and promotion in Bureau of Indian Education (BIE)-operated schools.
- 1.2 Scope.** This policy applies to all BIE-operated schools.
- 1.3 Policy.** It is BIE's policy to ensure that students progress through elementary and secondary education with unbiased judgment and full transparency. Records of a student's progression must be kept accurate to support the monitoring and achievement of grade-level expectations. Grade promotion is based on the meeting of minimum standards, with high school graduation marking the culmination of a student's K-12 education, in recognition of all the learning that occurred during that journey.

**1.4 Authority.**

**A. Statutes and Regulations.**

- 1) 25 CFR 36.30 – Standard X – Grading requirements
- 2) 25 CFR 36.31 – Standard XI – Student promotion requirements
- 3) 25 CFR 36.32 – Standard XII – Graduation requirements for a high school diploma
- 4) 20 U.S.C. § 1232g, Family education and privacy rights
- 5) 25 CFR 43, Maintenance and Control of Student Records in Bureau Schools
- 6) P.L. 114-95, Every Student Succeeds Act
- 7) P.L. 101-476, Individuals with Disabilities Education Act
- 8) 5 U.S.C. § 552a, The Privacy Act

**1.5 Responsibilities.**

- A. Director, BIE** is responsible for providing general oversight for all BIE programs and activities, including approving this policy.
- B. Chief Academic Officer** is responsible for ensuring that Associate Deputy Directors (ADDs) actively lead and support Education Program Administrators (EPAs) in providing training and other support to ensure that the provisions of this policy are fully implemented.

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- C. **ADDs** are responsible for ensuring that EPAs actively support School Principals/Superintendents accurately implement the provisions of the policy.
- D. **EPAs** are responsible for ensuring that School Principals/Superintendents are appropriately trained in the implementation of this policy, and for ensuring that each School Principal/Superintendent under their supervision accurately implements the provisions of this policy.
- E. **School Principals/Superintendents** are responsible for monitoring and communicating policy, standards, and best practices for the reporting of student progress to school personnel, parents, and the tribal community. Ensuring that grading and reporting procedures are established, reviewed, and applied consistently within the school.

### 1.6 Progress Assessment and Reporting (25 CFR 36.30 – Standard X).

- A. BIE-operated schools must implement a uniform grading system that assesses a student's mastery of the objectives of the course of study undertaken. The mastery of course objectives must be the primary measure of academic attainment for reporting student grades on report cards.
- B. The information derived from student instructional evaluations must be shared with the student and the student's parents/legal guardians. The information will be used to give teachers and students direction for subsequent learning activities.
- C. Parent/legal guardians/teacher and parent/legal guardians/teacher student-led conferences focused on student's instructional progress and development must be held to provide an additional means of communication between the school and parents/guardians. Teachers should attempt to schedule at least one parent/teacher/student (if appropriate) conference per school year. Residential schools may meet this standard by documenting the communication of student grades on report cards to parents/legal guardians.
- D. Each school must issue a report card to parents/legal guardians of students who are under 18 years old and directly to students who are 18 years old or older (including students covered by a FAPE) on a regular basis, but not less than four times per school year. The report card may include, but not be limited to, the following sections:
  - grading marks, indicating student achievement on grade-level/course expectations;
  - recommendations and probable promotion status;
  - attendance record; and
  - request for appropriate signatures and return of signed report cards.

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- E.** Teachers must use a variety of formative assessment approaches to create a body of evidence to document student achievement. Student marks must be based on the collected body of evidence that is aligned to course or grade-level standards.
- F.** Written comments by teachers on report cards must be stated objectively. The comments must be based on evidence about the student and will indicate comments that represent opinions, which cannot be supported by evidence.
- G.** No indication will be included in the quarterly report cards that a student is receiving special education services or other disability services. However, if a student receives a modified curriculum in a particular course, regardless of whether the student is a student with disability, the report must: (1) include a statement that the student's curriculum was modified and indicate in which specific course(s) the curriculum was modified; or (2) include an asterisk following the student's grade in a particular course to indicate that the student's curriculum in the particular course was modified (e.g., A\*).
- H.** A summary of each year's final card will become part of the student's permanent school record. No indication must be made on the summary report that a student is receiving special education services or other disability services. However, if a student receives a modified curriculum in a particular course, regardless of whether the student is a student with a disability, the report must: (1) include a statement that the student's curriculum was modified and indicate in which specific course(s) the curriculum was modified; or (2) include an asterisk following the student's grade in a particular course to indicate the student's curriculum in that particular course was modified (e.g., A\*).
- I.** Any modification statement or asterisk (e.g., A\*) must not be used for students who receive accommodations, but whose curriculum is not modified.
- J.** A traditional letter-grading system must be used for all students in grades 6-12 to report marks.
- A-, A, A+ (90-100%): Outstanding level of performance (Excellent)
  - B-, B, B+ (80-89%): High level of performance (Good)
  - C-, C, C+ (70-79%): Acceptable level of performance (Average)
  - D-, D, D+ (60-69%): Minimal level of performance (Poor)
  - E (59% and below): No credit awarded (Failing)

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- K.** For grades K-5, achievement codes rather than letter grades may be used. However, whichever type of achievement mark is selected for use in each grade must be used for all students in that grade. All students regardless of disability or English Learner status must be graded using the same marks of achievement as the general education population (i.e., if the general education students receive letter grades, all students must receive letter grades).
- *Exceeds grade-level expectations (E):* Student exhibits the skills/behaviors independently without teacher support.
  - *Meets grade-level expectations (M):* Student exhibits the skills/behaviors independently with minimal teacher support.
  - *Satisfactory progress towards grade-level expectations (S):* Student exhibits the skills/behaviors with teacher guidance and support.
  - *Limited progress towards grade-level expectations (L):* Student exhibits the skills/behaviors in isolated or rare instances, or with a great deal of support. The performance is inconsistent and below the normal range of expectancy for a student at this grade-level.
- L.** Grades, assessment scores, and other student progress information will be collected, stored, and reported in compliance with the Family Educational Privacy Act and the Privacy Act.

## **1.7 Grade Point Average (GPA) for Grades 6-12.**

- A.** A student's GPA (grades 6-12) must be calculated using the letter grade of the most recent course taken that was required for graduation and previously failed. In all other circumstances, original grades and repeated course grades must both be used to calculate GPA.
- B.** High school course credits and grades received for courses taken in grades 7 and 8 will not be used to calculate the student's high school GPA.
- C.** Upon verification, after validation of the high school course, grade, and course credit through receipt of an official transcript from an accredited non-BIE school, the approved course credit(s) and grade(s) earned are documented on the student's transcript, but grades are not used to calculate the student's high school GPA.

## **1.8 Grade Level Advancement (25 CFR 36-31 – Standard XI).**

- A.** Each school must establish and implement a promotion policy that has been approved by the EPA. The requirements must include, but not be limited to, the following:

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- Each grade level or equivalent must have minimum criteria for student promotion based primarily on measurable mastery of grade-level content standards.
  - Criterion-referenced tests that evaluate student skills will be utilized for measuring the mastery of grade-level content standards. The evaluation results will form the basis for the promotion of each student.
  - A student who has not participated, either directly or through approved alternative instructional methods or programs, in a minimum of 160 instructional days per academic term or 80 instructional days per semester without a written excused absence will not be promoted.
  - A school board or a school committee may review a promotion decision and, if warranted due to compelling and/or extenuating circumstances, rescind in writing such action on a case-by-case basis. Alternative instructional methods must be submitted, in writing, for approval by the EPA.
- B.** High school course credits required for grade-level placement are determined by the number of units of course credit earned at each grade level.
- C.** Grade acceleration is the practice of assigning a student to a higher grade than is typical given the student's age for appropriately challenging learning opportunities.
- Acceleration may be done on a single-subject basis (e.g., a student attends a 2<sup>nd</sup> grade mathematics course but otherwise stays in the 1<sup>st</sup> grade classroom) or for the entire grade (e.g., moving to 5<sup>th</sup> grade after successfully completing the first semester of 4<sup>th</sup> grade).
  - A parent, teacher, counselor, principal may refer the student for acceleration at least 60 days prior to the end of a school year. With parental or legal guardian permission, the school will assemble a team, consisting of the accelerated-grade level teacher, student's current teacher, principal, parent/legal guardian, gifted-and-talented coordinator, and school psychologist, to consider the request. If a building change is required, the receiving building's principal and counselor must be a part of the team.
  - A team may use a standard set of criteria to determine acceleration, including that a student must have mastery of all areas of the appropriate math and ELA (English Language arts) levels for full-grade acceleration.
  - The parent/legal guardian must be notified in writing of the determination of the evaluation process within 45 days of submission of the referral. The team may specify a transition period; in such cases, the principal may remove the student without repercussions from the accelerated placement.
  - At the end of the transition period, the placement is permanent.

### **1.9 Remediation.**

- A.** Each student in grades K-12 with unsatisfactory achievement of program objectives, standards, or grade-level content expectations must be reported to parents/legal guardians during each marking period as soon as evident, but not later than the midpoint of the nine-week grading period, to allow sufficient time for a student to correct the problem.
- B.** Each BIE-operated school must deliver remedial instruction in mathematics and reading to students in K-6 grade upon recommendation of the classroom teacher.
- C.** Credit remediation will be offered to students in grades 7-12 outside of regular school hours, such as through summer school opportunities.
  - All remediation for credit must be approved by the school principal.
  - All for-credit remediation must meet the minimum curriculum standards and be taught by teachers with appropriate certification.
- D.** The school must communicate opportunities for remediation to parents/legal guardians.

### **1.10 High School Course Credit.**

- A.** Course credit will be awarded when a student satisfactorily completes a course. Satisfactory completion of a course is determined primarily by the measurable mastery of the grade-level content standards for that course. Units of credit reflect the time invested in each course. One unit is defined as 120 hours of instructional contact in a subject. Completion of the minimum number of units is the sole criteria for the issuance of a high school diploma (unless a state has stricter standards).
  - Course credit is not granted for an “E”
  - Students may re-enroll in a course once for credit
  - Credit by examination may not be used as a method of replacing a failed course or to replace a course grade or course credit that has already been awarded to the BIE student
- B.** All high school courses taken for course credit in grades 7 and 8 must appear on the student’s high school transcript and will fulfill the BIE school graduation requirements.

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- C. Credit by examination allows a BIE high school student to take an examination to receive high school credits in mathematics, ELA, science, social studies, health, and world languages.
- This opportunity for credit is available in limited circumstances (e.g., a student transferring from a non-BIE school who took a course but was not granted high school credit is eligible for credit by examination; or the student took a high school-level course in middle school; or for acceleration purposes).
  - Credit by examination may not be used to earn credit for a course previously failed.
  - Only examinations approved by the BIE may be used to award credit by examination.
  - Students are allowed only one attempt for each approved credit by examination.
  - A score of 80% or higher is required to receive credit for completion of a course by examination and be recorded on a student's transcript as "P" (for passed).
    - The examination score is not calculated in the student's GPA.
    - Failed examination scores are not recorded on the student's transcript.
    - A parent or legal guardian must give written permission to the high school for the student to attempt credit by examination.

### 1.11 High School Graduation (25 CFR 36.32 – Standard XII).

- A. To graduate, a student must earn at least 20 units in a four-year high school program unless the state in which the school is located exceeds these requirements, in which case the state's requirements will apply. These are minimum requirements; 15 units must be required as follows:
- ELA- four units
  - Mathematics- three units
  - Social studies- three units
    - One unit in United States history
    - One-half unit in civics/government
    - One-half unit in Tribal history/government
    - One-half unit in Tribal studies
    - One-half unit in any other social studies
  - Science- two units

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- One unit in the general science area
  - One unit in laboratory science areas (e.g., chemistry, physics, biology, zoology, laboratory anatomy)
  - Physical education- one unit
  - Practical arts- one unit. Credit in any vocational course may also be used to satisfy this required unit
  - Fine arts- one unit (music, art, dance, drama, theatre, and other fine arts courses may be used to satisfy this required unit)
- B.** A school with an average enrollment of fewer than 75 students may offer subjects in alternate years. If schools use this pattern, alternating pairs of subjects must be listed and approved by the Superintendent.
- C.** Credits earned through approved correspondence, extension study, or virtual education may be accepted if such credits are from schools approved or accredited by the state in which they are located or by a college or university that is regionally accredited for such purposes.
- D.** Students must meet the minimum graduation requirements in order to receive a high school diploma from a BIE-operated school. Qualifications for a standard diploma are:
- Completion of the course and credit requirements of the BIE-operated school corresponding with the student's 9<sup>th</sup> grade entrance year
  - Having a grade point average of 2.0 or higher
- E.** Early graduation may be approved by the Principal if:
- in the student's best interests;
  - The request has written legal guardian approval;
  - The student is officially classified as a 12<sup>th</sup> grader (having earned the required number of credits);
  - The student has demonstrated scholastic aptitude and academic/vocational readiness and admittance and readiness to pursue an advanced educational program
  - For a December or January graduation, approval must be obtained no later than October 31<sup>st</sup>
  - For a junior (11<sup>th</sup> grade student), approval must be obtained no later than May 1<sup>st</sup>



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- F. All students in good standing will be eligible to participate in a commencement ceremony if they have met the requirements of the standard diploma or certificate of completion.

### Approval

**TONY DEARMAN** Digitally signed by TONY DEARMAN  
Date: 2021.12.20 11:12:46 -05'00'

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Tony Dearman

Date

Director, Bureau of Indian Education